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BEFORE THE STATE OF INDIANA  
CIVIL RIGHTS COMMISSION

- - -

PUBLIC MEETING OF JUNE 15, 2018

- - -

PROCEEDINGS

in the above-captioned matter, before the Indiana  
Civil Rights Commission, Hollie Harrington,  
Chairperson, taken before me, Lindy L. Meyer,  
Jr., a Notary Public in and for the State of  
Indiana, County of Shelby, at the Indiana  
Government Center North, 100 North Senate Avenue,  
Room N300, Indianapolis, Indiana, on Friday,  
June 15, 2018 at 1:02 o'clock p.m.

- - -

William F. Daniels, RPR/CP CM d/b/a  
ACCURATE REPORTING OF INDIANA  
12922 Brighton Avenue  
Carmel, Indiana 46032  
(317) 848-0088

♀

1 APPEARANCES:

CRC 6-15-18

2 COMMISSION MEMBERS:

3 Holli Harrington, Chairperson  
4 Weilin Long  
5 Sheryl Edwards (via telephone)  
6 Alpha Blackburn  
7 Steven A. Ramos

8 INDIANA CIVIL RIGHTS COMMISSION  
9 By Gregory Wilson, Director  
10 & Doneisha Posey, Deputy Director  
11 Indiana Government Center North  
12 100 North Senate Avenue, Room N300  
13 Indianapolis, Indiana 46204  
14 On behalf of the Commission.

10

11 OTHER COMMISSION STAFF PRESENT:

12 John Burkhardt  
13 Caroline Stephens Ryker  
14 Tatiana Foote  
15 Maya Chakrabarti Pasic  
16 Kanesha Montgomery  
17 Anehitā Eromosele

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1 1:02 o'clock p.m.  
2 June 15, 2018

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4 CHAIRPERSON HARRINGTON: It is 1:02,  
5 and at this time I would like to convene the  
6 Indiana Civil Rights Commission for our public  
meeting June 15th, on Friday, and it should last

7 between 1:00 and 3:00 o'clock. Everybody should  
8 have an agenda before them. We're only -- we're  
9 missing two Board members, so what do we need for  
10 a quorum?

11 JUDGE BURKHARDT: Fortunately, four.

12 CHAIRPERSON HARRINGTON: Okay.

13 JUDGE BURKHARDT: So, we are set so  
14 go.

15 CHAIRPERSON HARRINGTON: So, we have  
16 established a quorum. I would also like to  
17 acknowledge that we have -- one of our  
18 Commissioners, Edwards, is joining us via  
19 conference call, and so, I just want to confirm  
20 that she can hear everyone okay.

21 COMM. EDWARDS: Yes, I can, okay.

22 CHAIRPERSON HARRINGTON: Okay.

23 COMM. BLACKBURN: Hello,

4

1 Comm. Edwards.

2 COMM. EDWARDS: Hello, everyone?

3 COMM. LONG: Hello.

4 COMM. RAMOS: Hello.

5 (Mr. Wilson entered the room.)

6 CHAIRPERSON HARRINGTON: All right.

7 Our agenda today is a little short, as we  
8 don't have any cases from the previous meeting  
9 and we don't have any assignments. So, we'll go  
10 through the minutes; we'll go through our  
11 Director's Report; we've got New Business of

12 Final orders, I believe there are five; and if we  
13 can entertain any announcements; review our  
14 meeting dates; and if there's any other  
15 discussion we can have that; and then we'll  
16 adjourn.

17 So, our first order of business is  
18 approval of our minutes from our previous  
19 meeting. Has everyone had an opportunity to  
20 review those that were in our SharePoint?

21 COMM. LONG: Yes.

22 COMM. RAMOS: Yes.

23 COMM. BLACKBURN: I move approval.

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1 COMM. RAMOS: I second.

2 CHAIRPERSON HARRINGTON: Okay. It's  
3 been properly moved and seconded. Are there any  
4 questions?

5 JUDGE BURKHARDT: I would simply note  
6 after this is addressed, just to bring to your  
7 attention, an appeal just today was added to the  
8 agenda an appeal for assignment, so that can be  
9 done after the minutes are adopted.

10 CHAIRPERSON HARRINGTON: Okay. Do  
11 you want to do that before the Director's Report?

12 JUDGE BURKHARDT: Yes.

13 CHAIRPERSON HARRINGTON: Okay.

14 JUDGE BURKHARDT: well, that can be  
15 after the Director's Report, but before the  
16 orders.

17 CHAIRPERSON HARRINGTON: Okay. Thank  
18 you.

19 Well, we have a motion on the floor. It's  
20 been properly moved and seconded. All those in  
21 favor of accepting the minutes, do so by saying  
22 aye.

23 COMM. EDWARDS: Aye.

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6

1 COMM. BLACKBURN: Aye.

2 COMM. LONG: Aye.

3 COMM. RAMOS: Aye.

4 CHAIRPERSON HARRINGTON: So, John  
5 shared with me because we have someone on the  
6 phone, all votes we need to do a roll call.

7 JUDGE BURKHARDT: Yes.

8 CHAIRPERSON HARRINGTON: So, if you  
9 can kind of walk us through what that process  
10 should be, and then we'll follow that for all  
11 votes.

12 JUDGE BURKHARDT: Absolutely. Thank  
13 you. So, the Public Access Counselor, in their  
14 handbook, provides that electronic participation  
15 in these meetings requires a roll-call vote for  
16 disposing of matters such as these, and that will  
17 simply mean when you seek to dispose of these  
18 agenda items and do it by vote, the Vice-Chair  
19 can go down the line, hearing a vote  
20 consecutively from each Commissioner.

21 CHAIRPERSON HARRINGTON: Okay. So,

22 for this one, Comm. Long?  
23 COMM. LONG: Yes.

