

AUGUSTA-RICHMOND COUNTY

RICHMOND COUNTY BOARD OF ELECTIONS

AD HOC REAPPORTIONMENT COMMITTEE MEETING

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COMMITTEE MEETING

Before Laurie M. Hannon-Stair, Certified Court Reporter

At the Augusta-Richmond County Municipal Building

530 Greene Street, 8th Floor, Augusta, Georgia

On September 20, 2011, Commencing at 2:10 p.m.

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**Richmond County Board of Elections, et al.
Committee Meeting**

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APPEARANCES

Board of Elections:	Ms. Lynn Bailey
Ad Hoc Reapportionment	Rep. Wayne Howard
Committee Members:	Rep. Quincy Murphy
	Rep. Barbara Sims
	Sen. Hardie Davis
	Comm. Alvin Mason
	Comm. Jerry Brigham
	Comm. Bill Lockett
	Comm. Grady Smith
	Mr. Marion Barnes
	Mr. Jack Padgett
	Mr. Frank Dolan
	Mrs. Venus Cain
Presenting Guest:	Ms. Linda Meggers
	Consultant
Attorney:	Mr. Wayne Brown
	Augusta Legal Department

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1 AD HOC COMMITTEE MEETING
2 AUGUSTA-RICHMOND COUNTY MUNICIPAL BUILDING

3 [Pursuant to O.C.G.A. 9-11-28(d), Augusta West
4 Reporting has no contract with any of the parties or
5 their counsel. The court reporter's charges are the
6 usual and customary charges for services within the
7 industry and are available upon request by either
8 party, with no financial or services discount being
9 given to any party named in this meeting.]

10 - - - - -

11 MS. BAILEY: I think we will go ahead and get
12 started if that suits everyone. I understand that we
13 have one committee member that's not quite here but
14 he's parking and on his way up now. Real quickly,
15 every committee member should have a black notebook at
16 your place and I've also put outside of the notebook an
17 agenda -- a tentative agenda. And then the stat sheet
18 that I put up there with that is actually the
19 statistics from the 2002 adopted plan kind of almost
20 thrown in as an afterthought but thought you might find
21 it interesting to have in your material so that's not a
22 document that we'll be referring to today, but just
23 tuck it away so you'll have it for later as you go
24 through your things.

25 And by the way, pardon my rudeness, but I'm Lynn

1 Bailey with the Board of Elections Office and because
2 this committee has not yet organized to select its
3 chair and vice chair I am going to get things rolling
4 this afternoon and the committee will be selecting a
5 chair and vice chair momentarily. Let me ask also, we
6 have a court reporter with us here today to record
7 these proceedings so if you have questions,
8 particularly the committee members, if you could please
9 identify yourself with each question just briefly state
10 your name so that she can get the proper name attached
11 to the statement, that would be helpful.

12 Okay. I'm going to start by reading a brief
13 introductory statement and then we will move on to an
14 explanation of the protocol for selecting your chair
15 and vice chair. So with that I'll just get started.
16 Every ten years the district lines for the Augusta
17 Commission and the Richmond County Board of Education
18 must be reviewed. The district lines for the Augusta
19 Commission and for the Board of Education currently
20 mirror each other. The legislative delegation will
21 have the responsibility of the acting local legislation
22 at the next upcoming session and it is for those reason
23 that it's important to have all three interested
24 parties involved in this process of redrawing the
25 lines. This ad hoc redistricting committee was formed

1 following the same format that was used in the
2 redistricting of 2001. The committee consists of
3 twelve members: four members of the Augusta
4 Commission, four members of the Board of Education and
5 four members of the legislative delegation. This is
6 the initial meeting of the committee. At the
7 conclusion of this meeting the committee should have
8 selected a chair to preside over future meetings and a
9 vice chair, review and set criteria for redistricting
10 and set the date for the next meeting of the committee.
11 As I said earlier, I have prepared a tentative agenda
12 for today's meeting. I have also arranged for a court
13 reporter to record the meeting, and have made
14 arrangements to hire a consultant to guide the
15 committee through its work. Our consultant is Ms.
16 Linda Meggers. We will hear from her a little bit
17 later. But Ms. Meggers is currently working for local
18 jurisdictions in Georgia assisting in redistricting and
19 reviewing precinct boundaries. She is considered to be
20 the state's foremost expert in redistricting. She was
21 formerly employed by the State of Georgia Legislative
22 Redistricting Office for some 30-plus years and while
23 there she provided assistance to the state and local
24 jurisdictions in their redistricting efforts. Again,
25 she will be making a general presentation about

1 redistricting to the committee during this meeting and
2 will be available to answer any questions. At the
3 conclusion of this meeting Ms. Meggers can begin her
4 work redrawing a set of district lines that will meet
5 all the federal and state laws, and also will take into
6 account any criteria this committee may set. So that's
7 where we are at this point. And with that I will turn
8 this over to Wayne Brown with the City of Augusta Law
9 Department to talk about the protocol for selecting
10 your chair and vice chair.

11 MR. BROWN: Good afternoon committee members and
12 good afternoon to the citizens of Augusta-Richmond
13 County. The issue came to the law department regarding
14 the election of a chair person for this committee. In
15 that this committee is composed of three commissions or
16 boards within Augusta-Richmond County neither board has
17 the authority to appoint a chair. Normally the
18 assembly that appoints a committee also has the
19 authority to appoint a chair. Roberts provides that in
20 the absence of that assembly appointing a chair the
21 committee itself can appoint its own chair. I am
22 further recommending that this committee, since its
23 work will be prolonged and extensive, that it also
24 elect a vice chair so that the committee would not be
25 bogged down and you would have order in the absence of

1 the chairperson. So with that you would be able to
2 select your own chairperson as well as a vice chair and
3 any other officers or functioning positions that you
4 desire.

5 MS. BAILEY: Wayne, because we don't currently
6 have a chair would it be appropriate to make and except
7 motions from this group or do we have an individual
8 simply thrown their name out for consideration or how
9 should they proceed at this point?

10 MR. BROWN: At this point we do not have a chair.
11 Normally the first person who is appointed to a
12 committee would serve at the chair in the absence of a
13 chair being named by the assembly or the assembly that
14 gets together the committee. So at this point the
15 committee really can't proceed as it wishes so I think
16 the most important thing at this point to be -- to
17 solicit the opinions or the motions of the committee
18 itself in terms of how it wants to organize and
19 proceed.

20 MR. DAVIS: In lieu of the committee not having a
21 chair at this time it would perhaps be appropriate the
22 board of elections director in her capacity as the
23 legislative liaison and the organizer function until
24 such time that we select a chair and a vice chair.
25 With that being said, I would also like to further note

1 and move at the appropriate time the following: that
2 we select or should I say I nominate Alvin Mason as
3 chair Jack Padgett as vice chair.

4 MS. BAILEY: Mr. Brown, is it appropriate to
5 accept that as a motion or?

6 MR. BROWN: Well, you are the chairperson at this
7 -- temporary chairperson at this point.

8 MS. BAILEY: Okay. So we have a motion on the --

9 MR. SMITH: I second that.

10 MS. BAILEY: Okay. A motion and it's been
11 properly seconded. Is there any discussion? Hearing
12 none, all those in favor -- pardon me?

13 MR. DOLAN: May we make another motion?

14 MR. BROWN: You can accept other nominations. I
15 think the nominations should occur -- would be a more
16 appropriate way to have the parties nominated and then
17 to have you vote, but.

18 MR. DOLAN: May I make a motion to nominate
19 several members of the committee and then we vote on
20 those members; can we do that? I make that motion that
21 we nominate several members of the committee and then
22 vote on those nominees.

23 MR. BROWN: If I may, just by way of suggestion --
24 I'm not a member of the committee, but way of
25 suggestion I would suggest that the committee decide

1 first, before it makes any nominations or any motions,
2 decide if it wants to proceed -- how it wants to
3 proceed with nominating or designating the chair. The
4 committee needs to decide if it wants to go by motion
5 or by nomination process to designate their committee
6 chair and vice.

7 MS. BAILEY: Okay. So it looks as though we have
8 two different methods, one is perhaps to present simply
9 a slate that would be voted on. Does that seem the
10 simplest way, our consensus nodding of the heads?

11 MR. DAVIS: Madam Chair, I believe that would be
12 appropriate, but pursuant to Robert's Rule of Order you
13 have a superior motion and a proper second all laid on
14 the table which will require us to take action on that
15 first.

16 MS. BAILEY: Okay.

17 MR. BRIGHAM: And I'm going to make a substitute
18 motion that we first decide if we want to let Ms.
19 Bailey take nominations. I'm Jerry Brigham. I'm a
20 commissioner. I forgot to do that from the beginning.
21 But I think the first thing we want to do is let Ms.
22 Bailey be the moderator and we want to place all the
23 names and the nominations for all of the positions in
24 place first.

25 MS. BAILEY: We have a substitute motion.

1 MR. HOWARD: Second.

2 MS. BAILEY: And second.

3 [Unidentified - seated behind court reporter]:
4 Second.

5 MS. BAILEY: All those in favor of the substitute
6 signify by saying yes.

7 [RESPONSE]

8 MR. DAVIS: Call for the names by show of hands.

9 MS. BAILEY: Okay. All those. in favor raise your
10 hands yes, please.

11 [RESPONSE]

12 MS. BAILEY: All those against the substitute
13 motion please signify by raising your hand as well.

14 [RESPONSE]

15 MS. BAILEY: That motion passes seven to five.
16 Okay. So at this point have we properly disposed of
17 the original motion?

