



Maine Human Rights Commission

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COMMISSION MEETING MINUTES **JANUARY 8, 2024, MEETING**

In person and via ZOOM

Commissioner Ashby chaired the meeting and called it to order at 8:31 AM. Also present were Commissioners David, O'Brien, Walker, and Douglas (Douglas via Zoom).

AGENDA

Commission Counsel Barbara Archer Hirsch presented Complainant Joyel Morrill's request to have H23-0309-A-F, Morrill v. Saco Falls Management, heard out of order.

Commissioner Ashby moved, seconded by Commissioner Walker, to hear case number H23-0309-A-F first. 5 in favor | 0 opposed.

Commissioner David moved, seconded by Commissioner Walker to adopt the Agenda and Consent Agenda to accept the Investigator's recommended decision in each of the cases listed on the Consent Agenda (see listing on page 4). 5 in favor | 0 opposed.

MINUTES

Commissioner Walker moved, seconded by Commissioner David, to adopt the December 11, 2023, Commission Meeting Minutes. 5 in favor | 0 opposed.

ADMINISTRATION

Monthly reports : Commission Counsel Archer Hirsch discussed reporting on the following Commission activities:

- Personnel: A report was placed on file.
- Compliance: Since the last meeting, there was one unsuccessful conciliation and one successful conciliations. Ten reasonable-grounds cases remain in active conciliation.
- New Charges: 26 new complaints filed in December 2023.
- Administrative Dismissals: 6 administrative dismissals issued in December 2023.
- Pre-determination settlements: 2 pre-determination cases settled with benefits of \$75,500 to complainants in December 2023.

At 8:45 AM Commissioner Ashby began the case hearing agenda.

The following case was taken out of order: H23-0309A-F *Joyel Morrill (Portland) v. Saco Falls Management, LLC (Portland), Catherine Perreault (Portland), Amy Racine (Portland), Walker Terrace Limited Partnership (Portland), Anjoli Matthews (Portland), Brady Connors (Portland)*. Complainant Joyel Morrill presented her position. Attorney Shiloh Theberge presented Respondents' position. Investigator Colin Hurd presented/answered Commissioner questions. Commissioner David moved, seconded by Commissioner O'Brien, to find there are no reasonable grounds to believe that Saco Falls Management, LLC, Catherine Perreault, Amy Racine, Walker Terrace Limited Partnership, Anjoli Matthews, and/or Brady Connors discriminated against Joyel Morrill on the basis of disability; and the complaint should be dismissed in accordance with 5 M.R.S. § 4612(2). 4 in favor | 0 opposed | 1 recused (Commissioner Douglas recused).

PA22-0073* *Nicole & William Mencke, Jr. o/b/o minor child (Wells) v. Cranton-Thomes Day School (Wells)*. Attorney Mark Franco presented the Respondent's position. Attorney Dick O'Meara presented the Complainants' position. Investigator Robert Beauchesne presented/answered Commissioner questions. Commissioner Ashby moved, seconded by Commissioner Walker, to find that there are **reasonable grounds** to believe that Cranton-Thomes Day School discriminated against Nicole Menke and William Mencke o/b/o minor child on the basis of disability; and conciliation should be attempted in accordance with 5 M.R.S. § 4612(2). 3 in favor | 2 opposed (David and O'Brien opposed).

E22-0088* *Mitchell Thompson (Madawaska) v. Twin River Paper Company, LLC (Madawaska), Twin River Pine Bluff, LLC (Madawaska), Twin River Paper Company Corp. (Madawaska), Twin River Paper Company US Hold Co. LLC (Madawaska), Twin River Paper Intermediate, LLC (Madawaska) & Twin River Paper Company, Inc (Madawaska)*. Attorney Kevin Cope presented the Respondents' position. Attorney John Gause presented the Complainant's position. Investigator Colin Hurd presented/answered Commissioner questions. Commissioner Ashby moved to find there are reasonable grounds to believe that Twin Rivers Paper Company, LLC, Twin Rivers Pine Bluff, LLC, Twin Rivers Paper Company Corp., Twin Rivers Paper Company US Hold Co. LLC, Twin Rivers Paper Intermediate LLC, and Twin Rivers Paper Company Inc., discriminated against Mitchell Thompson on the basis of disability; and Conciliation should be attempted in accordance with 5 M.R.S. § 4612(3). There was no second, and the motion failed. Commissioner Walker then moved, seconded by Commissioner David, to find there are no reasonable grounds to believe that Twin Rivers Paper Company, LLC, Twin Rivers Pine Bluff, LLC, Twin Rivers Paper Company Corp., Twin Rivers Paper Company US Hold Co. LLC, Twin Rivers Paper Intermediate LLC, and Twin Rivers Paper Company Inc., discriminated against Mitchell Thompson on the basis of disability; and the complaint should be dismissed in accordance with 5 M.R.S. § 4612(2). 3 in favor | 2 opposed (Ashby and Douglas opposed).

E22-0397 *Bruce Myles (Rumford) v. N.D. Paper, Inc. (Rumford)*. Complainant did not appear. Attorney Kayla Estes was present for Respondent. Investigator Colin Hurd presented/answered Commissioner questions. Commissioner David moved, seconded by Commissioner O'Brien, to find there are no reasonable grounds to believe that N.D. Paper, Inc. discriminated against Bruce Myles on the basis of disability; there are no reasonable grounds to believe that N.D. Paper, Inc. retaliated against Bruce Myles on for engaging in WP A and/or MHRA protected activity; and the complaint should be dismissed in accordance with 5 M.R.S. § 4612(2). 5 in favor | 0 opposed.

EXECUTIVE SESSION

At approximately 10:51 AM, Commissioner Ashby moved, seconded by Commissioner O'Brien to go into Executive Session to discuss pending or contemplated litigation and the Commission's legal rights and duties with Commission Counsel pursuant to 1 M.R.S. §405(6)(E). 5 in favor | 0 opposed.

At approximately 11:21 AM, the Commissioners moved to come out of Executive Session. 5 in favor | 0 opposed.

At approximately 11:22 AM the meeting was adjourned.

CONSENT AGENDA

The consent agenda is a listing of cases scheduled on the Commission's meeting agenda in which there was no written disagreement to the Investigator's recommendation. Commissioners considered these cases without oral argument by the parties.

E22-0094	Allison McGary (Oakfield) v. Katahdin Valley Health Center (Houlton)	NRG
H23-0296ABC	Jahann Lovecraft (Orono) v. Betty Sanborn (Old Town), The Housing Authority of the City of Old Town (Old Town) & The Housing Foundation (Orono)	NRG
H23-0314*	Sarah Leyva (Gray) v. David Wallace (Gray)	RG
H23-0321AB*	Shannon O'Neil (Orrington) v. Executive Properties, LLC (Bangor) & Kym Kilgor (Hampden)	RG
H23-0335ABC*	Charles Willette (Saco) v. Turner Square Apartments (Turner), Stanford Management LLC (Turner) & Turner Square Associates (Turner)	RG
H23-0337	James Curtis (Lincoln) v. Gilbert Miller (Wilton)	NRG
H23-0317ABC*	William Burke (Bar Harbor) v. Harbor Hill Associates, L.P (Portland, ME), Stanford Management, LLC (Portland, ME) & Joseph Mitchell (Portland, ME)	NRG
H23-0320	Darrell Eaton (Bangor) v. Sharon Knapp (Bangor)	NRG

TABLED

E22-0179*	Stacey Reiley (Alfred) v. Professional Security Consultants (CA)	RG
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