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7

1 CHAIRPERSON HARRINGTON: And  
2 Comm. Edwards?  
3 COMM. EDWARDS: Aye.  
4 CHAIRPERSON HARRINGTON: Comm. Ramos?  
5 COMM. RAMOS: Aye.  
6 CHAIRPERSON HARRINGTON: And aye, I'm  
7 aye. Jackson is not here, and -- I'm sorry;  
8 Comm. Blackburn?  
9 COMM. BLACKBURN: Aye.  
10 CHAIRPERSON HARRINGTON: Okay. So,  
11 the ayes have it, and the motion passes. Next on  
12 our agenda is the ICRC Director's Report.  
13 Good to see you, Greg.  
14 MR. WILSON: Good to see everybody.  
15 Thank you again, Chair. I appreciate it.  
16 So, this won't take long. Again, as we're  
17 still hard at it, I think we'll just go through  
18 this list a little bit. As you can see, with the  
19 complaints by Enforcement Areas, Employment,  
20 Housing, Public Accommodation, Education and  
21 Credit, which Credit is going up, which we're  
22 very appreciative of.  
23 We've been really marketing this services

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8

1 pretty hard in the community and around the  
2 state, because we were not getting that many  
3 complaints in credit and education, more stuff  
4 have always been in with disability and housing,  
5 so I think that's just the hard work of the team,  
6 especially with our Intake group, who's now out  
7 in the libraries and the community centers,  
8 taking claims from people so they don't have to  
9 come here to downtown, because we all know that  
10 it can be a challenge sometimes coming to the  
11 building to find parking, especially certain  
12 times of the day, and so, we want to make it as  
13 easy as possible for people to be able to bring a  
14 complaint if that's what they choose to do.

15           Complaints by the Biggest Counties, as you  
16 can see, of course, Marion is still number one,  
17 followed by Lake, Allen, Hamilton and St. Joseph.  
18 As you can see, and I won't go through in detail,  
19 the changes from April, as you can see, from May  
20 and April, and then also you can see the monetary  
21 settlement.

22           I'm going to tell you we have a great  
23 mediation team and led by Caroline -- Caroline.

♀

9

1 I don't know if she's here, but --

2           MS. POSEY: Allisondra.

3           MR. WILSON: And Allisondra,

4 Allisondra, I'm sorry. And they do a great job

5 in getting a lot of these settlements done, which

6 benefits the respondent and complainant. And  
7 then with Lesley, the Upcoming Events, and these  
8 are just things, feel free to attend and promote,  
9 but we have the -- we did the Fun Fest for Center  
10 Township, we'll be doing the Fever game where --  
11 we've done some PSA's, even with Freddie from the  
12 Fever, where we talk about discrimination.

13           And then we have the 45th Annual  
14 Consortium Conference in South Bend coming up,  
15 and you'll see the dates there; the Eiteljorg  
16 Museum partnership with the Native American  
17 Commission; the City of La Porte Fair Housing  
18 Fair that I think Doneisha's putting on there,  
19 and this is a new partnership that we've engaged  
20 in.

21           And then we're going to San Antonio for  
22 the FEPA Conference this month here. We've got a  
23 full plate between the Consortium and then the

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1 FEPA Conference. Then we've got the Governor's  
2 Reception, that'll be with IBE. That partnership  
3 continues with the Education Conference as well  
4 as the Luncheon and the Exhibit Hall. Then we  
5 have our Civil Rights Night with the Indians that  
6 we're still doing. We think that's been a great  
7 event, a great partnership.

8           The big thing we're working on right now,  
9 and mostly everything else you can see here, is  
10 our Region V Conference, where we're bringing all

11 of these different human rights agencies in our  
12 regions here to Indianapolis, and we're going to  
13 actually -- the goal is Dr. -- Sect. Carson will  
14 be here and speaking about his vision for the  
15 human rights agencies when it comes to HUD. And  
16 so, we're excited about that, and that's in early  
17 October.

18           So, these are some of the things that  
19 we're doing. Again, as an agency we're excited  
20 about what we're doing, the way we're doing it,  
21 how -- I mean our team is ready, people are  
22 excited, and again, the number one priority is  
23 customer service, making sure that people

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11

1 understand that our customers are very important.  
2 Whether they're here in Indiana or they're  
3 passing through, we want to deliver quality  
4 service to those that we serve.

5           So, again, anybody have any questions for  
6 me?

7           Commissioner.

8           COMM. BLACKBURN: It's been customary  
9 that the Commission would attend the Reception,  
10 which is listed on the --

11           CHAIRPERSON HARRINGTON: 17th?

12           COMM. LONG: 17th.

13           COMM. BLACKBURN: -- 17th, and the  
14 Corporate Luncheon. Will you take care of  
15 inviting all of the Commissioners to those two

16 events and providing seating for them?

17 MR. WILSON: Well, the -- I don't  
18 know if the -- yeah, the Reception, no doubt. I  
19 just don't know about the Corporate Luncheon,  
20 exactly how that's going to be laid out yet, so I  
21 will let the Commission know. But the Reception,  
22 yes, of course. I just don't know about the  
23 Corporate Luncheon.

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1 COMM. BLACKBURN: Well, when you said  
2 "laid out," what do you mean?

3 MR. WILSON: I don't know what the  
4 table setups are going to be this year between  
5 IBE and the Civil Rights agencies, so when I find  
6 out, I will let you know. But right now, the  
7 Reception, I know how that's laid out, so you'll  
8 definitely get the invitation from us for that.

9 COMM. RAMOS: Is that in the evening?

10 MR. WILSON: The Reception's in the  
11 afternoon. I think it's about -- it's like noon,  
12 I think something about either 12:00 or 1:00.  
13 It's in that area. As soon as we finish working  
14 on it, though, you'll get an invite. You know  
15 exactly when it is.

16 COMM. RAMOS: Okay.

17 MR. WILSON: Any other questions?

18 CHAIRPERSON HARRINGTON: I had a  
19 couple, just --

20 MR. WILSON: Please.

21 CHAIRPERSON HARRINGTON: And bear  
22 with me. Being new, I just want to make sure --  
23 MR. WILSON: That's okay.

13

1 CHAIRPERSON HARRINGTON: -- that we  
2 have this in front of us. I know the time frame.  
3 So, the Complaints by Enforcement Area that's  
4 here, are these year to date, or just totals that  
5 are in the queue?

6 MR. WILSON: This is a monthly, so  
7 this is -- this is for the previous month.

8 CHAIRPERSON HARRINGTON: So, this --  
9 so the 12, 29, 36 are complaints solely within  
10 the month of May?

11 MS. POSEY: If I may?

12 MR. WILSON: Yes, go ahead.

13 MS. POSEY: These are inquiries,  
14 people who have called to inquire about filing a  
15 complaint in these enforcement areas.