18 MR. BROWN: You've properly disposed of the
19 substitute.

20 MS. BAILEY: Okay. So at this point we're back to
21 the original motion?

22 MR. BROWN: The substitute motion has prevailed.
23 You will proceed pursuant to the motion that has
24 passed.

25 MR. DAVIS: The substitute has failed based on the

1 number of votes. There were two -- there were seven
2 votes in opposition to the substitute motion.

3 MR. BROWN: Oh. I thought she --

4 MS. BAILEY: No. I think there were seven, four
5 and two, and not five.

6 MR. DOLAN: Five against.

7 MS. BAILEY: Five against.

8 MR. DAVIS: The substitute motion is what we voted
9 on just a moment ago which was -- which was those in
10 favor of the substitute raise their hands first.

11 MS. BAILEY: Okay. So now where do we go? I'm
12 sorry, y'all. So at this point the substitute motion
13 has prevailed and we are ready to begin formulating a
14 slate; am I correct to that? Y'all feel free.

15 MR. DOLAN: Ms. Bailey.

16 MS. BAILEY: Yes.

17 MR. DOLAN: This is Frank Dolan. I'd like to
18 nominate Marion Barnes and Jerry Brigham.

19 MS. BAILEY: Okay.

20 UNIDENTIFIED [seated behind court reporter]: I'll
21 second that.

22 MR. DOLAN: And I don't care what they do. They
23 can just co-chair.

24 MS. BAILEY: As -- which one is chair and which
25 one is vice chair, Mr. Dolan?

1 MR. DOLAN: Marion is chair and --

2 MS. BAILEY: Mr. Barnes is chair and Mr. Brigham
3 is vice chair.

4 MR. DOLAN: Yeah.

5 MS. BAILEY: Now, how do we proceed with that?

6 MR. BROWN: Any other nominees?

7 MR. DAVIS: Madam Chair, I go back to my original
8 motion and I present the slate of Alvin Mason as chair
9 and Honorable Jack Padgett as vice chair.

10 UNIDENTIFIED [seated behind court reporter]: I
11 second.

12 MR. BAILEY: Okay. Another nomination is on the
13 floor. Yes, sir.

14 MR. BARNES: I appreciate Mr. Dolan's faith in me
15 but --

16 MR. DOLAN: Don't back out.

17 MR. BARNES: -- I can't help it but at this time I
18 have to refuse the nomination.

19 MS. BAILEY: Okay. Mr. Barnes has asked to be
20 removed from consideration. Do he and Mr. Brigham come
21 off as a pair?

22 MR. DOLAN: Well, then in light of Mr. Barnes --
23 this is Frank Dolan again. In light of Mr. Barnes
24 resigning his nominee may I please nominate Ms. Sims to
25 be chair?

1 MS. BAILEY: And again with Mr. Brigham for the
2 vice chair? Mr. Dolan?

3 MR. DOLAN: Excuse me?

4 MS. BAILEY: With Mr. Brigham as your vice chair?

5 MR. DOLAN: Yes.

6 MS. BAILEY: Okay. So we have two proposals on
7 the table, one is for Representative Sims as chair, Mr.
8 Brigham as vice chair, the second being Mr. Mason as
9 chair --

10 MR. LOCKETT: I move that the nominating process
11 be closed.

12 MS. BAILEY: We have a motion to close the --

13 MR. DAVIS: Second.

14 MS. BAILEY: -- process and a second. Is there
15 any discussion? All those in favor of closing the
16 nominating process please signify by the raising of
17 your hand.

18 [RESPONSE]

19 MS. BAILEY: All those against closing the
20 nominations please signify by the raising of your hand.

21 [RESPONSE]

22 MS. BAILEY: That motion passes eleven to two. So
23 we have two people to vote on. Mr. Brown, help me on
24 how to proceed from here. We have the two. We have
25 Ms. Sims and Mr. Brigham and we have Mr. Mason and Mr.

1 Padgett. So do we vote on them individually?

2 MR. BROWN: On the two slates.

3 MS. BAILEY: Separate from one another, though.
4 First the first slate then second slate.

5 MR. BROWN: Yes.

6 MS. BAILEY: Okay. So the first slate would be
7 for Ms. -- Representative Sims as the chair with
8 Commissioner Brigham as the co-chair. All those in
9 favor of that group please signify by raising your
10 hand.

11 [RESPONSE]

12 MS. BAILEY: And all those against do likewise.

13 [RESPONSE]

14 MS. BAILEY: Okay. That motion fails. Next we
15 have Mr. Mason, Commissioner Mason, and school board
16 member Jack Padgett. All those in favor of that
17 combination as chair and vice chair respectively please
18 raise your hand.

19 [RESPONSE]

20 MS. BAILEY: All those against please do likewise.

21 [RESPONSE]

22 MS. BAILEY: That motion passes. Mr. Mason will
23 be the chair. Mr. Mason currently represents Augusta
24 Commission District 4. Mr. Padgett will be vice chair
25 currently representing Board of Education District 6.

1 And with that, Mr. Mason, I most gladly turn this
2 meeting over to you.

3 MR. MASON: Thank you.

4 MS. BAILEY: You are quite welcome.

5 MR. MASON: This agenda that you've outlined here,
6 is there any additions or deletions to that that you
7 know of?

8 MR. DAVIS: Adopt the agenda.

9 MR. MASON: I have a motion. Is there a second?

10 MR. BARNES: Second.

11 MR. MASON: I have a motion and a second. Is
12 there any further discussion? Hearing none let's vote
13 by the sign of raising the hand. All in favor.

14 [RESPONSE]

15 MR. MASON: All opposed.

16 [RESPONSE]

17 MR. MASON: Passes twelve, zero. If we would take
18 this opportunity now to start at my far right and with
19 the introduction of committee members.

20 MR. BRIGHAM: I am Commissioner Jerry Brigham. I
21 represent District 7.

22 MS. CAIN: I'm Venus Cain. I represent District 9
23 on the school board.

24 MR. DOLAN: I'm Frank Dolan. I represent District
25 10 -- excuse me, District 7 on the school board.

1 MR. HOWARD: I'm Wayne Howard. I represent House
2 District 121 of General Assembly.

3 MS. SIMS: I'm Barbara Sims. I represent District
4 119 in the General Assembly.

5 MR. PADGETT: I'm Jack Padgett, Jr. I represent
6 District 6, Richmond County Board of Education.

7 MR. MURPHY: Quincy Murphy, House District 120.

8 MR. DAVIS: Senator Hardie Davis, Augusta.

9 MR. SMITH: Grady Smith, Super 10 District of
10 Augusta.

11 MR. MASON: Alvin Mason, Commissioner District 4.

12 MR. BARNES: Marion Barnes, Richmond County Board
13 of Education District 1.

14 MR. LOCKETT: Bill Lockett, commissioner of
15 District 5.

16 MR. MASON: All right. Being complete can I get a
17 motion to receive this information?

18 MR. LOCKETT: So moved.

19 MR. MASON: We got a motion. Is there a second?

20 MS. CAIN: Second.

21 MR. MASON: We got a second. Is there any further
22 discussion? Hearing none we'll vote by the normal sign
23 for those that are in approval to receive this as
24 information, if so by hand.

25 [RESPONSE]

1 MR. MASON: And those opposed?

2 [RESPONSE]

3 MR. MASON: The measure passes. We have at this
4 particular time the explanation of the materials by
5 Lynn Bailey.

6 MR. BAILEY: Mr. Chair, upon receiving this I had
7 a request from a member of the audience to revisit --
8 they wanted a record of the chair, vice-chair vote.
9 They didn't get a -- we don't have a recording
10 apparently of whether it was unanimous or not. I know
11 the majority voted. Is that something that would be
12 proper to go back and revisit or shall I move on?

13 MR. MASON: Well, I don't have a problem
14 revisiting that. He just wants you to clarify the
15 number count or are you talking specific names?

16 MS. BAILEY: Number.

17 MR. MASON: I think the number count was seven,
18 five if I'm not mistaken. Someone can correct me but I
19 believe it was seven in favor, five against.

20 MS. BAILEY: Okay. Thank you.

21 MR. MASON: You can proceed.

22 MS. BAILEY: Okay. Each committee member has a
23 black notebook and I would like to take just a moment
24 and go through and tell you what you can find behind
25 each tab and how you might use those documents. First

1 of all, you have a blank calendar in there that takes
2 you from September through January. I put that in
3 there for you to refer to particularly as we sub out on
4 the very next meeting of this committee. Also I wanted
5 to draw your attention especially to the month of
6 January where it will show you that the first date of
7 the general assembly legislative delegation is January
8 the 9th so as we proceed forward, we'll talk about this
9 more later, but it should be the goal of this committee
10 certainly to have a plan formulated in such a fashion
11 that it has time to go through legislative council and
12 be enacted by the general assembly at the earliest
13 possible date. So I wanted to make sure that we all
14 were aware of that date.

15 The next tab, under tab B, that is a list of your
16 committee members for this committee. I've included
17 the email address for all committee members. I can add
18 other contact information to that as we go along but
19 for now those are your members and their email
20 contacts. Tab C, tab C is a list of definitions for
21 words and terms that we will use as we go through. The
22 main things that I will bring to your attention for
23 now, a couple of terms that are very important. You
24 will hear the term retrogression and that simply means
25 that when you draw your redistricting plan you cannot

1 retrogress with minority representation. In other
2 words, a minority population and representation can't
3 be worse off when it's over with than it was before you
4 started. Another word that you will need to know is
5 deviation. Deviation is a very important term and
6 signifies the -- basically the percentage or numbers
7 that each district is off from the ideal district size.
8 The ideal district size for Augusta-Richmond County
9 Commission School Board members is 25,068. That's the
10 ideal size so any amount that's over or under that
11 number would deviate from the ideal and that's where
12 the word comes from, deviation. VAP is another acronym
13 that you'll see. It's voting age population; it simply
14 means those people over the age of eighteen. Ideal
15 district population we talked about. The other terms
16 that you see, the rest of the terms on the sheet, are
17 in fact medical terms that deal again with the size of
18 the districts, the percentages over and under from the
19 ideal situation. So you should refer to that
20 definition sheet for any questions you might have about
21 that.

