

Minutes of the Redistricting Committee

Thursday, August 24, 2021 @ 5 pm

In attendance: Commissioners Akard, Anderson, Hill, and Stinnett. Ray Boswell, Susan Knopf, Justin McClure, Trevor McMurray, Adam Trent, Randy Vineyard, and Ex-officios Ron French and Larry Garner.
Absent: Commissioner Crowe.

Chairman Akard called the meeting to order at 5 pm. **Commissioner Tom Stinnett made a motion to set the agenda for the meeting, seconded by Randy Vineyard. Motion carried. Chairman Akard called for a vote to approve the August 19, 2021 meeting minutes. Minutes were approved by unanimous consent.**

Chairman Akard opened up the floor for discussions regarding the number of county commission districts this committee would like to set for the next 10 years. The first map displayed was for 7 county commission districts in a wheel-spoke formation. The following discussion points were made.

- Commissioner Stinnett explained that it would be nice if all county commissioners were able to have constituents in both the city and county.
- Chairman Akard asked if there was a map of the current breakdown for 10 CCDs for a comparison. The map sent from the state was handed out at the last meeting.
- Chairman Akard mentioned dilution in District 1, for example. The map showed a decrease in minority population and we should all keep this in mind when considering this map. Administrator Knopf reminded the committee that these maps are not final that the population blocks can be moved around and adjustments be made. As a side note, she mentioned that Ethan and Moe from her office as well as Ray have worked as many as 75 hours on these maps so adjustments can certainly be made.
- Commissioner Hill asked the Chairman if these maps are just for discussion and that we will have an opportunity to take them home and study them. Chairman Akard said we need to have a serious discussion at this meeting and vote soon (today or next meeting) to decide on the CCD plan in order to have direction to get on with redistricting. The county commission has a prior precedent that they do not wish to change the number of county commissioners. He stated he thinks the plan for 14 CCDs will make it rather difficult to stay with 21 county commissioners.
- Randy Vineyard stated he would like to hear the pros and cons of all of them but he is not likely to support a plan with 7 county commission districts as it invites potential legal challenges that are totally avoidable. He commented that we ought to look at more districts to make the county commission look more like the composition of the county. He stated he would be happy to make a motion to remove any chance of going with 7 CCDs.
- Commissioner French said he agrees with Mr. Vineyard and we need to look at the number of constituents per county commission district and try to even the numbers out and not go with the 7 district plan.
- Commissioner Stinnett stated that this map shows us where the current county commissioners live and this is considered gerrymandering if we worry about drawing the county commission lines with current county commissioners on it. He stated that if the constituents in my district don't want me to represent them, then he does not want to be their county commissioner. He recommends the next map we see should not have any county commissioners or school board

members on it. We are supposed to be drawing lines with equal populations. He feels like we need to focus on how many CCDs to go with and fix the population issues afterwards.

- Chairman Akard brought up the next map with 7 CCDs and 21 Co Commissioners. He opened it up for discussion.
- Ray Boswell stated this map was just for discussion purposes and what direction we want to go. He wanted us to see what it looks like.
- Chairman Akard mentioned that district 3 has the highest minority population and we need to be aware of that. The next map with 7 school board districts which has the county commissioners as well as the school board members. Ray Boswell explained this is just to show where they presently are. He was looking at a total population standpoint with this map.
- Chairman Akard moved on to the 14 districts map. As drawn, this also dilutes what's in district 1 now but has 4 districts with nearly 12% of minority that would require lines to be moved to bring District 1 back up. Again, this plan will reduce the number of county commissioners. He opened it up for discussion. Mr. Vineyard asked about adding a 15th commission district and what would be involved in this?
- Moe Click, elections deputy, explained to the committee how these maps have been developed. They used geography and population. This is just a concept and warned us to not get hung up on the actual maps as they can change.
- Commissioner French asked if we could not just go back to the 10 CCD plan and see if we can just change the number of school board districts by going to the state and changing the private act and changing the school board part at a later date.
- Commissioner Anderson explained that the problem with that is we do not have equal county commission districts right now as we have 1 district that has 3 county commissioners and a greater population and therefore could NOT divide the school board districts evenly with the current plan of 10.
- Comm. Hill asked if we have actually looked at representation on all these maps when creating them. Ultimately, does the commission reflect the county (people) is the question at the end of the day.
- Chairman Akard asked Comm. Hill if she was asking about political party representation. Comm. Hill said no but she just wanted to see if minority representation was going to be considered. Are we intentionally making sure dilution is not occurring when these maps are created?
- Chairman Akard asked if anyone learned anything about the private act and why it has us at 7 school board members. He did not personally invite any school board members. Mr. Vineyard said he did not learn anything about the private act but spoke to the Superintendent today and he told Randy that there would be someone here tonight.
- Chairman Akard agrees with Comm. French's idea to stick with 10 CCDs and try to get the private act changed to have 5 school board districts.
- Mr. Vineyard said if you look at the 7 spoke plan, you have 4 out of 7 with majority population over 90% and the 14 district plan you have 8 districts with a majority of population over 90%. The 10 CCD plan from the state reflects 4 districts out of 10 with a majority population in excess of 90%. The initial point I made of having more districts reflects the community better than fewer districts.
- **Randy Vineyard made a motion to eliminate for consideration a redistricting plan with 7 CCDs, seconded by Commissioner Stinnett. Motion passed unanimously with 10 yes votes, 0 No votes.** Discussion: Comm. Stinnett said he supports eliminating the 7 CCD plan and if we look at

