

APPROVED

## **Orange County BOCC Elections Advisory Group**

### **Meeting Summary**

**Thursday, June 24, 2021 at 7:00 PM**

#### **Virtual Meeting**

Members Present: Kathy Arab, Dr. Nathan Boucher, Dr. Jennifer Bremer, Jaazaniah Catterall, Susana Dancy, Dr. Lisa Hazirjian, Martha Jenkins, Dr. Krishna Mondal, Patrick Mulkey, Alicia Reid, Jenn Sykes, Dr. Jonathan Weiler, Rex Williams

Members Absent: Brian Crawford

Facilitator: Jay Bryan, Retired District Court Judge

Staff Present: Anne Marie Tosco, Orange County Attorney's Office, Greg Wilder from the County Manager's Office, Brian Carson from the Planning & Inspections Department, and Todd McGee, Orange County Community Relations Director

Others Present: None

#### **1. Welcome and Introductions**

Group Co-Chair Patrick Mulkey welcomed everyone to the Virtual meeting and expressed appreciation for members' willingness to serve on the BOCC Elections Advisory Group (BEAG).

Group Co-Chair Mulkey requested a roll call of the members present and asked Mr. Wilder to announce the names of Group members for roll call purposes. Mr. Wilder then read the names of Group members, with members present responding accordingly.

#### **2. Approval of May 27, 2021 Meeting Summary**

Group Co-Chair Mulkey requested a motion to approve the May 27, 2021 Meeting Summary as written and distributed with the agenda package. Group Member Jenn Sykes motioned to approve the meeting summary, and Group Member Kathy Arab seconded the motion. Group Co-Chair Mulkey asked Mr. Wilder to call the names of Group members for voting purposes. Group members voted by roll call on the motion, and the meeting summary was approved unanimously.

### **3. Review of Any Written Comments Received**

It was noted that County staff had previously shared with Group members one email trail that was sent to the Board of Commissioners regarding the SurveyMonkey public input effort initiated by the BEAG. It was also noted that County staff had previously shared one individual email that was sent to the Board of Commissioners regarding the lack of opportunity on one of the SurveyMonkey questions to address the current election method for seats on the Board of Commissioners. There was no additional discussion.

### **4. Review and Discussion of SurveyMonkey Results**

Orange County Community Relations Director Todd McGee presented a Powerpoint presentation on the Zoom screen detailing the responses to the public input SurveyMonkey published by the BEAG. Mr. McGee shared that 413 responses were received during the two week response window, and that he felt that was a pretty good response level for the survey. Mr. McGee detailed various demographics of the respondents as well as the cumulative percentage results for each of the SurveyMonkey questions.

Group Co-Chair Mulkey indicated that that was definitely more public input than had been received during the 1993 discussions on the elections for Commissioners seats and likely more than was received when the current election system was implemented. Group Co-Chair Lisa Hazirjian stated that responses and demographics were great, and that the Group should include suggestions to the Board of Commissioners regarding soliciting additional public input and participation and use of community centers and other ways to involve the public. Group Member Rex Williams expressed concern that the survey did not have sufficient time and had not reached those that did not vote and were not involved in the community.

### **5. Review of Preliminary Perspectives Submitted by Individual Group Members and Development of Draft Scenarios for Group Consideration (Potential Three Minute Limit Per Speaker)**

Group discussion moved forward to the preliminary perspective responses and Group Members thoughts on potential scenarios for consideration and recommendations.

Group Member Arab shared her thoughts that the true election districts were the only election method that addressed the criteria of proportionality, equity, uniformity, simplicity/clarity, maximizing voter engagement, and better representation. The current two district blended election system allowed the Chapel Hill area to disenfranchise the voting interests of the other parts of the County in a countywide vote. The imbalance had been recognized by the Group and noted in the SurveyMonkey responses. The desire for true election districts appeared to be strong based on responses in questions

5 and 7 on the SurveyMonkey. Responses to questions 8 and 9 indicated the need for true election districts. Eliminating at-large seats and the mix of urban and rural areas could lead to better representation. Seven single member districts matched the number of seven townships in the County. Responses in the SurveyMonkey also supported non-partisan elections. Candidates could also be required to be long-standing members of the community, not individuals new to the County who do not understand what rural voters need. If nothing changes, the citizens of Orange County will be greatly discouraged.