22 MR. MASON: Ms. Bailey, before you move onto the
23 next tab, are there any questions or concerns from any
24 of the panel members in reference to any of the
25 definitions? I guess not. We'll go ahead and move on.

1 MS. BAILEY: And I will say, too, that when Ms.
2 Meggers gets up to make her presentation she will go
3 into even a little more explanation of some of these
4 things that I'm kind of sliding over here, so.

5 MR. MASON: Okay. Can I ask you one thing while
6 you're right here? In reference to number 1, the equal
7 protection clause, --

8 MS. BAILEY: Yes.

9 MR. MASON: -- when you say so as to -- so as not
10 to dilute or weaken the minority voting strength. If
11 we take -- for example, the district may have 60
12 percent of minority voting strength. Are you saying at
13 the end of this process they can't be any lower than 60
14 percent?

15 MS. BAILEY: I think that the word weaken here is
16 a relative term. I don't know that it's as precise to
17 mean if it's two or three people less or a percentage
18 less, but then there is a big difference between 1
19 percent and 5 percent. So I think it's a fairly
20 relative term.

21 MR. MASON: Okay. Thank you.

22 MS. BAILEY: You're welcome. Section D would
23 represent criteria for redistricting. This is
24 definitely just hitting the highlights on criteria. It
25 talks about the fact that the districts have to be

1 contiguous which means at least all areas of a district
2 have to touch in some way, the other area of that
3 particular district. They have to be compact. They're
4 not supposed to be spread out over -- over huge areas
5 and certainly again have to touch each other. The
6 whole district has to be contiguous. To the extent
7 that you can you want to avoid splitting precincts or
8 municipalities. Preserving communities of interest
9 might also be important to some. Protecting incumbents
10 might also be important. Minimizing voter confusion,
11 always near and dear to my heart. It's something
12 that's important and can be minimized by not splitting
13 the precincts and so forth, maximizing voter
14 convenience. Deviation of the size of the districts is
15 another factor that will have to be looked at. And as
16 you go through the process you must follow recognizable
17 geographical boundaries. You can't just line it out
18 into the middle of nowhere. The lines have to go along
19 some recognized geographic boundary. One thing that
20 has been important to this committee in the past is
21 that the school board lines and the Augusta commission
22 lines continue to mirror each other. That's not
23 anything written in law but it's certainly a long
24 standing tradition in this community. And then again
25 to -- in addition to avoiding splitting precincts to

1 avoid splitting neighborhoods. Now, I will tell you as
2 we go along that that is not always possible because
3 there are so many other factors that have to be taken
4 into consideration and sometimes it really does come
5 down to trying to find a couple hundred people there
6 and a couple hundred people there -- you know, here to
7 make it work. Some of that is legal criteria, some of
8 it is suggested criteria. Again, Ms. Meggers will
9 cover more of that in her presentation. Behind tab E,
10 information that you may find helpful, lists for you
11 the current commission members and board of education
12 members for each of the ten districts. Also at the
13 bottom of the page it tells you which commissioners are
14 term limited coming up for 2012 and 2014. Of course
15 the board of education has no such term limits so
16 that's just for your information there.

17 Tab F, this data behind tab F is probably one of
18 the most important documents in your notebook. Tab F
19 is a population summary report and it takes each of the
20 ten commission school board districts and shows you
21 basically where they're out of whack according to the
22 new census figures. And just as an example, you can
23 look down the sheet and see that Districts 1, 2, 5 and
24 6 are all under populated according to the new census
25 figures, and converse to that Districts 3, 4, 7 and 8

1 are overpopulated so obviously there's some work to be
2 done to get our commission school board districts of
3 equal size. Tab G may come into play a little more
4 once we get down to actually shifting precincts around
5 because this shows you by precinct number what the
6 total population is of the areas. So if you're
7 contemplating, you know, why it would be a good idea to
8 move precinct 101, for instance, from commission
9 district 1 to commission district 3 or whatever, you
10 can look at this document and it will show you how many
11 people are going to be affected by that move. So that
12 may be something helpful for you to have. Also, it's
13 an aside and you probably all already know this, but
14 all those precinct numbers that start with 1 are in
15 commission district 1, those that start with 2 are in
16 commissions 4 and district 2 and so on down the line.

17 Tab H gives you voter registration numbers.
18 Obviously voter registration numbers and census data,
19 population are going to be two different numbers so
20 that shows you the registered voters and also the
21 demographics of the other five precincts for
22 comparative purposes. Tab I helps you sort of put a
23 name with a number. It will show you that precinct 101
24 is the voting location for Asbury Methodist Church.
25 This kind of would enable you to get honed in on the

1 area that you're looking at. So that's just for your
2 reference. Tab J, behind tab J are each of the eight
3 commission board of education districts. You can do an
4 inset of them with the precinct boundaries laid down so
5 you could get a good look of what those districts look
6 like currently. You can also get the same information
7 by going online to Augusta's website that this. This
8 is at your fingertip. So all eight districts are there
9 -- excuse me, all ten districts are there. And tucked
10 back behind that in tab K, look for that just a little
11 bit, are two more maps. Those two maps represent new
12 splits in precincts that were caused when the house
13 districts were redrawn this year so I gave you that
14 information. And one of them is the Warren Road
15 Precinct and one of them is the precinct -- one of the
16 precincts that votes at Trinity Church in the Glenn
17 Hills area. Those are two precincts that have been
18 split. So if this committee decided for some reason to
19 take commission lines in that area and do the split,
20 that's a split that already exists because of house
21 districts. Okay? So I put that in here just for your
22 information. And that's it for the packet.

23 MR. MASON: All right. Is there any discussion?
24 Mr. Brigham.

25 MR. BRIGHAM: Ms. Bailey, on -- on the splits, is

1 that information -- is that with -- the information
2 with current precincts or is it several --

3 MS. BAILEY: Correct.

4 MR. BRIGHAM: -- in regard to precincts and the
5 numbers, the population?

6 MS. BAILEY: Any information that you have whether
7 it's census or registered voters is going to represent
8 existing, not as reflected with this new split. So if
9 we look at the first map, for instance, the dark, black
10 boundary there -- and I'm looking at 506. The dark,
11 black boundary represents the existing precinct 506.
12 And you can see if you look at your key at the top 506
13 is now, after house redistricting, split between house
14 district 125 and house districts 127. And in essence
15 what it did, in that particular it put that
16 neighborhood back together that's been split forever,
17 that neighborhood that hinges on 501 and 506 and you
18 can see how that -- how the line cuts down through
19 there. So put that neighborhood back together which is
20 a very, very good change. So that is a split that this
21 committee could easily implement when it does its
22 commission district lines and it is a split that makes
23 good sense.

24 MR. BRIGHAM: Have we got numbers that can tell us
25 -- do we get numbers that will tell us how many people

1 are moving from precinct to precinct?

2 MS. BAILEY: You can, and I'll get those numbers
3 for you. And that's a very good point. I'll get the
4 numbers for you that will show you how many of the
5 population have moved into which house districts in
6 both of those splits. If you look at the other split
7 with the Warren Road Precinct that's not a horrible
8 split either. They've basically taken the line
9 straight down Warren Road to Warren Bridge Road and
10 then over to the I-20 so it's -- you could argue that
11 it splits a community but Warren Road is a pretty
12 substantial road. It's not like it's winding down
13 through blocks in a neighborhood so that's not a
14 terrible split either as these things go. But I will
15 get you numbers on both of those.

16 MR. BRIGHAM: Thank you, ma'am.

17 MS. BAILEY: You're welcome.

18 MS. MASON: Is there any other discussion?

19 Hearing none I'd entertain a motion.

20 MR. SMITH: So moved.

21 [UNIDENTIFIED]: Second.

22 MR. MASON: We've got a motion and a second. Any
23 further discussion? Hearing none we'll go by the
24 raising of the hand. And those that -- okay. All
25 right. That's unanimous. Thank you. All right. We

1 have a redistricting presentation by Ms. Linda Meggers,
2 our consultant extraordinaire.

3 MS. MEGGERS: I always get a little nervous when
4 people start getting into expecting superlatives. Good
5 afternoon. Thank you for having me. The --

6 MR. BRIGHAM: Mr. Chairman, should we hire Ms.
7 Meggers before we get to the presentation or -- are you
8 working for free?

9 MS. MEGGERS: No, sir.

10 MR. BRIGHAM: Oh, okay.

11 MR. MASON: Would you put that in the form of a
12 motion, Mr. Brigham? Do we have any documentation in
13 terms of cost and all that?

14 MS. BAILEY: We do. Ms. Meggers, the --

15 MS. MEGGERS: 75.

16 MS. BAILEY: \$75 an hour is her rate. She
17 anticipates her scope of work --

18 MR. DAVIS: To the newly elected chair, my
19 colleague and I represent [inaudible] and I think this
20 might be a question for you, Ms. Bailey. Is it not
21 true that you are hiring this individual as a part of
22 your organization and if so if this is a commission
23 matter then obviously from a delegation perspective we
24 would need to recuse ourselves from voting on that
25 matter. And that's what we want to make certain we

1 clarify.