the spoke again, we need to look at 14. If we go with 10 CCDs, we will only have 20 county commissioners as each school board district will be required to have the same number and if the private act is amended. Randy Vineyard commented that it is logistically challenging to assume we can change the school board districts with a lot more people involved in making that decision than us. He states he has lived in a split precinct and never understood why I was able to vote on something when others at my precinct were not able to when they live across the street.

- **Tom Stinnett made a motion to consider either 14 or 21 CCDs with no second on the motion.**
- **Randy Vineyard made a motion that we consider only 14 districts, seconded by Comm. Stinnett. The motion failed with 5 yes votes, and 5 no votes.** Discussion: Ray Boswell asked about having at-large commissioners with 14 county commissioners and 7 at-large commissioners. Comm. Anderson explained it would probably have to have a private act. Mr. Vineyard reminded the committee that this motion does not have anything to do with the number of county commissioners. The county commission sets that number. Also, if we want to clean up and simplify precinct voting, it makes sense to me. He explained he is an advocate for more county commission districts that enhances an opportunity to create a commission that resembles the makes up the community.
- Chairman Akard asked for comments from the Elections staff regarding the difficulties of having split precincts. Administrator Knopf explained that currently, we have 4 precincts with split school boards. When voters come to the polling place, they see the sample ballot on the wall. However, they may or may not see anything regarding school board on their ballot. This creates many questions for the officer / poll workers. Voters make comments that the ballots are wrong. The machines are wrong. Their vote is being suppressed. The voter leaves upset and sometimes calls the newspaper or even the state elections office to complain. This creates doubt with the voter(s). These voters make their complaints well known in the community and this day in age with the way of elections in this country, we need to fix the confusion.
- Mr. Boswell asked the Chairman if it was the charge of this committee to bring one plan we all agree on for approval to the county commission. Or is it possible to bring two options to the commission. Comm. Anderson explained that he would need to look at the resolution to form this redistricting committee. However, he agreed with Comm. Stinnett that bringing one plan to the county commission would be most practical.
- Comm. Anderson mentioned tca 5-5-102 as it restricts us to what we can do as far a membership from 9 – 25 members of the county legislative body.
- Comm. Anderson asked if we go with 10 equal districts in anticipation that the school board issue possibly changing in the future with 5 members but not necessarily resolving it with this redistricting, would that be okay and then changing it later? Chairman Akard confirmed that would give us 20 commissioners rather than 21.
- Mr. Vineyard read from the Guide to Redistricting, page 20 which states ... “Complete the final district plan, in part. Minority Representation. The final plan should include a balance between the Voting rights Act, which protects against discrimination and dilution of minority voting strength, and racial gerrymandering by using race consistent with the traditional redistricting principles.” He explains, this is what we’re trying to protect for those of you who might not know this.
- Comm. Anderson thanked those who helped with putting the maps together as this took a considerable amount of time.

- Mr. Vineyard asked if our legislators would amend or eliminate the private act?" Comm. Anderson does not know the answer for sure but the process to repeal or replaced still has to go through the same channels of process. Mr. Vineyard states if there is a general statute that covers it, and that would be acceptable, we would ask the general assembly to withdraw or repeal the private act.
- Administrator Knopf explained that she received an email from Kaley Walker, our CTAS rep, and she said the attorneys there said we only need to amend our last redistricting resolution from Oct. 2011 in order to change the number of school board districts.
- Mr. Vineyard reminded the committee that in August of 2020, 2 of the 3 school board districts on the ballot did not have candidates pick up petitions and those 2 positions were filled by write-in candidates.
- Comm. Anderson said we need to defer this problem to our county attorney and our school board council if the private act gets repealed does it have to be replaced with a private act or is there a general statute that covers it. This looks like a patchwork of private acts statewide. We would have to ask if there's another statute that needs to be looked at.
- The committee would like to see both a 10 and 14 CCD plan with specific consideration to not dilute population statistics, show deviations less than 10%, and include city boundaries.

Next Steps

- Review maps with 10 and 14 county commission districts.
- Vote on which plan to move forward for redistricting.
- Invite school board members to our next meeting
- Contact county attorney regarding the private act.

Next meeting is on Wednesday, Sept. 8, 2021 at 5 pm in the County Commission Room – motion made by Randy Vineyard, Seconded by Jared Anderson and voted yes by unanimous vote.

Meeting Adjourned at 6:33 pm.