16 CHAIRPERSON HARRINGTON: Okay. So --

17 MR. WILSON: But the time frame is --

18 MS. POSEY: So, for the month of May  
19 we had 196 inquiries, so these numbers right here  
20 add up to 196, and --

21 CHAIRPERSON HARRINGTON: Okay. Just  
22 within May?

23 MR. WILSON: Yeah, but the question

1 was just -- really whether the month is May.

2 MS. POSEY: Uh-huh.

3 MR. WILSON: That was the question,  
4 so it is May.

5 MS. POSEY: Okay.

6 CHAIRPERSON HARRINGTON: All right.  
7 I just wanted to know that for clarification.  
8 And then --

9 MR. WILSON: Yeah, always these  
10 reports will be -- we'll present them the next  
11 month, but they'll be for the previous month.

12 CHAIRPERSON HARRINGTON: Okay. And  
13 any sense of if -- well, I'll check off-line.  
14 So, these are the inquiries with -- just within  
15 the month. Do we ever report out what the total  
16 is for the year?

17 MR. WILSON: You'll see it at the end  
18 of the year, in our --

19 CHAIRPERSON HARRINGTON: Okay.

20 MR. WILSON: -- in our year-end  
21 report. Were you here in December -- or January?  
22 Were you here in January?

23 CHAIRPERSON HARRINGTON: I think that

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1 I --

2 MR. WILSON: Well, we'll normally  
3 give you the end-of-the-year report. That's when

4 we give you the cumulative numbers, uh-huh --

5 CHAIRPERSON HARRINGTON: Okay.

6 MR. WILSON: -- for the year.

7 MS. POSEY: And I can provide you  
8 with 2017's Annual Report so that you have that.

9 CHAIRPERSON HARRINGTON: Okay. All  
10 right. Well, like I said, just trying to make  
11 sure I understand what I'm looking at.

12 MR. WILSON: That's okay.

13 CHAIRPERSON HARRINGTON: The Upcoming  
14 Events, you referenced a Conference in October.  
15 Is that something that you would look to the  
16 Commissioners to either attend or have any kind  
17 of involvement in?

18 MR. WILSON: Well, again, that's up  
19 to -- that's up to the Commissioners. These are  
20 not mandatory things. If you're interested --  
21 that's why we put them on here -- you just let us  
22 know. But it just depends on what it is, if it's  
23 something that is appropriate for --

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1 CHAIRPERSON HARRINGTON: Because I --

2 MR. WILSON: -- this Commission.

3 CHAIRPERSON HARRINGTON: -- think you  
4 alluded to there would be some kind of hosting,  
5 that we're hosting other people from outside.

6 MR. WILSON: Yeah, Indiana, we're  
7 hosting -- yeah, the human right agencies here  
8 are hosting the Region V, which is all of those

9 agencies from those cities that are part of the  
10 Region V group, which is Minnesota, Wisconsin,  
11 Illinois, Ohio, Michigan and here, Indiana.

12 CHAIRPERSON HARRINGTON: Okay. And  
13 if there's any information that can be sent in  
14 advance just to hold dates in case --

15 MR. WILSON: Yeah. Well, we're not  
16 ready, though.

17 CHAIRPERSON HARRINGTON: Okay.

18 MR. WILSON: It's not on the sheet.  
19 When we get it ready, it'll be posted, and then  
20 we'll let you know.

21 CHAIRPERSON HARRINGTON: Okay.

22 MR. WILSON: I just brought that up.

23 CHAIRPERSON HARRINGTON: Okay. No,

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1 it's just I'm excited. You know, I'm at --

2 MR. WILSON: It is exciting.

3 CHAIRPERSON HARRINGTON: -- the  
4 airport, so the other -- the piece that people  
5 are traveling, and if there's any presence you  
6 want to have there to welcome folks -- it sounds  
7 like a lot might be driving, but in case --

8 MR. WILSON: well, a lot might be  
9 flying.

10 CHAIRPERSON HARRINGTON: Okay.

11 MR. WILSON: I mean a lot of times a  
12 lot of people are flying, you know, Dr. -- or  
13 Sect. Carson. Yeah, it's a big deal. I mean

14 maybe -- we anticipate maybe five to seven  
15 hundred people, and so, for us, working with  
16 Visit Indy and others. Yeah, it's a big deal.

17 CHAIRPERSON HARRINGTON: Okay. Well,  
18 just keep us in mind if there's anything that we  
19 can do. We do a lot of partnerships with Visit  
20 Indy, and it might be just an opportunity to --

21 MR. WILSON: I love it.

22 CHAIRPERSON HARRINGTON: -- do some  
23 additional visibility for the Commission itself.

18

1 MR. WILSON: Yeah, it will be nice to  
2 be able to like welcome --

3 CHAIRPERSON HARRINGTON: Yeah.

4 MR. WILSON: -- the Region V  
5 Conference in.

6 CHAIRPERSON HARRINGTON: Because I  
7 know that I was proud when I saw the display for  
8 MLK, and I don't know who owns that, but if we  
9 wanted to do something like that in the Civic  
10 Plaza, I can get you connected to the folks.

11 MR. WILSON: That'll be good.

12 CHAIRPERSON HARRINGTON: It just  
13 makes ours city welcoming.

14 MR. WILSON: Yeah. No, no, no, I  
15 agree, especially when you talk about human  
16 rights agencies, I mean that is making everybody  
17 welcome and know that, you know, we're about  
18 people's civil rights, so, yeah.

19 CHAIRPERSON HARRINGTON: Okay. And  
20 then just on any of the upcoming events, I know  
21 you said they're not mandatory. Is there  
22 anything where you would like us to be present  
23 and supportive?

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19

1 MR. WILSON: Again, it just depends,  
2 case by case.

3 CHAIRPERSON HARRINGTON: Okay.

4 MR. WILSON: And we'll -- if there is  
5 something like that, we'll definitely -- we'll  
6 let you know that, but we always -- you are  
7 welcome to attend or promote the events, so we  
8 appreciate it.

9 CHAIRPERSON HARRINGTON: All righty.

10 MS. POSEY: And if I may, before you  
11 step into New Business, at the last Commission  
12 meeting I talked about us having a more robust  
13 internship program, and I think I introduced a  
14 couple of our interns. So, we have two more --  
15 yeah, two more to introduce to you this time  
16 around. I think in total we have nine interns  
17 for the summer, so we're really excited. They're  
18 doing awesome work here, and they are just  
19 amazing.