2 MS. BAILEY: Okay. The -- if I may I'll continue
3 with her pay structure and then I'll address your
4 question. Her \$75 an hour, she expects the scope of
5 her work to take 15 hours plus any travel expenses may
6 incur so I figure probably in the neighborhood of
7 \$2,000 or some such -- something like that. As to
8 Senator Davis' question, the board of election at its
9 meeting tomorrow night is anticipated that they will
10 make a motion to have Ms. Meggers come to work. We
11 plan to -- we knew -- the board of elections knew going
12 in for a redistricting year it was a year that has a
13 extenuating circumstances and we have money in our
14 budget for such things as this. As far as this
15 committee goes, it would -- I think it would be good
16 for my board of elections to know where you stand with
17 this since this committee would be dependent upon the
18 information coming from Ms. Meggers. And I can tell
19 you, too, one of the main reasons that I think it is so
20 important to have somebody like her guiding us through
21 this is not only is she great with looking at a map and
22 doing the statistics and those type things, but she
23 knows what's needed to get this up to the Department of
24 Justice. She knows the reports that are needed to --
25 and she knows what constitutes a legal plan. And I

1 think that at the end of the day we're going to be
2 better off having this expertise on board with us.

3 MR. MASON: And I'll get right back to you. It
4 appears, though, if you are the one that's doing the
5 hiring then there's really no action -- the way that I
6 see it there's really no action for this committee to
7 take if we're not doing the hiring. Now, when it comes
8 time for her to present to us I mean, you know, we'll
9 obviously, you know, be in agreement or agree to that.
10 But in terms of the actual hiring of her, that's being
11 done by your office; correct?

12 MS. BAILEY: Correct.

13 MR. MASON: Mr. Padgett.

14 MR. PADGETT: Mr. Chairman, I would move that we
15 accept the recommendation and recommend to the board of
16 elections that they hire Ms. Meggers for this --

17 MR. BRIGHAM: Second.

18 MR. MASON: I got a motion and a second. Mr.
19 Dolan.

20 MR. DOLAN: We don't have a budget.

21 MR. MASON: Good point.

22 MR. DOLAN: Unless we're going to pass the hat up
23 here.

24 MR. MASON: And that was the point that I was
25 trying to make, because we don't have a budget and so

1 if we're not --

2 MR. DOLAN: And the school board is out of money.

3 MR. MASON: Well, I'm not even going to go there.

4 But the fact of the matter is if you're hiring from the
5 board of elections then obviously we don't have an
6 issue up here. There would be nothing for us to do in
7 terms of that. Representative Sims.

8 MS. SIMS: Yes. I would just like to make a
9 request perhaps as we receive this as information and
10 wait until we see after her hiring what she has
11 provided for us.

12 MR. MASON: So that's a substitute motion?

13 MS. SIMS: Yes.

14 MR. MASON: Because we have the motion on the
15 floor.

16 MS. SIMS: Yes, it is.

17 MR. MASON: Do we have a second?

18 MR. BARNES: Second.

19 MR. MASON: So we have a substitute motion and a
20 second. Is there any other discussion? Hearing none
21 now we're going to vote on the substitute motion which
22 is to receive as information until and after -- is to
23 receive this information after she's hired and then we
24 get the information from her?

25 MS. SIMS: No. I was thinking now.

1 MR. MASON: Now that information. Okay.

2 MR. MURPHY: Mr. Chairman, I'd like to direct this
3 question to Ms. Bailey. We're going to set -- as part
4 of the agenda we're going to set the criteria that Ms.
5 Meggers should be working from; am I correct?

6 MS. BAILEY: Correct, yes. I think that -- I
7 think that Ms. Meggers should go ahead and make her
8 presentation to you today and let this group get the
9 information that it needs to set its criteria. I have
10 no reason to believe that the board of elections will
11 not hire her at their meeting tomorrow night. I
12 believe that will happen. Once that happens and we can
13 get the contract signed by Ms. Meggers then we'll be
14 poised to have her immediately get to work with the
15 criteria that you set from this meeting today. To do
16 otherwise would only prolong this whole process.

17 MR. MASON: And that's the motion that's on the
18 floor. Commissioner Brigham.

19 MR. BRIGHAM: Mr. Mason, I firmly believe that
20 this board ought to back Ms. Bailey's actions and
21 recommend the board of elections that we hire Ms.
22 Meggers as our consultant. And I think that was the
23 purpose of the original motion. It was not a motion to
24 hire Ms. Meggers but a motion to recommend that the --
25 from this committee that the board of elections hire

1 Ms. Meggers.

2 MR. PADGETT: That was my motion.

3 MR. MASON: Well, I'm glad that you cleared that
4 up. But since that point we've had that substitute
5 motion on the board and of course you know we have to
6 deal with that substitute motion first and if in fact
7 it does not move forward then we'll -- did you want to
8 amend your substitute motion?

9 MS. SIMS: In that case, that it's been more
10 clarified I withdraw my motion.

11 MR. MASON: Okay. So the motion has been
12 withdrawn. Okay. And now we're going back to the
13 original motion and so let's hear that again to make
14 sure that we're all on the -- all on the same sheet of
15 music.

16 MR. BRIGHAM: I think Mr. Padgett ought to make it
17 since he made the motion.

18 MR. PADGETT: The motion on the floor is to give a
19 recommendation to the board of elections to hire Ms.
20 Meggers to advise and consult with us in this process.

21 MR. MASON: A recommendation. And that -- you --
22 that was your second.

23 MR. BRIGHAM: Yes, sir.

24 MR. MASON: Is there any further discussion in
25 reference to the motion? Hearing none we'll vote by

1 the raising of the hand. If you vote in the
2 affirmative.

3 [RESPONSE]

4 MR. MASON: And for those nays?

5 [RESPONSE]

6 MR. MASON: Are you going to abstain?

7 MR. DAVIS: No. I'm just not accustomed to this
8 process.

9 MR. MASON: Oh.

10 MR. DAVIS: We don't do it like this in the
11 general assembly.

12 MR. MASON: Are you going to weigh in one way -- I
13 mean it's passed but I'm just --

14 MR. DAVIS: It is passed.

15 MR. MASON: All right.

16 MR. DAVIS: I mean if we the information we just
17 receive information.

18 MR. MASON: Right.

19 MR. DAVIS: We don't vote on it.

20 MR. MASON: Oh. Well, we -- well, okay.

21 Protocol. Please.

22 MS. MEGGERS: Okay. I want to kind of give you
23 some background. Let's back up a little bit about why
24 we're sitting here today talking about all of this.
25 And it's probably a little bit of the history professor

1 in me that I -- and the teaching part of me that I
2 can't quite leave it alone. But Article 1, Section 2
3 of the Constitution requires that there be a decennial
4 census taken every ten years for the purpose of
5 allocating U.S. congressional seats among the states.
6 That is the constitutional reason that we take that
7 census every ten years. And they would take the census
8 and allocate congressional seats. Well, this whole
9 redistricting process as we know it today really
10 basically is a fairly modern thing because for the
11 first many, many decades under the constitution when
12 they took the new census they simply just added seats
13 to the House of Representatives in Washington to
14 compensate for new states that had been added, the
15 growth in the population, et cetera. They just added
16 seats and it was a fairly simple thing, and painless.
17 Then the U.S. House reached 435 seats somebody says
18 that's big enough. I think they ran out of chairs and
19 they said no, we -- this is big enough, we can't
20 continue along this line and we've got to go to
21 allocating the seats based on population and do some
22 kind of more formal process. So they came up with a
23 formula that minimized the difference in the size of
24 congressional seats among all fifty states and they
25 began that process. As time went by, in the early

1 sixties people started looking around at legislating
2 seats and there were a lot of different systems across
3 the country of electing legislative seats. Tennessee
4 had something that folks thought was fairly outrageous
5 because rural Tennessee had all these seats and
6 Nashville hardly had any, and the same situation
7 applied in Georgia because we had the county unit
8 system. So there started being cases taken to court
9 saying, well, you know, we think this one person-one
10 vote ought to apply at the state level as well as for
11 congress. The supreme court told Georgia that we
12 needed to learn how to count people instead of pine
13 trees in south Georgia and we did away with the county
14 unit system and started going to the equal population
15 in the sixties. Then along came the 1965 Voting Rights
16 Act that got mixed in with this and made it even more
17 complicated. So through the years and, you know, for a
18 long time we had -- most counties elected their county
19 commissioners, their school board at large. Well, that
20 didn't violate one person-one vote but the onset of the
21 Voting Rights Act and going to single member districts
22 in order to comply with that really mandated little bit
23 by little bit that every kind of elected body that was
24 elected from a district be reviewed after each
25 decennial census to see how they stacked up for one

1 person-one vote. So now that we see this we -- after
2 the decennial census we take those numbers and we apply
3 it to not just the legislative but we go down we look
4 at county commission, we look at city -- as school
5 board, city council. In Bibb County, if you were to
6 live there, even though water and sewer board which are
7 elected by districts, have to be reviewed after the
8 census. So that's kind of what brought us to this
9 point today. The legal requirements of once we get
10 there, what could we do, how to we start, well, we look
11 at your current districts based on the new census and
12 we see how do they measure up under one person-one
13 vote. And everybody says, well, does that mean that we
14 have to have every district exactly the same size. No,
15 the courts have said that's rather impractical, that
16 you're going to have to have some kind of a leeway.
17 And when they had the litigation on that they said, you
18 know, we're going to allow you to go to a plus --
19 except for congress. Congress has to be as close to
20 zero as is practicable to achieve. And the reason for
21 that is that formula that was established by the office
22 of management and budget in Washington said we have to
23 keep these as close to zero because we want a
24 congressional seat in the state of Washington, in the
25 state of Rhode Island or whatever to be about the same