Group Member Jaaz Catterall indicated agreement with many of Group Member Arab's comments and noted that true election districts would increase voter engagement.

Group Member Nathan Boucher indicated an interest in the Group recommending providing greater representation for the northern part of the County.

Group Member Jennifer Bremer commented that she leaned toward single member districts and not in favor of at-large candidates and noted that 60 counties in North Carolina have five commissioner seats and 33 have seven seats.

Group Member Williams stated that he agreed with individual districts and that at-large seats might be worth considering if the population was more evenly distributed throughout the County. He expressed concern that the Group had not conducted much discussion so that he could be comfortable with making a recommendation and that it might be worth requesting more time for the Group to work.

Group Member Susana Dancy noted the strong interest in district level voting from the SurveyMonkey and that pursuing districts along township lines was hard given the County's population distribution.

Group Member Martha Jenkins noted that she appreciated Group Member Arab's comments and agreed with many of the other comments, that the Group was not drawing the districts, and that following township lines would not comply with the one person/one vote requirements.

Group Member Krishna Mondal expressed an interest in seven single member districts which would provide good representation from various groups and from the unincorporated areas.

Group Member Jonathan Weiler noted that he supported the re-balancing from the heavy Chapel Hill representation on the Board of Commissioners, and that he realized he was in the minority with the thought there should be a mix of at-large and district seats with better representation of the other areas of the County.

Group Member Sykes indicated an interest in single member districts with seven or nine seats, with population growth being a consideration for more than seven seats, and that she felt like it was best to not pursue something that might involve the North Carolina General Assembly.

Group Co-Chair Mulkey indicated interest in seven single member districts. He noted that making elections non-partisan usually wound up focusing to political parties anyway since the different parties actively supported their preferred candidates, so non-partisan elections often did not have the intended effect. He stated that he was not inclined to nine commissioner seats due to additional cost to taxpayers and single member districts gave those with less means to be able to afford to run.

Group Co-Chair Hazirjian shared that she agreed with some of the comments made by Group Member Williams, that she supported single member residency and voting districts, and that she would have preferred to have more responses from non-white residents as part of the SurveyMonkey.

Group Member Mondal noted that the responses from the SurveyMonkey and the preliminary perspectives from Group members aligned regarding seats being elected by district.

Group Member Jenkins noted that she thought there were only two options up for consideration based on discussion – seven single member districts, or five or seven single member districts with two at-large seats.

The concept of straw votes was discussed. However, Anne Marie Tosco from the County Attorney's Office noted that, for lack of a specific procedure, Robert's Rules of Order did not provide the option for straw votes.

## **6. Discussion on Finalizing Recommendations**

The Group moved forward to discussing whether there was a consensus on seven commissioner seats. Group Co-Chair Hazirjian commented that either of the options with seven single member districts noted by Group Member Jenkins opened up opportunities to vote. Group Member Catterall expressed support for seven commissioner seats. Group Member Arab noted the current seven seats and that she was not in favor of any at large seats. Group Member Dancy shared that nine people on a board was a lot, that she was currently serving on another commission and they were trying to reduce that committee down from nine members, and that seven members was preferable.

Group Co-Chair Hazirjian questioned if the Group wanted to provide a set recommendation in its report to the Board of Commissioners, or a set of ideas and some specific things to not consider. Group Member Sykes recommended that the Group specifically state in its report that the current system is not acceptable. Group Members Hazirjian and Catterall agreed with Group Member Sykes. Group Member Bremer expressed interest in a single recommendation, but also note other items and options that were considered.