20 So, if you both could just introduce  
21 yourself, what school you either go to or just  
22 graduating from, and what are you doing here, and  
23 what are your plans.

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1 MS. MONTGOMERY: Hello, everyone. My  
2 name is Kanisha Montgomery. I'm a recent  
3 graduate of Alabama A & M University, with a  
4 social work major, and I am working with the  
5 Repace team and ADR, and my plans after this  
6 internship would be to move to Washington, D.C.  
7 and work in the public sector.

8 COMM. RAMOS: Great.

9 CHAIRPERSON HARRINGTON: Welcome.  
10 Great.

11 COMM. BLACKBURN: Welcome.

12 MS. PASIC: Hi. I'm Maya. I just  
13 finished my first year of undergrad at Yale. I'm  
14 a history major, and I'm working with Kanisha on  
15 legislative policy, so I'm excited to be here.

16 CHAIRPERSON HARRINGTON: All right.

17 MS. POSEY: So, I just wanted to  
18 introduce you to those two. All nine interns are  
19 here during the week, but at different days.  
20 Some of them work Tuesday and Thursday, some of  
21 them work all week long, so it would be hard to  
22 get them all here on a Friday. But I just wanted  
23 to let you know that they're doing amazing work.

♀

1 we're very happy to have them.

2 And before the summer's over, we're going  
Page 17

3 to be doing a lot of fun things, especially  
4 just -- not only helping them understand what we  
5 do here at the Commission, but also getting them  
6 involved in government, in the nonprofit world.  
7 And if you would like to host the interns at your  
8 office to kind of talk to them about what you do  
9 and what your agency does or your business,  
10 please let me know.

11 CHAIRPERSON HARRINGTON: Okay.

12 MS. POSEY: Thank you.

13 CHAIRPERSON HARRINGTON: Thank you  
14 very much. I would like to thank the Executive  
15 Director for his report, and the Deputy Director  
16 for introducing the interns. If there are no  
17 other questions, we can move to the next line of  
18 business, which is an add from the Judge.

19 JUDGE BURKHARDT: Yes. So, when the  
20 Docket Clerk receives a new appeal of one of the  
21 Director's findings, those are processed.  
22 There's a preliminary investigation to see  
23 whether it was a timely appeal and then they're

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1 added to the agenda. This one came in recently,  
2 so it was on short notice, added to the agenda  
3 for assignment to a Commissioner a review just as  
4 all New Business appeals are.

5 CHAIRPERSON HARRINGTON: Okay. Well,  
6 let me check. So, what I would need is we have  
7 the listing of the last assignments, to see who

8 would be the appropriate Commissioner to assign  
9 this one to, because it seems like they just went  
10 in --

11 COMM. RAMOS: You can delegate.

12 MS. POSEY: Yeah.

13 COMM. RAMOS: There's no order.

14 CHAIRPERSON HARRINGTON: Oh, yeah,  
15 there's --

16 MS. POSEY: As long as they're  
17 present, you can --

18 COMM. RAMOS: Yes.

19 CHAIRPERSON HARRINGTON: Oh, as long  
20 as they're -- all righty.

21 well, are you okay?

22 COMM. RAMOS: Sure.

23 CHAIRPERSON HARRINGTON: Okay.

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23

1 I'll assign it to Comm. Ramos.

2 MS. POSEY: For the record, could you  
3 say what you're assigning?

4 CHAIRPERSON HARRINGTON: The appeal.  
5 It was an add.

6 MS. POSEY: Oh, you don't have it?

7 CHAIRPERSON HARRINGTON: No.

8 MS. POSEY: Okay.

9 MR. WILSON: Give her mine.

10 JUDGE BURKHARDT: The appeal on the  
11 table right now is Vassil Marinov v. United Auto  
12 worker. It's an employment case based on

13 religion, so it's EMre17081214.

14 COMM. RAMOS: Okay. I've got it.

15 CHAIRPERSON HARRINGTON: Yeah, and I  
16 apologize that it's not on there.

17 MS. POSEY: You can actually just  
18 keep my copy.

19 CHAIRPERSON HARRINGTON: Okay. So,  
20 we are assigning the case of Vassil --

21 MR. WILSON: He read it.

22 CHAIRPERSON HARRINGTON: Oh, do I  
23 need to redo it?

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1 MR. WILSON: No.

2 CHAIRPERSON HARRINGTON: Okay. At  
3 EMre17081214. And are there copies, since it  
4 just came in, to make sure that -- I know it'll  
5 be in SharePoint. Do you need the electro copy?  
6 Is that fine, or do you need our copy.

7 COMM. RAMOS: No, electronic is fine.

8 CHAIRPERSON HARRINGTON: Okay.

9 COMM. RAMOS: If I need more, I can  
10 contact Doneisha.

11 COMM. LONG: And it's in here?

12 JUDGE BURKHARDT: Yes, I believe a  
13 hard copy is in all binders.

14 CHAIRPERSON HARRINGTON: Okay.

15 JUDGE BURKHARDT: Thank you.

16 CHAIRPERSON HARRINGTON: All right.

17 Thank you.

18           And now we can move to the New Business,  
19 and we have five Final Orders that we need to  
20 review, and we can do an introduction of the  
21 Orders by our Law Judge.

22                   JUDGE BURKHARDT: Okay. Thank you  
23 very much.

25

1           So, I would be happy to introduce them one  
2 by one, giving you time to dispose of it as you  
3 will, and then present the next one. This first  
4 one in the matter of Gregory L. Wilson, Sr., in  
5 his official capacity as Executive Director of  
6 the ICRC v. Douglas Furbee, that's a housing case  
7 with disability allegations having been made.

8           And so, my dispositive order dismisses  
9 these proceedings due to Respondent's having  
10 filed a timely election out of this  
11 administrative forum. This is the one of the  
12 more types of routine dismissals when parties  
13 take their opportunity to settle this matter in  
14 State Court rather than in this forum, and so, I  
15 dismissed it on that basis, and neither party  
16 filed objections.

17                   CHAIRPERSON HARRINGTON: Okay. So,  
18 at this time we need to vote on this specific  
19 order?

20                   JUDGE BURKHARDT: Yes. And so, with  
21 no objections on file, it would be up to the  
22 Commission either to undertake on its own motion

23 further review of the case just generally for

26

1 educational purposes, or to uphold the matter.