1 size, as close as possible, to a congressional seat in
2 Georgia. So that's why we need to stick to zero
3 deviation as much as we can for a congressional seat.
4 Well, they said, but -- and those seats are very, very
5 large. And when we say 1 percent of a congressional
6 seat you're talking about a lot of people. So -- but
7 they said, well, you know, when we get down to smaller
8 kinds of districts we need some leeway so the court
9 said we can have a plus or minus 5 percent so a
10 district could vary as much as 5 above the average
11 district size or as much as 5 below, and we're going to
12 do that for two or three reasons. First of all, the
13 census date itself. In the early years we didn't have
14 census where we got down to the small blocks. They
15 were bigger chunks. But if you're a small city and you
16 have one block that happens to be public housing you
17 may have six or 700 or a thousand or 1200 people in
18 that one census block which could be, you know, a city
19 council district in and of itself. So they said
20 because it's census geography the smaller the district
21 size the more leeway we have to give you to compensate
22 for that, we know you're going to have problems. But
23 also we're going to give you that plus or minus 5
24 percent because we know that there are good
25 redistricting principles that you might want to follow

1 that will require you to have a little flexibility.
2 You might, for instance, want to maintain your voting
3 precinct lines in order to minimize voter confusion;
4 you might want to follow a well known geographical
5 feature. Some cities have a river running down the
6 middle of it. You have expressways, just major
7 thoroughfares that everybody's familiar with. These
8 make good boundaries that you can explain to everybody.
9 You as elected officials like to know where your
10 boundaries are so if somebody calls you you readily
11 know where they stand in relation to your area, et
12 cetera. So they said, you know, if you're following
13 good redistricting principles we're going to allow you
14 that variation. Now, with that said I will tell you
15 the closer, the smaller the deviations, the stronger
16 the plan, the safer it is from an attack or a court
17 challenge on one person-one vote. However, if somebody
18 challenges you on one person-one vote the burden is on
19 them that you have violated that, even within -- that
20 you stayed within the 5 percent. So, for instance, ten
21 years ago the legislature on the state house and state
22 senate plan, they stayed within their plus or minus 5
23 percent, but when you look at that there was a very
24 definite pattern. All the south Georgia rural
25 districts where they had consistently lost population

1 and where much of the leadership in the house and
2 senate resided, they were all at minus 4-point
3 something in many instances. Those districts in
4 suburban Atlanta and north Georgia, they were very
5 heavy in Republican streams, were all drawn at a plus
6 4-point, almost at the 5 percent. So the court said,
7 you know, that is a pattern that was discriminatory and
8 had you drawn it closer to zero then there would have
9 been several seats that were -- two or three seats,
10 four seats that would have come out of north -- south
11 Georgia and gone to either suburban Atlanta or north
12 Georgia. And this -- there's no way for you to justify
13 these deviations. So it was struck down it was within
14 the plus or minus 5 percent. But as long as we're
15 using good redistricting principles and we can explain
16 a deviation in terms of that to achieve something
17 that's acceptable we have some leeway.

18 The second legal requirement that makes things a
19 little bit more interesting is in 1965 the Voting
20 Rights Act was passed and we have -- Georgia is under
21 Section 5 of the Voting Rights Act which says anything
22 that we do that affects elections has to go to the
23 United States Department of Justice after we adopt that
24 plan or anything that deals with elections to be
25 pre-cleared to be sure that it's -- is it retrogressive

1 in nature as far as minority voting streams, whatever.
2 And there's two sections of that that I want you to be
3 aware of. Section 5 requires us to get pre-clearance
4 before we can put any plan or change in elections. For
5 example, if Lynn were just to change a polling place
6 she's got to get pre-clearance for that, be sure that
7 the polling place that she chose didn't inconvenience
8 minority voters in some way. If we just decide that
9 we're going to have SPLOST election, that has -- the
10 date for that has to be pre-cleared. So it goes on and
11 on, anything that affects that. When it comes to
12 redistricting, though, that's the most serious kinds of
13 voting change that they take very careful review. They
14 take that full 60 days and many times a second 60 days
15 to study that. So you -- when they look at that
16 they're looking at non-retrogression, as Lynn
17 mentioned, to be sure that the districts that are
18 proposed, that come out, don't substantially lessen or
19 reduce the minority strength from the plan that was in
20 place when the changes were made. So to answer your
21 question, do the numbers have to be exactly the same,
22 no, sir, but if you go in with -- out of five districts
23 you had three that were effective minority districts
24 then when you come back out of that you should have
25 three effective minority districts where the minorities

1 in that district determine the outcome of the election,
2 that they have a -- that they can select a candidate of
3 their choice. Now, a candidate of choice doesn't mean
4 that that candidate that gets elected needs to be a
5 minority or an African American or a Hispanic,
6 depending on where you live in the country or even in
7 the state, but that the minorities have the voting
8 strength to determine the outcome of the election. So
9 do we change some numbers sometime, yes, so you don't
10 have to hit exactly the same number but you want the
11 same number of effective voting strength. So they're
12 going to review that in terms of retrogression.

13 Now, the second part of the Voting Rights Act is
14 Section 2 of the Voting Rights Act which says that a
15 plan should not have either the purpose nor the effect
16 of deluding minority elections. Most of the time when
17 we're doing these local plans, now that we've got a
18 certain number of minorities less the demographics
19 change, which sometimes that happens, you have shift
20 and moves and whatever, we're looking basically at
21 Section 5 but in some instances you'd have to look very
22 carefully at Section 2. There are some areas, for
23 example, in the Atlanta area where over this last ten
24 -- well, it maybe has been happening over a 15-year
25 period but is more dramatic because of the last ten

1 years there's been a great influx of African Americans
2 in an area that created a new possibility for a
3 minority district that didn't exist before. That would
4 be Section 2 kind of review if you failed to recognize
5 that -- that shift. So those are your two legal
6 requirements that we're going to be looking at, is the
7 one person-one vote and the Voting Rights Act. Both of
8 them are equally as important. You can't look at one
9 without looking at both of them so as we go forward
10 each plan, we'll talk about both of those issues.

11 Now, in light of that I want you -- the
12 statistical sheet that Lynn talked about, let's talk
13 about that because of the categories and some of the
14 things on there so that when we go forward with any
15 kind of plans that you'll understand the terminology.
16 She did a great job, by the way, of providing you a
17 glossary. I wish that everybody I'd worked with had
18 put that forward. I think I'm going to copy it and
19 keep it and use it in the future. Every one that you
20 get from me will have identification information at the
21 top and, for example, if we present one plan and we sit
22 there and we worked on it and you wanted to make four
23 or five just little changes, little changes that it
24 wouldn't even -- I would take that plan, say Plan 1,
25 for example, and make it Plan 1R or Plan 1REV for

1 revise so you would know that the plan, the beginning
2 plan was 1 but that if it's revised it has some changes
3 or Plan 2, et cetera. But that's the identification
4 information up there. So once something is changed it
5 will never have that same name and of course it will
6 always have a different date. This statute is very --
7 should be very familiar with the legislative delegation
8 because it's very similar to theirs. I've made some
9 modifications that I would have made that ten years ago
10 -- you know, ten years you think about, oh, you know,
11 we could have improve that, and I think this one is a
12 little bit more succinct. But the one thing that they
13 can't do at the legislature because they're dealing
14 with the whole state and they have to alternate the
15 statutes that come out, is that you've got one line
16 here, it gives you the stats for just Richmond-Augusta
17 so that you can compare that as we go forward.

18 Now, the top line will always be the totals. That
19 second line is the voter age population totals. So for
20 example, Richmond County, the total population is
21 200,549 and of that on the second line, the 18-plus is
22 151,244 or 80-plus or voter-age population. Deviation,
23 the first one is just the number of the deviation. The
24 second one is the percent deviation. Then you come to
25 black and percent black. In 2000 the Census Bureau

1 changed the way it asked the race question on the
2 census form. For the first time it went to allowing
3 you to check multiple race categories. It's self -- to
4 describe yourself it's a personal kind of thing, and
5 what happened after the '90 census when they had their
6 target groups, interest groups come in and discuss what
7 was good about the '90, what needed to be changed for
8 2000 census there was one or two people said, you know,
9 this world has changed and I really resent that I had
10 to take my child, which is a mixed race, and cram him
11 in one category or the other and did not have his
12 heritage. We think that we ought to be able to check
13 more than one race category. So what you have on this
14 first one, which is black, are those that answered
15 black as a single race. Then the next one where if you
16 look at legislative stat sheets they have one that is
17 -- I forgot now what I called it ten years ago but it's
18 the same thing. They give you one -- just answer those
19 numbers that answer multi race, black in combination
20 with another race. What I've done on this one is taken
21 black and then added to it those that answer black plus
22 some other race so it's all or part black and then the
23 percentage. The last column, two columns, deal with
24 Hispanic origin and in Richmond the numbers are not so
25 dramatic as they have a dramatic effect on your

1 districts, but there's some areas in Georgia that it's
2 becoming very dramatic. If you've been living, sitting
3 in Whitfield County or Cartersville or Gainesville you
4 would know how important this is and it's getting more
5 and more attention when you get to Department of
6 Justice pre-clearance. One thing, though, that I want
7 you to be clear on, this is not a separate race
8 category. Hispanic is not a race. It's an ethnicity.
9 So you answer race first on the census form and then
10 they ask you, you know, ethnicity without race because
11 some Hispanics will answer black as their race if they
12 come from the Islands, for example. If they come from
13 central South America then they might answer white or
14 Indian or something so it's not separate from black. A
15 lot of these will have also been included in all or
16 part black. There's a line down here that I've taken
17 your super districts and given you those numbers as a
18 separate category. And then you come on down to the
19 summary statistics that Lynn did a great job of putting
20 in your glossary.