Group Co-Chair Mulkey inquired with Group members regarding a motion that made a statement regarding the current system for electing members of the Board of Commissioners. Group Member Sykes motioned that the Group state that the current system to elect commissioners is not acceptable and unsatisfactory in Orange County based on the Group's research, SurveyMonkey responses, and the real world results in the County and is in need of reclamation. Group Co-Chair Hazirjian seconded the motion. Group Co-Chair Mulkey asked Mr. Wilder to call the names of Group members for voting purposes. Group members voted by roll call on the motion, and the motion was approved unanimously.

Group Member Weiler commented that he knew he was in the minority, but he wanted to note that at-large seats can capture and reflect population growth and that seats should represent people, not land.

Group Member Dancy stated that she agreed with Group Member Weiler and that she was supportive of a couple of at-large seats.

Group Member Sykes noted that with single member districts, sometimes you do not find countywide solutions.

Group Co-Chair Hazirjian stated she was most comfortable with single member districts and Group Member Bremer noted that single member districts were the easiest to understand.

Group Member Catterall noted that while he was supportive of single member districts, at large seats did allow a person to vote for more than one person to represent them.

Group Member Arab commented that she can understand the interest in at-large members, but seven districts will allow equal representation of their perspectives.

Group Co-Chair Mulkey inquired with Group members regarding a motion. Group Member Jenkins made a motion that the Group recommend seven single member residency districts where candidates in the districts are voted on in both the primary and the general election by only the voters in the respective districts. Group Member Catterall seconded the motion. Group Co-Chair Mulkey asked Mr. Wilder to call the names of Group members for voting purposes. Group members voted by roll call on the motion, and the motion was approved by a vote of 12 to 1, with Group Member Dancy opposed.

Group Member Dancy indicated that she agreed with the recommendation for seven seats, but that there is value in having some at-large seats.

Group Co-Chair Hazirjian noted that seven single member districts would require redistricting, and motioned that the Group strongly recommend that the Board of Commissioners establish a multi-partisan/non-partisan independent advisory group and process to create the seven districts:

- based the criteria outlined in the Group's Charge – Constitutional and statutory requirements and voting rights law; Proportionality, Equity, Uniformity, Simplicity/clarity, and Maximizing voter engagement
- that seeks wherever possible to keep communities of interest together; and
- that avoids splitting precincts.

Group Member Sykes seconded the motion. Group Co-Chair Mulkey asked Mr. Wilder to call the names of Group members for voting purposes. Group members voted by roll call on the motion, and the motion was approved unanimously.

The discussion moved to the actual drafting of the Group report, and it was noted that Judge Bryan would develop the initial draft document. Group Co-Chair Hazirjian expressed an interest in trying to review that draft document and have it ready for Group approval at the July 22, 2021 meeting. Group Member Jenn Sykes noted the potential to have a Google document or other technical means to enable Group members to review and make comments, but not changes, on the draft and therefore avoid one Group member deleting language provided by another Group member.

Group Member Sykes then motioned that the report include a recommendation that the Board of Commissioners hold a series of public meetings and listening sessions to allow public input and that the Board act in time to allow for a public referendum on any proposed election plan/method in 2022. Group Member Williams seconded the motion. Group Co-Chair Mulkey asked Mr. Wilder to call the names of Group members for voting purposes. Group members voted by roll call on the motion, and the motion was approved unanimously.

Group Co-Chair Hazirjian noted that the report should also reference non-partisan elections, ranked choice voting, and public financing not being addressed since the County does not have legislative authority on this issues, but that there is interest in discussion even though the Group agreed to not pursue anything that required North Carolina General Assembly action.

## **7. Potential Need for Any Additional Meeting(s)**

There was no specific discussion of this item.

## **8. Adjourn**

Group Member Jenkins motioned to adjourn the meeting at 9:18 pm. Group Member Sykes seconded the motion. Group members voted by roll call on the motion to adjourn, and it was approved unanimously.

This Meeting Summary was approved at the July 22, 2021 BOCC Elections Advisory Group Meeting.