Attachment 12

28 C.F.R. § 51.28(f)(5)

Comments from the general public including statements from the general public made to the Board of Supervisors at its April 6, 2011 meeting, prior to the redistricting work session
Summary of the Public Comments Received at the January 20, 2011 Redistricting Meeting

Local Guidelines

One attendee objected to the local guideline that discourages boundary changes that result in two incumbent members of the Board of Supervisors or the School Board ending up in the same district. She stated that the County should not have a guideline that protects incumbents.

Polling Places

One attendee asked the County to reconsider its use of the Senior Center as a polling place because of parking concerns and the distractions caused by other activities ongoing at the Center on Election Day. The Senior Center serves as the polling place for the Branchlands Precinct in the Rio Magisterial District.

One attendee asked the County to reconsider its use of St. Anne’s Belfield Lower School as a polling place because of traffic concerns. St. Anne’s Belfield Lower School serves as the polling place for the Belfield Precinct in the Jack Jouett Magisterial district.
Summary of the Public Comments Received at the April 6, 2011
Board of Supervisors’ Meeting

1. Clara Bell Wheeler

Ms. Wheeler stated that she lives on Stony Point Road in the Rivanna District, that she believes it would be helpful to have plans in front of us or to review online, that it is confusing, and that she is a long-time voter and interested in increasing voter turnout. She said that like needs and interests vote to help each other and that plans that give emphasis to gerrymandering don’t serve any purpose. She also said that it is important to look at cost – redoing precincts and magisterial districts is an expensive proposition for the County and that these things should be considered when considering how to redistrict. She added that when voting for representatives, you need to be able to think together, with common needs; someone in Hollymead may not have same interests as someone in Scottsville, Glenmore or Yellow Mountain. There needs to be cohesiveness.

Supervisor Ann Maliek asked Ms. Wheeler which plan she recommended and Ms. Wheeler said, “I think you know what plan I’m thinking.”

2. Elizabeth Herr

Ms. Herr asked the Board to vote for Plan 1. She said that she has worked at the Hollymead precinct for the past 15 years, and that Albemarle should be proud of the percentage of people who vote. She also said that Plan 2 negatively affects voters able to get to the polls and trades voter turnout for political purposes. She added that splitting Keswick into two [magisterial districts] is expensive, unfair, geographically unjustifiable, and wrong.

3. Cynthia Neff

Ms. Neff said that she lives in the Rivanna Magisterial District. She stated that it was hard to watch the redistricting news and not get disgusted and disappointed. She said that the County can do better and that Proposal 1 looks good, it makes sense. She also said she heard Clara Bell Wheeler refer to gerrymandering. Proposal 2 begs the question. She asked how did Proposal 2 get on the table, who proposed it, and what is its purpose other than to gerrymander the Rivanna District? She added that there was no reason to take out part of Keswick just to merge in Glenmore – it’s not natural. She concluded by saying that the citizens of Rivanna were owed an explanation as to the purpose of Proposal 2. She asked the Board to support Proposal 1.
FYI.

Larry W. Davis
Albemarle County Attorney

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From: Tom Foley
Sent: Sunday, April 03, 2011 2:09 PM
To: Larry Davis
Subject: Fwd: Redistricting plan #2

FYI

Sent from my iPad

Begin forwarded message:

From: "Marcia Joseph" <marcia481@earthlink.net>
Date: April 3, 2011 1:45:16 PM EDT
To: "Board of Supervisors members" <bos@albemarle.org>
Subject: Redistricting plan #2

Ms. Mallek and Gentlemen,

Please do not endorse the Redistricting Plan #2 dated April 6, 2011. In an attempt to allocate population more equitably amongst the districts, this plan divides a neighborhood and a precinct. The Keswick precinct has been split to include part of it in the Scottsville District. And yes, this is personal. According to Plan #2, my property is now located within the Scottsville District. It just doesn't make any sense to have the Scottsville District sneak around Glenmore to now include Glenmore into the Rivanna District, and as a result to bisect the Keswick precinct.

I really hope that Plan #2 isn't an attempt to create a solid Republican Magisterial District. If you look at the voting records in the precincts added to Rivanna, and subtracted from Rivanna, you just might come to that conclusion. This is local, please don't gerrymander the districts in our county.

Please endorse the 2011 Redistricting Plan #1 dated April 6, 2011, or at least some plan that closely resembles Plan #1. Plan #1 makes more sense geographically, and doesn't appear to significantly split neighborhoods or existing precincts.

Thank you.
Marcia Joseph

Marcia Joseph, ASLA, AICP
Joseph Associates LLC
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Keswick, Virginia 22947
phone 434-984-4199
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Thanks, this is very helpful.

JBM

----- Original Message -----
From: "Greg Kamptner" <gkamptner@albemarle.org>
To: jbm80@comcast.net
Cc: "Clarice Schermerhorn" <cschermerhorn@albemarle.org>, "Richard J. Washburne" <rwashburne@albemarle.org>, "Tex Weaver" <TWeaver@albemarle.org>
Sent: Wednesday, January 26, 2011 2:47:43 PM
Subject: RE: Request for Information

Janette-

My answers to your questions are below:

Greg Kamptner
Deputy County Attorney
County of Albemarle
gkamptner@albemarle.org
434-972-4067

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Dear Clarice,

Thank you for the opportunity to attend last evenings informative meeting. I am preparing to get some information out to the Minority Community. If you would answer the following questions, this would help. I want to make sure that my information is factual and timely.