21 Let me just cover a couple of things. That top
22 line shows you that your smallest district right now is
23 20,904 and your largest district is 29,909. It gives
24 you the absolute deviation range of the smallest
25 district being short of your average district size of

1 25,069 by minus 4,165 and your largest district is over
2 by 4,840 and the overall number is 9,005. That means
3 from the smallest to the largest district there's 9,005
4 difference in population. What's really important to
5 you that I want you to focus on each time as we look at
6 plans is this percent deviation range where you have a
7 minus 16.61 to a plus 19.31. And remember we talked
8 about a plus 5 and a minus 5. Well, obviously both of
9 those numbers are much bigger than 5 percent. And then
10 when we -- one of the terminology, redistricting school
11 jargon so that you have to hire people like me. So you
12 talk about this overall deviation range, plus or minus
13 5, overall 10. Well, you take the largest minus and
14 the largest plus. You just ignore the sign. You add
15 them together to get that overall range. Well, you
16 have a range of 35 -- 35.92 percent, way, way more than
17 the 10 percent overall range. So those are what you
18 will be looking at each time. It gives you the average
19 -- on the average your districts are 10½ percent from
20 ideal district size. So those are what the stat sheets
21 will look like and mostly the terminology.

22 Before I go on is there any questions about the
23 stat sheet or any of the categories?

24 [No Response]

25 Now, we'll talk a little bit about the process. I

1 also want to show you a little bit about what the
2 computer part will look like going forward. There's a
3 couple ways to perceive.

4 MS. BAILEY: Did you intend for that to be seen on
5 the --

6 MS. MEGGERS: Not yet. We're not quite there yet.

7 MS. BAILEY: Okay. Pardon me.

8 MS. MEGGERS: The process, there's a couple ways.
9 Over 30-something years I kind of found one method
10 effective in that before a local delegation made their
11 trek to Atlanta I would sit down and take their
12 existing districts and adjust those districts, what I
13 call a minimal kind of change and just seeing what it
14 would take, minimal change, to equalize the population
15 and meet the Voting Rights Act and try to keep the
16 incumbents in their current districts and show that.
17 It goes to the add-age. Once you see a map, a picture,
18 a picture is worth a thousand words. It's a very quick
19 way for you to look at something and react and say
20 uh-uh, Meggers, you may be an expert and you may have
21 done this 30-something years but you missed it this
22 time, and four of these districts look great but there
23 is some adjustment that needs to be done. Then it gets
24 there and you find out very quickly what works and
25 doesn't work. Or the other alternative is that I could

1 just wait for you to come to Atlanta, sit down at a
2 work table with a screen and say, okay, let's start
3 with this district that's short and just figure out
4 what it's going to take to make that shortfall up and
5 then go district by district until we fix it. The
6 combination thereof is to start with a minimum change
7 plan, bring this back to you and let us have a work
8 session and you react to that plan and say let's adjust
9 this one, it needs fixing, or say let's just start over
10 again and come up with another plan. And the option is
11 totally up to this group of which way you want to
12 proceed.

13 Now, let's talk about incumbency a little bit.
14 Some people think that's a nasty thing, you know,
15 shouldn't pay attention to that, just throw that out,
16 we're just not going to pay attention to where
17 incumbents live. Well, number one, I've got one legal
18 requirement that says I can't shorten anybody's term.
19 If you're in office and your term is not over until
20 2014 I have to leave you alone. We can't short a term.
21 That's state law. Okay? Now, I know that
22 Augusta-Richmond is very unique in the fact that you
23 have term limits. That's a very unique situation with
24 -- with commission districts in Georgia. So you've got
25 some that are probably -- cannot run again. The other

1 practical, political point is that when this committee
2 gets through with their work and you take it back to
3 the full school board and the full commission to vote
4 on of what they're recommendation is going to be for
5 the legislative delegation you've got to get enough
6 votes to get something out of the commission or the
7 school board or you just totally leave it up to your
8 legislative delegation to draw a plan for you. So, you
9 know, I always kind of -- I come from a political
10 background. I worked at the legislature for so many
11 years and I learned how to count noses so I don't go
12 out of my way if I draw that first plan to draw
13 incumbents out. So I -- I pay attention to that. But
14 that's -- that's the balance in that. So sometimes you
15 have somebody that says I've had enough, you know, I'm
16 not going to run again, I've got family obligations or
17 whatever and they've made that known and, you know,
18 that frees up and gives them flexibility. But that's
19 kind of where that stands and it's totally up to this
20 committee to give me guidance as to how they want to
21 proceed on that.

22 Now, the legislators here have -- oh, wait a
23 minute. I have to push a button here?

24 MS. BAILEY: What we're going to do when the
25 software comes up, Ms. Meggers is going to give you

1 just a very brief demonstration using the existing
2 commission district lines to show you quickly how this
3 software works and so you can maybe better get it in
4 your mind's eye how the work sessions will go once she
5 comes back with a new plan.

6 MS. MEGGERS: Okay. What you see on the screen
7 right now is your existing commission school board
8 plans. The dotted blue lines here are the voting
9 precinct lines. Where you see -- let me zoom in just a
10 little bit here. Where you see the red dots with the
11 circle around them, that's the incumbent commissioner
12 living within the district. Where you see the black
13 dot with the circle around that, that's the incumbent
14 commissioner from the super district. The blue stars
15 are the school board district -- school board
16 incumbents from each of the districts. And then the
17 black stars would be the school board members from the
18 two super districts. So that is already plotted on the
19 map according to their -- the address that Lynn
20 provided to me. When we got started, for example, this
21 one is -- I'll put the precincts up there and the major
22 streets to make it a little more readable because --
23 but these are your -- and now just census blocks.
24 Okay. We have ways that we can label. I'm just going
25 to close this down now. Okay. But as you zoom in it

1 starts taking shape and I'm not even turning on the
2 streets and the street names. I'm just trying to give
3 you a little bit at a time here. But this is the
4 census block shown of -- with the total population in
5 each. I can put total population over all or part
6 black percentage so if we got into an area where we
7 were worried about maintaining African American
8 districts I could see what I was doing as I shifted.
9 The -- we could take the BTDs, et cetera, and start
10 shifting there. So let's take District 1 which is
11 short -- one of the larger districts with a minus. In
12 fact, it's the largest -- largest shortfall in the
13 district. It's short almost 17 percent. What I would
14 normally do in a county that's as large as Augusta I
15 can use the bogie precinct as a building block to begin
16 with. Start with moving whole precincts and then when
17 that doesn't work finally and I get down small enough
18 then I have to sometimes go in and split precincts.
19 One thing that I didn't kind of cover when we were
20 talking about going in and drawing that first working
21 plan of that where your wishes would be that I look at
22 those things and I follow the precinct lines first.
23 And I'm going to be very slow to split a precinct if I
24 could figure out a way to resolve the difference
25 without -- with whole precincts. At some point you get

1 down and it's local redistricting where more often
2 you're going to have to at some point in order to meet
3 one person-one vote. When I do that I just hate going
4 through neighborhoods. I will use a major street or a
5 street that at least is -- that zig-zags through. Once
6 I get on a street I would like to use that street all
7 the way through as a dividing line if at all possible.
8 So that's kind of my guiding principle. But let's say
9 that we're going to start with District 1 and it's
10 short. Let's say I want to use a voting precinct.
11 Well, here's one I could start with but it's got a
12 sitting commissioner in it so I probably would, in the
13 beginning point, try to avoid that. If I were going to
14 go into this district then we've got the school board
15 member over here. Now, I might be able to do it over
16 here. I've got an at-large district and I'd have to go
17 back -- I mean the super
18 district, to see if that's in the right combination. But
19 let's say, well, that looks kind of difficult, I've got a
20 school board member here, where is a good place to begin, do
21 I want to start here, maybe take that whole precinct then we
22 just simply -- okay. I see that's -- also I want you to
23 notice this. And let's just say I checked this in -- oh,
24 wait, wait, wait. Let me show you this. As we're working
25 here together, when you start we can put up pending changes

1 so you can see what I'm changing as I go. So I'm adding to
2 District 1 and by change -- taking just that -- this one
3 precinct, that would add 6,665 to one of them. District 1
4 would go all of a sudden from being a minus 17 percent to
5 being a plus almost 10 percent, et cetera. So we
6 immediately see the effect. And you say, okay, that --
7 that's just not going to work so, you know, you take that
8 out, et cetera. So you're going to sit here and kind of --
9 now, that one touches here. And you're going to go this
10 way. And I'd have to zoom in and see what kind of impact it
11 had on incumbents or if that was somebody -- you know, if
12 that's an issue right here, et cetera. But now you see
13 we've come closer. District 1 has gone from being a minus
14 17 percent to a minus 4.37. Now, that's a good beginning
15 point in that it gets us within the 5 percent, but before
16 we're over if there's a way that I can do some additional
17 shifting and get that less than that I'm going to be looking
18 at that, too, because I really do want to tell you that I
19 think if we can stay, you know, 2/2½ percent or less that's
20 going to be a stronger plan. But it's just going to depend
21 as we work through to see what's possible. But -- let's
22 zoom in now and just look at this a little closer. So you
23 can see I would have picked up a super district incumbent in
24 this instance. Okay. Yes, sir.

25 MR. PADGETT: The question there and the looks of

1 this previous one where you've got two districts side
2 by side, like 1 and 2, and both of them are very short.
3 Do you take that into consideration? Could you take
4 any of 2 and put it in 1 because you're going to even
5 shortchange it more or how do you go about doing that?