2 COMM. BLACKBURN: I would like to  
3 move acceptance.

4 COMM. LONG: I second.

5 CHAIRPERSON HARRINGTON: All right.  
6 It's been properly moved and seconded that we  
7 uphold the order from the Judge. Are there any  
8 questions?

9 (No response.)

10 JUDGE BURKHARDT: And we'll do it by  
11 roll call.

12 CHAIRPERSON HARRINGTON: Uh-huh.

13 JUDGE BURKHARDT: Thank you.

14 CHAIRPERSON HARRINGTON: Yeah.

15 Are there any questions?

16 COMM. RAMOS: No.

17 CHAIRPERSON HARRINGTON: Okay.

18 COMM. EDWARDS: No.

19 CHAIRPERSON HARRINGTON: All of those  
20 in favor, we'll do a roll call, so we'll start  
21 with Comm. Long.

22 COMM. LONG: Aye.

23 CHAIRPERSON HARRINGTON: And

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1 Comm. Edwards?

2 COMM. EDWARDS: Aye.

3 CHAIRPERSON HARRINGTON: Comm. Ramos?

4 COMM. RAMOS: Aye.

5 CHAIRPERSON HARRINGTON: And

6 Comm. Blackburn?

7 COMM. BLACKBURN: Aye.

8 CHAIRPERSON HARRINGTON: All right.

9 The motion has been accepted, so we -- this order  
10 has been approved as recommended by the Law  
11 Judge.

12 The next one?

13 JUDGE BURKHARDT: Yes. Similarly,  
14 ICRC v. Max Winchell, another housing case with  
15 disability allegations having been made. Again,  
16 this is a -- my dismissal following another  
17 election of forum, so neither party filed  
18 objections to trigger your further review.

19 CHAIRPERSON HARRINGTON: All right.

20 Can I have a motion to either accept or  
21 take other action on this order?

22 COMM. RAMOS: So moved.

23 CHAIRPERSON HARRINGTON: I need a

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1 second.

2 COMM. BLACKBURN: Acceptance, I

3 second.

4 CHAIRPERSON HARRINGTON: All right.

5 It's been properly moved and seconded. Are there

6 any questions?

7 (No response.)

8 CHAIRPERSON HARRINGTON: If none, we  
9 can do our vote, and I apologize for the roll  
10 call, but -- so Comm. Long?

11 COMM. LONG: Aye.

12 CHAIRPERSON HARRINGTON: And  
13 Comm. Edwards?

14 COMM. EDWARDS: Aye.

15 CHAIRPERSON HARRINGTON: Comm. Ramos?

16 COMM. RAMOS: Aye.

17 CHAIRPERSON HARRINGTON: And  
18 Comm. Blackburn?

19 COMM. BLACKBURN: Aye.

20 CHAIRPERSON HARRINGTON: Okay. The  
21 motion passes. We can move to the third order.

22 JUDGE BURKHARDT: Right. It's  
23 getting more substantive now in this matter with

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1 the case of Lucas v. CR works, Inc., Docket  
2 No. EMrt10110515, and that's a retaliation-based  
3 allegation in this case. This was presided over  
4 by former Administrative Law Judge Doneisha  
5 Posey, who presided over a hearing addressing  
6 what relief should be afforded to Complainant  
7 after the matter of liability had already been  
8 determined. And so, her order specifies what  
9 remedial actions are necessary to restore  
10 Complainant's losses in this case. So, neither

11 party filed objections.

12 CHAIRPERSON HARRINGTON: All right.

13 And I know you mentioned that this one was a  
14 little bit different. Are there any other  
15 actions than the previous two that the Commission  
16 can take on this one?

17 JUDGE BURKHARDT: Thank you. No,  
18 that would be the same, same structure, whether  
19 you would undertake further review on your own,  
20 but without objections on file. Otherwise, you  
21 would just affirm the matter.

22 MS. POSEY: And I can give you more  
23 details about the case if you're just interested.

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30

1 CHAIRPERSON HARRINGTON: Is there any  
2 matter that you think you should bring to the  
3 attention of the --

4 MS. POSEY: No, just the fact that  
5 this case was filed several years ago, and it  
6 went through the hands of different ALJ's before  
7 coming to me. I held the hearing up in Gary,  
8 Indiana, and the Complainant has received damages  
9 in this matter, and you can see it in the  
10 proposed order.

11 CHAIRPERSON HARRINGTON: Okay.

12 COMM. BLACKBURN: I'll move  
13 acceptance.

14 COMM. RAMOS: Second.

15 CHAIRPERSON HARRINGTON: It's been

16 properly moved and seconded. Any questions?

17 (No response.)

18 CHAIRPERSON HARRINGTON: We'll do the  
19 roll.

20 Comm. Long?

21 COMM. LONG: Aye.

22 CHAIRPERSON HARRINGTON: Okay.

23 Comm. Edwards?

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1 COMM. EDWARDS: Aye.

2 CHAIRPERSON HARRINGTON: Comm. Ramos?

3 COMM. RAMOS: Aye.

4 CHAIRPERSON HARRINGTON: And  
5 Comm. Blackburn?

6 COMM. BLACKBURN: Aye.

7 CHAIRPERSON HARRINGTON: The third  
8 order has been affirmed, and we'll move to the  
9 fourth.

10 JUDGE BURKHARDT: Thank you. This is  
11 the matter of Erica Shannon v. Pedcor Management  
12 Corp., Princeton Lake Apartments, HOFs16101514.  
13 That's allegations based on familial status,  
14 indicated there by "fs." So, in this case, after  
15 the Director had dismissed the complaint with  
16 prejudice under the Indiana Fair Housing Act in  
17 its Notice of Findings issued on April 24th,  
18 2017, the ICRC, the full Commission, later issued  
19 a Notice of Reversal, stating that the dismissal  
20 had been reserved into a finding of reasonable

21 cause.

22 My order on the table now dismisses the  
23 Indiana Fair Housing Act proceedings. Neither

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1 Complainant Shannon nor Respondent filed  
2 objections; however, as you saw in SharePoint and  
3 have in your binder, the ICRC Director submitted  
4 objections, and that would trigger administrative  
5 review, where the Commission can affirm, modify  
6 or dissolve the order.