* What exactly is the title that your office or the DOJ refers to me as (contact)? GK: When the County submits materials for a preclearance, we are required by federal law (28 C.F.R. § 51.28 (h)) to identify a “minority group contact,” and you are identified in our submittals as such and as follows: “Janette Martin, Vice President, NAACP Charlottesville/Albemarle Chapter, 2209 Williamsburg Road, Charlottesville, Virginia 22901.”

* What are the types of complaints that I need to report? GK: The County has two general obligations under the Voting Rights Act. Under Section 2, the County must assure that any change in a magisterial district boundary does not have the effect of denying or abridging the right to vote on account of race, color or status as a member of a language minority group. Under Section 5, the County must, among other things, assure that no minority group (based on race, color or status as a member of a language minority group) loses voting strength under the new redistricting plan.
Once the Census data is received, the County will begin analyzing the data to determine whether and to what extent magisterial district and voter precinct boundaries and polling place locations will have to be adjusted in order to comply with federal and state law. To address Section 2 of the Voting Rights Act, the County will be sensitive to evaluating magisterial and voter precinct boundaries and polling place locations so as not to create districts or precincts, with their corresponding polling place locations, that may adversely impact the ability of any minority group to vote. A simple example of this issue is where a proposed precinct straddles a ridgeline, a river, or some other physical feature and, although the precinct may be compact and contiguous on paper, the siting of the polling place could adversely affect the voters living on one side of the physical feature if they had to travel a significant distance on County roads to get to the other side of the feature to vote. One of the County’s local guidelines recognizes this concern by seeking to assure that no polling place is more than 20 minutes away from a voter. Under Section 5 of the Voting Rights Act, the County will be mindful when analyzing possible magisterial district boundaries not to split communities of interest (a local guideline) and this would include not splitting minority communities so as to reduce their voting strength. Our recollection is that the 2000 Census data revealed that the County’s minority populations were fairly evenly distributed among the County’s six magisterial districts and communities of interest within the districts were not affected by any magisterial boundary changes in 2001.

* Are these complaints forwarded to your office or to the DOJ? GK: Comments should be provided to the County while County staff, the Board of Supervisors, and the public work on a proposed redistricting plan over the next 3 months. Of course, the County would also prefer that any complaints about any redistricting plan or any other action of the County affecting voting rights be brought to the County’s attention so that it can be addressed at the County level before a complaint is made to the DOJ.

* When would be the appropriate time to release the above information in the community? GK: There will be a public comment period, at least one work session before the Board of Supervisors, and at least one public hearing before the Board of Supervisors before any action is taken on a redistricting plan. Comments may be made at any time. Please feel free to contact the County at any time.

* Does the DOJ reference "minority community" as such, or is there another classification used for/ on the 2010 census information? GK: The Voting Rights Act and federal regulations refer to “minority groups.” We are not certain what terms the Census Bureau will use this year, though in 2001 it used a general reference to “minorities,” with specific minority groups being identified as “Black or African American,” “American Indian and Alaska Native,” “Asian,” “Native Hawaiian and Other Pacific Islander,” “Some other race,” and “Two or more races.”

From: Clarice Schermerhorn
Sent: Monday, January 24, 2011 9:15 AM
To: jbm80@comcast.net
Cc: Greg Kamptner
Subject: RE: Request for Information

Dear Janette, I was so glad to meet you at the meeting. I will do my best to answer your questions, but I’m copying Greg Kamptner, our Deputy County Attorney on this as he may have more answers that I do, as this is the first time I have been this deeply involved in the redistricting process. I’ll put my best guess answers to the questions below.
Clarice
Dear Clarice,
Thank you for the opportunity to attend last evenings informative meeting. I am preparing to get some information out to the Minority Community. If you would answer the following questions, this would help. I want to make sure that my information is factual and timely.

* What exactly is the title that your office or the DOJ refers to me as (contact)? I will need to look that up for you. I’m at the Registrar’s office today (at 5th Street) and the copies of the submissions are at the Electoral Board office at McIntire.
* What are the type of complaints that I need to report? I would think that you would want to make sure that any changes to precincts or polling places would not adversely impact the ability of the minority community to get to the polling place, or divide the minority community between two different precincts in order to “dilute” their vote.
* Are these complaints forwarded to your office or to the DOJ? I would think that any complaints would be brought to the attention of the locality first, but Greg might have a better idea?
* When would be the appropriate time to release the above information in the community? I’m not sure.
* Does the DOJ reference "minority community" as such, or is there another classification used for/ on the 2010 census information? I don’t know, maybe Greg has a better idea.

The redistricting process is new to me, as this would be my first time actually being involved in the process, other than completing the census form for.....so I want to make sure that the information that I pass along is accurate. The Alb.-C’ville NAACP has a website, I can have this narrative included on the site as another way of making the community aware. I want to make sure that the information is available to the people to whom it should reach.
I will email you the narrative before I distribute it in the community. If there are changes and inclusions, please let me know.
You all have your work cut out for you. I hope that small contribution will help. Thanks!

Janette