6 MS. MEGGERS: I look at that. And sometimes --
7 that's a very good question. Sometimes there's no way
8 but to do that. It's a Domino effect. That's what I
9 explain to folks. And once you start changing it's
10 like knocking over the first Domino and it keeps going,
11 and you change that district and you get District 1
12 back in line but you've affected these two districts.
13 And it goes on. Sometimes you find District 1 is up
14 against a district that's over and you can make the
15 swap there and that's fine, too. So, yes, I would get
16 all of that. And sometimes you just take it district
17 by district and it's a Round Robin until you get them
18 all finished. I will also tell you that if you've got
19 a district that follows within a reasonable deviation
20 and I don't have to touch it I'm going to leave it
21 alone on that first plan. I will not bother it. And
22 then when I come back and you look at and you say,
23 well, you didn't touch District 7, for example, up
24 against a district that falls within the plus -- about
25 maybe plus 2½ percent if I remember right. That, you

1 know, well, you changed all the rest of us, he ought to
2 take his medicine, too, let's take a little bit and get
3 that deviation closer. Well, that's up to this
4 committee. You know, you're the boss. I'm the -- I'm
5 the technical person and I'll follow your will on that.
6 But this kind of gives you an idea that the -- this
7 software in the data is exactly the same as the
8 legislative software in the data. All the same -- same
9 type of technology that's being used and it's very,
10 very flexible and it has a lot of information in it so
11 it falls to you to push me to the limits of using all
12 that if that's so desired. So basically that gives you
13 a kind of flavor for what we would be doing as we went
14 along and -- whatever. So anyway, I would open that
15 back up to any questions from any of you. Other than
16 that I'll be quiet and sit down.

17 MR. MASON: Yes, Mr. Murphy.

18 MR. MURPHY: Can we examine when there is a
19 deviation of 5 percent, similar characteristics,
20 democrat--demographics for -- for counties such as
21 Augusta-Richmond County? We would begin with the
22 deviation of let's say 1 percent. How difficult would
23 you assume that task is going to be?

24 MS. MEGGERS: Oh. You mean to meet the 1 percent?

25 MR. MURPHY: Right.

1 MS. MEGGERS: Well, to be honest with you, with a
2 county with as many blocks and changes and whatever, I
3 could get down smaller than that. You may not like the
4 results, though. I'm going to split a whole lot more
5 precincts doing it that way and I'm going to go through
6 a lot more neighborhoods. But, yes, sir, it is very
7 possible in an urban area like Augusta to get to 1
8 percent or less. It's just -- you know, you're going
9 to have to choose and balance those redistricting
10 principles of precincts, major features, et cetera,
11 against how important it is just for something to say 1
12 percent.

13 MR. MURPHY: One person-one vote with a 5-percent
14 deviation, is that achievable?

15 MS. MEGGERS: Between the plus or minus 5?

16 MR. MURPHY: Right.

17 MS. MEGGERS: Yeah. I think it might even be able
18 to achieve the one person-one vote, the Voting Rights
19 Act and some good redistricting principles like major
20 streets, thoroughfares, precincts to stay within, say
21 plus or minus 2½ percent which I think are great
22 deviations. You know, we just -- until we get in there
23 it's kind of hard to see. I just don't want you to
24 limit yourselves by starting out in the beginning and
25 saying, well, we want 1 percent without seeing what the

1 effect is, because that 5 percent was given to you, the
2 flexibility to draw some good district lines that the
3 community can live with and you as elected officials
4 can live with and that Lynn can administer for
5 elections. And the more you get down closer and closer
6 to zero on the local plan the more ins and outs and
7 splits within neighborhoods that you're going to have.

8 MR. MASON: Mr. Brigham.

9 MR. BRIGHAM: While you're doing that are you
10 talking about creating more precincts; is it possible
11 that you could reduce the number of precincts by taking
12 some of these small precincts that are fractional and
13 by putting them in the same area and looking at the
14 state line --

15 MS. MEGGERS: Usually through redistricting, as
16 you go through and you look and you -- sometimes --
17 let's say ten years ago an incumbent lived in one place
18 and you've made a jog just in order to keep that
19 incumbent in their district ten years ago, well, maybe
20 that incumbent's no longer here and now we put that
21 area back together and we -- that had become a precinct
22 just because of the commission-school board split.
23 Well, you would put it back together. When you get
24 through with this elections will have the opportunity
25 to review all that we do and we put precincts back

1 together and they were very careful with our splits or
2 we match splits with the legislating splits as we go
3 through, that they can reduce the number of precincts.
4 And I will tell you, when I'm not doing this I work for
5 three different county election offices doing their GIS
6 work, helping them work on their precinct lines and
7 whatever. The trend in elections, because of the much
8 better technology that we have, is to go with fewer and
9 fewer precincts mainly because more and more people are
10 taking advantage of early voting. So we don't -- we
11 used to have to really worry about the size of our
12 precincts, the number of voters, because if 30 minutes
13 after the election was over we had people standing in
14 line, by the next general election we will have had to
15 have subdivided that precinct. Well, now there's so
16 many people early voting that's not the problem that it
17 used to be. So a lot of your election officials are
18 starting to consolidate precincts after redistricting
19 to looking where that's possible because the money they
20 save on having additional precincts they can put into
21 better early voting sites or more folks there, et
22 cetera. And it is a savings of money and it also is
23 better for the voters during early voting. But that's
24 totally up to the election board once we finish the
25 redistricting work.

1 MR. BRIGHAM: The other question I had was while
2 we are setting criteria, and I don't know that we've
3 quite gotten there yet, but I would think that one of
4 the things we would want to do is have as many
5 opportunities to share lines with our state
6 representatives so we don't have so many precincts
7 where you -- because our precincts look different than
8 their precincts do. With what information we've got I
9 would hope that we could consider adding the state
10 lines to help draw our lines.

11 MS. MEGGERS: I think that one of the things that
12 I'm just pleased with is that the legislature used
13 precincts as a major building block more so than we did
14 in the last two redistrictings prior to this, and
15 that's going to make that much easier all the way
16 around, that we can match that as much as possible. I
17 will tell you, though, that when it comes to the local
18 level we're going to have to do some splits because
19 your precinct lines are based on your commission school
20 board lines and as much as we try to keep with the
21 whole precincts as we shift there are going to be some
22 new precinct splits and we'll have to take that into
23 consideration. Splits are to be --

24 MR. BRIGHAM: I would hope that would be a minimal
25 amount of precincts.

1 MS. MEGGERS: Absolutely.

2 MR. MASON: Lynn, did you have a comment on that?

3 MS. BAILEY: Well, I just wanted to add on to what
4 Ms. Meggers said regarding precinct lines. Most of you
5 probably know this by now, but Richmond County has been
6 put back into one congressional district and so what
7 that does from a precinct line perspective, it takes up
8 an entire layer that used to put a fairly jagged line
9 up through Richmond County so that is one wonderful
10 opportunity where the board of elections can evaluate
11 its precinct county lines. We know that there are two
12 new splits because of the house district lines so those
13 will go into effect, but those, even though they're
14 split they can be absorbed by their neighboring
15 precincts and it's really not that -- that particular
16 split will not be an issue. But just for the record,
17 this is a golden opportunity for the board of elections
18 to thoroughly evaluate its precinct county lines and
19 take advantage of any opportunity we have to combine
20 precincts.

21 MR. MASON: Mr. Lockett.

22 MR. LOCKETT: Thank you, Mr. Chairman. Ms.
23 Meggers, you talked about splitting, will you please
24 explain the difference between dividing subdivisions as
25 opposed to neighborhoods when it comes to

1 redistricting?

2 MS. MEGGERS: To me sometimes those are
3 synonymous. It's -- a subdivision does form a
4 neighborhood in many instances. It kind of depends on
5 the boundaries and all for that subdivision and how it
6 was developed. And as much as I know about Augusta
7 having spent a lot of time over here and doing the
8 redistrictings over here since the seventies and went
9 through every one of the consolidation efforts up until
10 it was successful, et cetera, I'm still going to depend
11 on your guys to say, you know, you meant to kept that
12 on a major thoroughfare but you did split a
13 neighborhood or a community or a subdivision and we
14 need to put that back together. And there's many, many
15 different ways to draw these lines and so that would be
16 up to the committee to point that out and us remedy it,
17 and it may be then that after you see it -- and, you
18 know, but if we use all your voting precincts one good
19 thing about having Ms. Bailey so involved is that as we
20 go through and she sees that she may say let me point
21 out something to you, this is an area where I need to
22 redo that precinct or these folks have been very
23 unhappy that the polling place for them is way on the
24 other side and it would be better to move them or
25 whatever. But subdivisions, neighborhoods can pretty

1 much be the same thing and I'll leave that definition
2 up to you.

3 MR. MASON: Ms. Meggers, before we move on to the
4 next agenda item, in your experience and your expertise
5 that you have in this area and considering the size of
6 Augusta-Richmond County and obviously that information
7 that we have to deal with, do you have a type of
8 criteria that you would want to see as we move forward?
9 Did you come with an idea of what you thought may help
10 us get to where we need to be?

11 MS. MEGGERS: Left on my own these are the
12 criteria that I use: one person-one vote with the
13 legal definitions, and those are through various court
14 decisions; the Voting Rights Act. Now, that gets
15 reinterpreted every ten years with new case law but as
16 best I know that is of now; maintaining precinct lines,
17 major thoroughfares where I split a precinct;
18 incumbency unless otherwise directed to do something
19 different from that. Those -- those are the major ones
20 I follow.

21 MR. MURPHY: I didn't hear you say anything about
22 redistricting --

23 MS. MEGGERS: One person-one vote. Well, I'm
24 sorry, --

25 MR. MURPHY: One person-one vote. Okay.

1 MS. MEGGERS: -- if I skipped that I misspoke.

2 MR. MASON: Any other discussion?

3 [NO RESPONSE]

4 MR. MASON: All right. Well, thank you, the -- on
5 the original motion I think I put here in doing the
6 presentation. Moving on to setting the criteria. Mr.
7 Davis?