7 COMM. RAMOS: Madam Vice-Chair, can  
8 we get a little more detail on the Director's  
9 objections?

10 CHAIRPERSON HARRINGTON: Uh-huh.

11 MS. POSEY: If I may, the attorney  
12 for the Director, the staff attorney that was  
13 assigned to this case to represent the Director  
14 is here, and she can just give you a summary of  
15 what the objections are -- or not what the  
16 objections are, but what we would like.

17 MS. RYKER: In this case,  
18 Commissioners, we would request the opportunity  
19 to do oral arguments to fully delve into these  
20 issues. As you see in the objections that I  
21 filed on behalf of the Director, there are  
22 several different objections, and we would like  
23 the opportunity and afford Respondent the

1 opportunity as well to discuss those with you.

2 MS. POSEY: At the next Commission  
3 meeting.

4 MS. RYKER: Yes.

5 JUDGE BURKHARDT: If I may add, as  
6 soon as these objections were put on file, all  
7 parties were notified of the opportunity to file  
8 briefs, which is part of that administrative  
9 review process to which they're entitled. No  
10 party, including Respondent or the aggrieved  
11 party, filed briefs in the matter, so oral  
12 argument would be just one more tool that you can  
13 use in administrative review within your  
14 discretion.

15 CHAIRPERSON HARRINGTON: So, just for  
16 clarification, do we have an opportunity -- you  
17 said either affirm, modify or request a review  
18 on -- but the recommendation is that there be --  
19 they be allowed to file objections, which would  
20 be an oral argument. So, if we affirm, we are  
21 supporting that we will move forward with an oral  
22 argument; is that correct?

23 JUDGE BURKHARDT: Well, the two

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1 options, broadly speaking, are: Make a decision  
2 to dispose of this order or undertake further  
3 administrative review before rendering a  
4 decision. If you want to undertake further

5 administrative review, you have a few tools at  
6 your discretion to use, whether that be hosting  
7 oral argument, whether it be the objections you  
8 have on file, or any briefs that could have been  
9 filed. So, it would be at your discretion to  
10 either make a decision or continue administrative  
11 review and, if you please, hold oral argument.

12 MS. POSEY: And past practice is if  
13 there's objections that are filed, oral arguments  
14 have been held --

15 CHAIRPERSON HARRINGTON: Uh-huh.

16 MS. POSEY: -- by the Commission.

17 CHAIRPERSON HARRINGTON: Okay.

18 COMM. BLACKBURN: I move that we hold  
19 hearing on the objections filed by the ICRC  
20 Director.

21 COMM. RAMOS: I second that motion.

22 CHAIRPERSON HARRINGTON: Okay. Any  
23 other question?

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1 (No response.)

2 CHAIRPERSON HARRINGTON: If not,  
3 we'll go to the vote.

4 Comm. Long?

5 COMM. LONG: Aye.

6 CHAIRPERSON HARRINGTON: Okay.

7 Comm. Edwards?

8 COMM. EDWARDS: Aye.

9 CHAIRPERSON HARRINGTON: Comm. Ramos?

10 COMM. RAMOS: Aye.

11 CHAIRPERSON HARRINGTON: And  
12 Comm. Blackburn?

13 COMM. BLACKBURN: Aye.

14 CHAIRPERSON HARRINGTON: Motion  
15 carries, so we'll move forward. The last Order  
16 is No. 5.

17 JUDGE BURKHARDT: Thank you. An  
18 employment matter with disability allegations  
19 having been made. This is the matter of Don  
20 Wright v. Penn Township Trustee, and after I held  
21 a hearing on the merits in Mishawaka on this  
22 complaint, I have composed this Order, which  
23 dismisses the complaint, having found that no

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1 discrimination occurred. Neither party filed  
2 objections in this matter, so the two options on  
3 the table are to affirm, modify or dissolve, or  
4 undertake further review at your own discretion.

5 CHAIRPERSON HARRINGTON: Okay.

6 COMM. RAMOS: Madam Vice-Chair, I  
7 recommend that we uphold the dismissal as  
8 proposed by Judge Burkhardt.

9 COMM. BLACKBURN: Second.

10 CHAIRPERSON HARRINGTON: Any  
11 question?

12 (No response.)

13 CHAIRPERSON HARRINGTON: All right.  
14 We'll go to the vote.

15 Comm. Long?

16 COMM. LONG: Aye.

17 CHAIRPERSON HARRINGTON: Okay.

18 Comm. Edwards?

19 COMM. EDWARDS: Aye.

20 CHAIRPERSON HARRINGTON: Comm. Ramos?

21 COMM. RAMOS: Aye.

22 CHAIRPERSON HARRINGTON: And

23 Comm. Blackburn?

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1 COMM. BLACKBURN: Aye.

2 CHAIRPERSON HARRINGTON: Okay. That

3 motion passes, and we will affirm the order.

4 Any other comments? And bear with us.

5 One of the things -- I know there was additional

6 dialogue, but just trying to gain an

7 understanding of what we can and can't do as we

8 go through these proceedings, so thank you for

9 allowing, Judge, to make sure we have a full

10 understanding. I know some have been on the

11 Board longer than others and probably could have

12 provided the additional information, but I'm still

13 learning.

14 So, next we've got Announcements.

15 COMM. RAMOS: No need to apologize.

16 JUDGE BURKHARDT: Thank you. If I

17 could ensure that we keep our word that as -- at

18 the request of Chair Slash, the proposal of

19 calendaring a reoccurring Executive Session prior

20 to the beginning of Commission meeting was  
21 proposed and put on the table for discussion, and  
22 leadership of the agency promised to get back  
23 with a review of the propriety of that.

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1 And in consultation with, again, the  
2 Public Access Counselors Handbook, I'd like to  
3 provide just their direction. It states that the  
4 goal of a government unit such as this is to  
5 schedule executive sessions sparingly. They  
6 should not be held regularly nor should they be a  
7 standing meeting on government bodies' schedule.

8 So, a governing body should only hold a  
9 handful of them a year, if at all. These  
10 sessions are heavily scrutinized by the Public  
11 Access Counselor. So, to make sure that the  
12 Commission would make an informed decision about  
13 how to go about conducting any Executive Sessions  
14 it wishes to hold, that would be the direct from  
15 leadership.

