

APPROVED

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

### **Meeting Summary**

**Thursday, April 22, 2021 at 7:00 PM**

#### **Virtual Meeting**

Members Present: Kathy Arab, 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: Nicholas Batman, Dr. Nathan Boucher, Brian Crawford

Facilitator: Jay Bryan, Retired District Court Judge

Staff Present: Greg Wilder from the County Manager's Office, and Brian Carson from the Planning & Inspections Department

Others Present: Bob Joyce, UNC School of Government, Rebecca Tippett with Carolina Demography at the UNC Population Center, and Todd McGee, Orange County Community Relations Director

#### **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). He noted that the meeting was open to the public and several members of the public were viewing the meeting virtually just as they would if the meeting was an in-person meeting.

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 read the names of Group members, with members present responding accordingly.

#### **2. Approval of March 25, 2021 Meeting Summary**

Group Co-Chair Mulkey requested a motion to approve the March 25, 2021 Meeting Summary as written and distributed with the agenda package. Group Member Jenn Sykes motioned to approve the meeting summary, and Group Member Jonathan Weiler 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. Discussion with Robert (Bob) Joyce, UNC School of Government Professor of Public Law and Government**

Judge Bryan introduced Dr. Bob Joyce, UNC School of Government Professor of Public Law and Government, to discuss county elections provisions within the state. Dr. Joyce shared that counties were structures created by and subject to the North Carolina General Assembly. Dr. Joyce referenced materials he had provided that were included in the published agenda materials.

Dr. Joyce continued that there were four elements related to the election of members to boards of commissioners – number of commissioners, term lengths, selection method for the board chair, and the method of election for members of boards of commissioners. He followed up by outlining the four methods of election for members of boards of commissioners. He also shared that the procedures to change the method of electing members of the boards of commissioners could not be determined by board members themselves, but were subject to approval of voters by public referendum. He added that, conversely, city councils were authorized under state law to change the method their members are elected with or without a referendum, but boards of county commissioners did not have that authority and must conduct a voter referendum.

Dr. Joyce subsequently shared information regarding the North Carolina General Assembly's ability to change the method of elections for a county board of commissioners through state legislation. He noted three examples from the North Carolina General Statutes that were referenced in the published agenda materials. He confirmed that these were local acts, not public acts that would apply across the state. Bladen County had been the subject of local act authorization making changes in the method of elections for Bladen commissioners. Lee County also had a local act addressing its commissioners' elections.

Judge Bryan inquired if Group members had any questions for Dr. Joyce. It was noted that Orange County had a blended election method and that Orange and Carteret counties may be the only counties that utilized similar blended methods. Dr. Joyce stated that he was not aware of any specific rationale for Orange County's current method and not aware of any specific advantages to it. He also shared that any proposed method change for Orange County could, at the earliest, be scheduled for public referendum as part of the May 2022 primary election or November 2022 general election, and if approved by voters, could not be implemented until 2024 elections. The only way a change could occur sooner would be through a local act by the General Assembly. Dr. Joyce also shared up that he had some uncertainty about the availability of results from the 2020 Census and that the General Assembly surely needed to take action regarding the 2022 election schedule based on that delay.

Responding to other inquiries from Group members, Dr. Joyce stated that a local act affecting a county's method of elections was typically introduced by a General Assembly member who represented that county; that the act traditionally, but not always, had the support of the entire delegation from a county; that the legislation may or may not have public input; and that the General Assembly had complete autonomy since even the

Governor did not have a role in approving or signing a local act addressing a county's method of election.

Mr. Joyce addressed a final topic, noting that school board members in North Carolina do not have the authority to change the system under which they are elected, but that they could re-district, and only the General Assembly can change the way members of boards of education are elected.

Judge Bryan thanked Mr. Joyce for his presentation and response to questions from the Group, and Mr. Joyce noted he was glad to respond to any future questions via email or otherwise.

#### **4. Discussion with Rebecca Tippett, Carolina Demography, UNC Population Center**

Judge Bryan moved the Group forward to a presentation from Dr. Rebecca Tippett with Carolina Demography at the UNC Population Center.

Dr. Tippett shared that state level census numbers would be published in the next few weeks, but local census numbers were scheduled for release in September 2021 and that she was cautiously optimistic on that date. Dr. Tippett briefly discussed multiple slides that were included in the published agenda package for the meeting, noting Orange County population growth increases, percentage growth numbers across different decades, and population growth in different locations within the county over time. She noted that many Orange County changes were attributable to migration and changes in characteristics of the population related to race/ethnicity and age. She added that Orange County's population was getting older naturally, as opposed to Chatham County with its population getting older as a result of being a retiree destination for people moving there.

Judge Bryan inquired if Group members had any questions for Dr. Tippett. Dr. Tippett clarified that the figures and population numbers she shared for Orange County included the municipalities and that the boundaries for the mapping were city limit boundaries, not planning areas. She also noted that the upcoming census data proposed for distribution in September 2021 would be the most detailed ever and that data was collected and compiled to avoid any double-counting or confusion as it may relate to the racial composition of the public.

Judge Bryan thanked Dr. Tippett for her presentation and response to questions from the Group, and Dr. Tippett noted she was glad to respond to and future questions via email or otherwise.

#### **5. Discussion with Orange County Community Relations Director Todd McGee**

Judge Bryan turned the Group to a discussion with Orange County Community Relations Director Todd McGee. Judge Bryan introduced Mr. McGee and noted that he was with

the North Carolina Association of County Commissioners (NCACC) for 15 years before joining Orange County.