16 CHAIRPERSON HARRINGTON: So, just to  
17 paraphrase, it's -- we shouldn't have a standing  
18 one before each, and it should be called on an  
19 as-needed basis when --

20 MR. WILSON: Yes.

21 CHAIRPERSON HARRINGTON: -- there is  
22 appropriate content.

23 JUDGE BURKHARDT: Yes.

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1                   COMM. RAMOS: Yes.

2                   CHAIRPERSON HARRINGTON: Okay.

3                   MR. WILSON: If I may, it's important  
4 that the public understand what you're doing --

5                   CHAIRPERSON HARRINGTON: Uh-huh.

6                   MR. WILSON: -- and that it be open  
7 to those. I mean I just think that that's huge.  
8 I know that sometimes it seems like it's the  
9 right thing to do or -- that going behind the  
10 scenes and talking, but it can give the wrong  
11 impression.

12                  CHAIRPERSON HARRINGTON: Uh-huh.

13                  MR. WILSON: -- especially the fact  
14 that we're a Civil Rights Agency, and I just  
15 think that we should be open and exposed to the  
16 public, any communication.

17                  CHAIRPERSON HARRINGTON: Okay. I  
18 appreciate it. I know in the conversation, our  
19 intent was just to have more dialogue, but it's  
20 best to have that dialogue in a public setting.

21                  MR. WILSON: Yes.

22                  JUDGE BURKHARDT: Absolutely. Thank  
23 you.

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1                   CHAIRPERSON HARRINGTON: Are there  
2 any other announcements?

3                   COMM. BLACKBURN: I want to announce  
4 an invitation to the interns to attend a  
5 not-for-profit fund-raiser for scholarships for  
6 people going into the arts or architecture, and I  
7 have with me the details of the event, which I  
8 will give to Deputy Director Posey. The Walter  
9 Blackburn Scholarship Fund was set up to honor my  
10 late husband, Walter Blackburn.

11                  The event is held in a building which he  
12 designed, which is the Arts Garden in downtown.  
13 This will be our 14th annual, and if you can  
14 attend, you will be my guest, and we will be able  
15 to see a fashion show, which would be to your  
16 delight, I'm sure, but also an opportunity to see  
17 the young scholars who will be awarded  
18 scholarships.

19                  And I leave it in your hands, Ms. Posey --

20                  MS. POSEY: Thank you.

21                  CHAIRPERSON HARRINGTON: Okay.

22                  COMM. BLACKBURN: -- to follow up.

23                  MS. POSEY: Am I also an invited

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1 guest?

2                  COMM. BLACKBURN: Yes, ma'am.

3                  MS. POSEY: Thank you.

4                  COMM. BLACKBURN: I invite the  
5 Commissioners, too. You are reminding me that I  
6 didn't extend it to the Commissioners, but, of  
7 course, I do, and I do have a number for you to

8 call to make sure someone knows you're coming.  
9 I'm not inviting you to dinner, that's a \$100  
10 ticket. I'm inviting you, however, to be there  
11 for the whole program and the fashion show.

12 CHAIRPERSON HARRINGTON: Okay.

13 COMM. RAMOS: Madam Vice-Chair, I  
14 have an announcement as well. So, my background,  
15 just as a reminder for some, is that I was with  
16 the IBM Corporation. I retired from IBM a few  
17 years ago. I'm still on their payroll, which is  
18 a good thing, and so I do a lot of volunteer work  
19 really oriented towards education, and that's my  
20 kind of big thing.

21 And so, IBM is -- I met with the  
22 Governor's Office earlier today, and there's an  
23 initiative called P-TECH 9-14, and it really

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1 focuses on helping to provide associate level  
2 degrees in high school, so instead of a 9 to 12,  
3 it's a 9 to 14 initiative.

4 MR. WILSON: Uh-huh.

5 COMM. RAMOS: And it's paid for and  
6 really focuses on really kind of professional  
7 technical skills. I'm a little bit biased. I'm  
8 trying to throw education in there because,  
9 again, my background right now in early education  
10 is we don't have enough teachers to come in and  
11 teach, you know, early childhood, and we really  
12 need that, get the ball rolling right.

13           So, I met with the Governor's Office.  
14   They are interested, and I meet with Ivy Tech at  
15   the end of this month, and once we -- so, we're  
16   just getting the ball rolling.

17           CHAIRPERSON HARRINGTON: Uh-huh.

18           COMM. RAMOS: There are 90 schools in  
19   the country, seven states that are involved in  
20   this currently. By September there will be 100  
21   schools involved in it. There are also -- it's a  
22   worldwide initiative, there are two other  
23   counties, I believe, Morocco and Australia, that

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1   are involved in it, and they really look to grow  
2   this. They've had tremendous success, started  
3   in 2011.

4           So, it's a six-year program, it's a  
5   six-year commitment, and it partners businesses  
6   and the states and the education system, the  
7   schools, so that what's unique about it is that  
8   while they're in high school they get that  
9   mentorship, they get that participation from the  
10   business, and then it's paid for, it's a hundred  
11   percent paid for.

12           It focuses on, you know, you have to have  
13   the merit, you have to have the education, you  
14   have to do all of those kind of things, but it's  
15   on the high school campus. And they can graduate  
16   earlier. I mean many kids will graduate early.  
17   It doesn't have to be through 14.

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18 CHAIRPERSON HARRINGTON: Uh-huh.

19 COMM. RAMOS: But a tremendous  
20 success. With two schools, if we were to work  
21 with two schools, in six years, that's 800  
22 students that's in the program.

23 CHAIRPERSON HARRINGTON: That's

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1 awesome.

2 COMM. RAMOS: So, it does have an  
3 impact on it, and the conversation with the  
4 Governor's Office, obviously, how to pay for  
5 that, because it comes from -- you know, from the  
6 state level, but if you can look at Pell grants,  
7 which would be part of anything that's oriented  
8 to, you know, Ivy Tech, you have to look at --  
9 they have a CTE credit, which is around 2,000,  
10 and -- you know, so it's -- it could fairly get  
11 covered up, and that's a good thing for Indiana,  
12 and it's a great initiative. So, that's in play.

13 It's just at the beginning format. I just  
14 want to keep you all in the loop on what's going  
15 on, because if you see me in the Governor's  
16 office, you're like, "okay. What's he doing?"