Mr. McGee provided a brief presentation on the various areas of public interaction that he and the County as a whole pursued to inform, involve and solicit feedback from the public. He referenced the County website, electronic newsletters, social media, survey monkey, digital message monitors in County facilities, press releases, and local newspapers. He noted that the tools that would work best depended on what information was being sought. He also confirmed a good relationship with the towns and their public information officers.

Judge Bryan inquired if Group members had any topics they would like to discuss with Mr. McGee. Responding to inquiries, Mr. McGee noted that he had worked with countywide polls and surveys utilizing mailing lists as well as email groups, including for initiatives for the County's Library Services and Animal Services. He noted 5-10% response rates. He added that short answer/multiple choice answer options worked better than open-ended questions. He added that response rates varied and it was sometimes difficult to determine the exact individuals and/or groups who were responding.

It was noted that the County had partners who could help with soliciting public input, and Mr. McGee stated that the Chambers were good for amplifying messages along with other entities. It was good to use multiple avenues to solicit responses. Mr. McGee noted that members of the Board of Commissioners had conducted town hall type meetings, but he was not aware of the use of focus groups. Mr. McGee also noted the use of a customer satisfaction survey by Orange County several years ago.

Mr. McGee also briefly discussed bias in responses, commenting that it was often difficult to assess responses due to the limited number of responses and inability to make judgements. A large response is necessary to create statistical relevant data. He noted the lack of ability to target specific geographic areas. He also noted that getting too deep into election law would be a challenge to succeeding with a short form survey.

Group members then discussed the nature of survey questions with Mr. McGee. Mr. McGee shared that an entity should have a survey available for at least two weeks, and longer if possible, and that compiling the results was relatively easy and quick once the survey period closed. An introductory page/paragraph may be worth considering leading into the survey.

Judge Bryan thanked Mr. McGee for his information and response to questions from the Group,

## **6. Identify Strengths and Concerns with Current Framework/Method for Board of Commissioners Elections**

Group discussion moved to the current framework/method for Board of Commissioners elections, with Group members voicing their thoughts. Comments were as follows:

## Strengths

Jonathan Weiler – If people really do not care, why change?

Jennifer Bremer – Having an at-large seat gives rural or north area an opportunity to have representation

Rex Williams – Having the two district shows that there is an understanding that Chapel Hill and Carrboro will dominate the election process

Susana Dancy – An at-large seat allows people to think more broadly rather than districtly oriented

## Concerns

Jaaz Catterall

- Having district voting in primary and then at-large during general election allows the larger portion of the county to elect who they want
- Having a district based system would give the candidate opportunity to campaign in areas they are familiar with. Give people in districts better access to their candidate

Jonathan Weiler

- Blended system does not make any sense.

Martha Jenkins

- Current system is complicated
- The public does not understand it
- People do not understand the at-large concept
- A large area of the county does not feel represented
- Northern Orange feels southern Orange will out vote for at-large

Jenn Sykes

- Current system shifts funding towards the south rather than equally throughout county

Jennifer Bremer

- More single member districts gives more representation to other parts of the county.

Kathy Arab

- Needs closer representation to people throughout the county
- More districts could allow people to feel more connected to their representative
- Sections of the population do not feel represented
- At-large option could allow all to be from Chapel Hill
  - Make requirement that one at-large does not live in Chapel Hill

Krishna Mondal

- Blended system causes confusion
- Get rid of at-large
- Need more representation

Rex Williams

- At-large voting dominated by Chapel Hill and Carrboro area

- Blended and at-large system does not represent a true representative government

Susana Dancy

- At large has some value, but would like to see more districts leading to a more represented system

Alicia Reid

- Chapel Hill and Carrboro seems to be making all the decisions because that is where the population is
- Rural parts are not being represented

Patrick Mulkey

- Single member districts county wide
  - Better representation

Lisa Hazirjian

- Creates barrier to people without access to wealth getting elected
  - More districts might help avoid this

## **7. Potential Determine Action Steps in Preparation for BEAG Final Recommendations**

- Next Steps for Public Input
- Other Steps?
- Potential Need for Additional Meetings? Or Changes in Meeting Time

Judge Bryan moved the Group to discussing how it would like to proceed forward based on the information received during the meeting and the subsequent discussion. Group members considered various ways to begin soliciting public input, including the Co-Chairs drafting potential questions that could be utilized in a public input process, limiting individuals to only one response to a survey, and a potential subcommittee to consider the next steps.

The Group then discussed potential volunteers to serve on a Public Input Subcommittee to meet and bring back a recommendation to the full Group on a public input framework. Group Member Dancy made a motion to establish a Public Input Subcommittee of up to 6 members. 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.

Volunteers for the Subcommittee were then solicited, and Group Members Weiler, Bremer, Mondal, Sykes, and Catterall voiced their interest. Group Member Dancy made a motion to appoint the five volunteers to the Public Input Subcommittee. 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 unanimously.

It was noted that the Subcommittee would provide information to the full Group at the May meeting.

## **8. Planning for Next Meeting**

Group members briefly discussed future meetings, specifically the May 27<sup>th</sup> meeting and potentially rescheduling it to May 20<sup>th</sup>. After discussion, it was decided to keep the meeting scheduled for May 27<sup>th</sup>.

## **9. Meeting Evaluation**

This item was not addressed due to the length of the meeting.

## **Adjourn**

Group Member Sykes motioned to adjourn the meeting at 9:17 pm. Group Member Mondal 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 May 27, 2021 BOCC Elections Advisory Group Meeting.