17 (Laughter.)

18 COMM. RAMOS: So, just to try to keep  
19 on the up-and-up, and hopefully we can make it  
20 happen. I know it might take a year or so for  
21 that to come into play, but it's all good stuff.

22 MR. WILSON: It is.

1 thank you for sharing. If there's any  
2 information you could send -- that could be sent  
3 out to all of the Commissioners, I'm a STEM nerd,  
4 so --

5 COMM. RAMOS: Yeah.

6 CHAIRPERSON HARRINGTON: -- anything  
7 we can --

8 COMM. RAMOS: Yes.

9 CHAIRPERSON HARRINGTON: -- do to --  
10 you know, we talk about the brain drain, and it's  
11 not just going to college, but it's teaching  
12 children how to use technology for future  
13 careers, be it a college path or vocational path,  
14 and unfortunately here in Indiana, there are not  
15 a lot of apprentice and vocational programs, so I  
16 think that it is a much needed type of activity,  
17 and personally in our community.

18 COMM. RAMOS: Sure. I will --

19 COMM. LONG: Yes.

20 COMM. RAMOS: I will provide some  
21 information on it, and this is just the beginning  
22 stages, so I don't want to get too many people  
23 excited about it. They're very clear -- this is

1 IBM saying -- we start with the Governor, because  
Page 38

2 if he's not interested, it's not going to happen.

3 COMM. BLACKBURN: Right.

4 COMM. RAMOS: If you start with the  
5 schools, which are, again, very excited about it,  
6 it's not --

7 CHAIRPERSON HARRINGTON: Yeah.

8 COMM. RAMOS: -- it's not organic  
9 process. It is -- you have to start from the top  
10 down, so -- but I'm happy to forward that on to  
11 you in a little more depth.

12 CHAIRPERSON HARRINGTON: Okay.

13 COMM. LONG: Yeah, and I also believe  
14 this kind of program, when it's well defined --  
15 and I think the school -- how -- I'm not too sure  
16 how many, I would just say, career centers that  
17 we have, but I did have opportunity of visiting  
18 some of those career centers. I do believe they  
19 would welcome this kind of project.

20 COMM. RAMOS: Yeah, absolutely.  
21 It -- you know, I think it's exciting. There's  
22 been some great success. It started in New York,  
23 went to Connecticut, it's in Illinois, so there's

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1 some places close by. It's the kind of thing  
2 that, you know, once we get all of the right  
3 ducks lined up, we'll bring in the IBM folks that  
4 have a lot of experience with that and sit down  
5 and kind of go through it. So, we'll see.

6 CHAIRPERSON HARRINGTON: Well,

7 thanks.

8 Any other announcements?

9 (No response.)

10 CHAIRPERSON HARRINGTON: All righty.  
11 Is there -- anyone have any topics for discussion  
12 for today?

13 COMM. BLACKBURN: I do have -- excuse  
14 me. I do have a question by way of follow-up  
15 from the minutes of the last meeting. There were  
16 inquiries, or at least one, regarding the budget,  
17 and I'm curious to see, as soon as it is ready,  
18 any figures that would compare how we're doing  
19 this year as compared to previous year or  
20 years --

21 MR. WILSON: Yeah.

22 COMM. BLACKBURN: -- with regards to  
23 how we're spending our money, if we're doing it

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1 wisely, and I suspect that we are, but I would  
2 like to see those figures.

3 MR. WILSON: Yeah, we'll -- next  
4 month -- Pam's putting together something I think  
5 that's appropriate for the -- unlike most -- a  
6 lot of different Commissions have different  
7 responsibilities, so she's putting together  
8 something so you can get a view of maybe what's  
9 needed for the Commission, just to see the  
10 budget, so -- of what we do. So, at the next  
11 meeting you'll have something --

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12 CHAIRPERSON HARRINGTON: Okay.  
13 MR. WILSON: -- that's appropriate.  
14 CHAIRPERSON HARRINGTON: All right.  
15 COMM. RAMOS: And then are there the  
16 forms that we sign? I'm not seeing it.  
17 MR. WILSON: The who?  
18 COMM. RAMOS: The normal caseload  
19 pieces that the Commissioner have to sign that  
20 say, "Hey, we were here," and be --  
21 JUDGE BURKHARDT: Yes, we have those  
22 for signature. Those are by Pam to us for you  
23 after the meeting.

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1 COMM. RAMOS: Okay.  
2 CHAIRPERSON HARRINGTON: All right.  
3 Is there any other business?  
4 COMM. BLACKBURN: I think the  
5 question is -- and I think it's -- you're being  
6 careful in your words, but are there budgetary  
7 figures that are not appropriate for  
8 Commissioners to see?  
9 MR. WILSON: As I say, we're putting  
10 together a document that we think that -- it will  
11 present with the information that you need. I  
12 mean there's tons of figures that we could put  
13 out, but we're putting one together that we think  
14 is appropriate to present to the Commission that  
15 has the data that you're probably looking to look  
16 at, so -- I mean when you talk about the budget,

17 there's tons and tons of different things, so we  
18 think we're putting together the information you  
19 need. we'll have something at the next meeting.

20 COMM. BLACKBURN: Okay.

21 CHAIRPERSON HARRINGTON: Are there  
22 any other comments or discussion issues?

23 (No response.)

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1 CHAIRPERSON HARRINGTON: Is there  
2 anyone here for a public comment?

3 MR. WILSON: Huh-uh.

4 CHAIRPERSON HARRINGTON: All righty.  
5 We are at 1:44, and at this time we can adjourn  
6 the meeting.

7 Thank you.

8 - - -  
9 Thereupon, the proceedings of  
10 June 15, 2018 were concluded  
11 at 1:45 o'clock p.m.  
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CERTIFICATE

2

I, Lindy L. Meyer, Jr., the undersigned

3

Court Reporter and Notary Public residing in the

4

City of Shelbyville, Shelby County, Indiana, do

5

hereby certify that the foregoing is a true and

6

correct transcript of the proceedings taken by me

7

on Friday, June 15, 2018 in this matter and

8

transcribed by me.

9

10

11

\_\_\_\_\_  
Lindy L. Meyer, Jr.,

12

Notary Public in and

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for the State of Indiana.

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My Commission expires August 26, 2024.

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