8 MR. DAVIS: Mr. Chairman, I would like to offer
9 some suggestion, if I may, guidelines from our
10 experiences, most recently in the legislative special
11 session, as far as to give strong consideration to -- I
12 believe we have sufficient enough copies to pass along
13 and I can talk about these points as we make our way
14 through the -- Mr. Chairman and members of the
15 committee, I believe if you will look under tab D that
16 -- I just want to point it out that there certainly is
17 a consistency, at least from my perspective, but in
18 terms of what we would call general principles I think
19 these incorporate the things that Ms. Meggers has
20 stated to us just a moment ago. If you will look at
21 number 1, that's the one person-one vote that each of
22 the local districts be drawn with a total population of
23 plus or minus 5 percent from the ideal size. I think,
24 as Representative Murphy and I have talked about just a
25 few minutes ago, that it will be appropriate for us to

1 get a draft back from Ms. Meggers to see what that
2 looks like to see if we what to driddle that down even
3 further as to what's going on in the community.
4 Secondly, that all plans adopted by the committee will
5 in fact comply with the Voting Rights Act of 1965 as
6 amended. We also want the assertion that we comply
7 with the Constitution of the United States and the
8 great state of Georgia. I want to point out a few
9 things that are not always normal. If you will drop
10 down -- everything is generally the same as what you
11 see under tab D, but I want to point out in 6, in point
12 number 6, where it talks about the committees should
13 consider the boundaries of neighborhoods and precincts,
14 I think that goes to the very heart of the things that
15 we've heard, particularly in terms of neighborhoods or
16 subdivisions having been split in the past. We want to
17 look for opportunities to bring those back together
18 where possible and -- and then compact the communities
19 of interest. And there's one I think that is important
20 in our community and that's connections to
21 transportation links. We know in the inner city but as
22 Augusta continues to grow we've not given much thought
23 in the past to making certain that we have
24 transportation links to those individuals who
25 historically have not had transportation access outside

1 of the inner city. And I want to make certain that as
2 we start thinking about that we give those things
3 strong consideration with this whole redistricting
4 process. Then of course efforts should be made to
5 avoid the unnecessary pairing of incumbents. I think
6 that we've realized in the general assembly that, you
7 know, at the end of the day we want to make certain we
8 at least give -- we want to look at that and that's
9 probably the best that we can do. And then of course
10 identifying -- this list of criteria is in no way
11 intended to limit any consideration for other criteria
12 that may come from this committee. But I at least
13 wanted to come to the meeting with something in my hand
14 to offer as a baseline.

15 MR. MASON: Mr. Brigham.

16 MR. BRIGHAM: I think I can agree with most of
17 these. I would hope that we're looking at a 5 percent
18 plus or minus. 1 or 2 percent, I think that's much
19 more achievable in this community than achievable on a
20 statewide basis and I would hope that we would have a
21 much narrower deviation percentage than we're looking
22 at a 5 percent. I would think that this committee
23 would -- should start somewhere at a maximum of a
24 2-percent deviation and get it down even lower than
25 that.

1 MR. MASON: So what I hear you saying then is in
2 reference to the 5 percent you would propose that we
3 look at 2 percent and work our way down versus 5
4 percent and working our way down.

5 MR. BRIGHAM: Yes, sir.

6 MR. MASON: Is there any discussion in reference
7 to this? Does anyone -- yes, Lynn.

8 MS. BAILEY: Mr. Mason, excuse me. But I was just
9 going to say that if this is the criteria that's going
10 to be adopted the only thing that I don't see on here
11 that is on the original sheet is to continue the
12 practice of having the two set district lines mirror
13 each other.

14 MR. MASON: The school board and the commission
15 district lines.

16 MS. BAILEY: Correct.

17 MR. MASON: Absolutely. I think it's --

18 MR. DAVIS: I concur with that. And as best I
19 could I tried to articulate that in 4A by indicating
20 commission and school board district will --

21 MS. BAILEY: Thank you.

22 MR. DAVIS: -- maintain the same geography and be
23 identified within the same district boundaries.

24 MS. BAILEY: Thank you.

25 MR. MASON: Mr. Padgett.

1 MR. PADGETT: My question, Senator Davis, the item
2 under 6, connections to transportation, you're talking
3 about outside of the urban area.

4 MR. DAVIS: That's correct. That's correct.

5 MR. PADGETT: Okay. What do we look at there. I
6 mean obviously there's no transportation out there in
7 those areas.

8 MR. DAVIS: So we don't have anything at this
9 point in terms of transportation that's currently going
10 out there --

11 MR. PADGETT: Right.

12 MR. DAVIS: -- but as we move forward in this
13 community I want us to at least give strong
14 consideration to -- I wanted to make certain that our
15 communities are represented with transportation links
16 in mind. That's all I'm saying.

17 MR. PADGETT: Okay.

18 MR. MASON: Well, at this point do we have any
19 other questions or any additions or deletions to the
20 general principles that have been submitted by Senator
21 Davis?

22 [NO RESPONSE]

23 MR. MASON: I would look for a motion.

24 MR. BARNES: So moved.

25 MR. SMITH: Second.

1 MR. MASON: We've got a motion and a second. Is
2 there any further discussion?

3 MR. BRIGHAM: Is that with the 2 percent rather
4 than the 5?

5 MR. BARNES: With the 2 percent starting.

6 MR. BRIGHAM: Right. 2 to 5 percent.

7 MR. MASON: Let's make sure we get some clarity.
8 Are we moving up or are we talking moving down? We're
9 starting at 2 percent; is that what was said? Is that
10 --

11 MR. BRIGHAM: I think that's where we want to
12 start at, 2 percent.

13 MR. MASON: And then --

14 MR. BRIGHAM: I would think that we would want to
15 go to zero if at all possible.

16 MR. BARNES: Well, I don't have a problem with
17 that but I think we can start with 2 percent and see
18 where we are and we make adjustments at that point.

19 MR. MASON: Was there a second to that?

20 MR. HOWARD: Second.

21 MR. BARNES: There was.

22 MR. HOWARD: A substitute motion to change that to
23 a 2-percent starting point.

24 MR. MASON: Well, I was trying to figure out where
25 the motion started to begin with. And you made the

1 motion, didn't you, Mr. Padgett?

2 MR. PADGETT: No.

3 MR. BARNES: I made the motion.

4 MR. DAVIS: The original motion was at 5 percent
5 but Commissioner Brigham indicated that he'd like to
6 see a change to 2 percent.

7 MR. MASON: But you made a motion to -- okay.

8 MR. BARNES: I have no problem with that.

9 MR. MASON: You want to amend it to 2 percent?

10 MR. BARNES: I have no problem with that.

11 MR. MASON: Can we have a second to that?

12 UNIDENTIFIED: Say 2 percent.

13 MR. MASON: Okay. Commissioner Lockett.

14 MR. LOCKETT: Thank you, Mr. Chairman, since 5
15 percent I understand is legal initially why don't we
16 start off with the 5 percent and as we go along if we
17 can reduce it to 3 percent or 2 percent or 1 percent as
18 opposing to starting to such a low number.

19 MR. MASON: Well, at this point we do have a
20 motion that's been amended to 2 percent.

21 MR. LOCKETT: I'd like to make it a substitute
22 motion then that we start off with 5 percent and try
23 and work down from 5 percent rather than put ourselves
24 in the --

25 MR. MASON: Okay. We have a substitute motion to

1 start at the 5 percent. Was there a second to that
2 motion before -- no. Commissioner Brigham.

3 MR. BRIGHAM: No, I'm fine. Are you going to
4 debate whether we needed to go to 5? Because I think
5 5 percent would -- if we have a 5-percent deviation
6 we're actually at 10 percent plus or minus, and 2
7 percent is only 4 percent plus or minus. And I think
8 we can get it within 4 percent plus or minus.

9 MR. LOCKETT: Mr. Chairman, with respect I
10 withdraw my motion.

11 MR. MASON: Substitute motion has been withdrawn.
12 Mr. Dolan.

13 MR. DOLAN: The only thing that's going to change
14 going to 2 percent, if you may change some precincts
15 that she's probably going to have to change, and that's
16 it.

17 MR. MASON: Representative Howard, did you have
18 your --

19 MR. HOWARD: I want to put my substitute motion in
20 for the 2 percent, to amend that motion for the
21 guideline by changing that to a 2 percent.

22 MR. MASON: I think we amended that with -- with
23 Mr. Barnes. He amended his to say 2 percent.

24 MR. HOWARD: Okay.

25 MR. MASON: And there was a second there.

1 MR. HOWARD: I'm seconding him then. I'll second
2 his --

3 MR. MASON: Oh, okay. Well, we got a couple of
4 seconds and that's good. Is there any further
5 discussion?

6 [NO RESPONSE]

7 MR. MASON: Just so that we're clear, we're
8 talking about a 2-percent beginning point and working
9 our way down. And all other aspects of this plan is
10 acceptable and that's what we're saying here?

11 MR. MURPHY: Mr. Chairman.

12 MR. MASON: Representative Murphy.

13 MR. MURPHY: Either direction. You said 2-percent
14 down. We don't know. We might need to go up.

15 MR. MASON: Is that the motion?

16 MR. BARNES: I said that in my original.

17 MR. MURPHY: Right. Well, I'm just clarifying.

18 MR. MASON: Okay. Mr. Padgett.

19 MR. PADGETT: I think for clarification, just
20 change the 5 to 2 and just cross it out beside it, so.

21 MR. DOLAN: We're not limited to 2 either. If we
22 got to fudge up one way or the other we can do that.

23 MR. MASON: Then we do the plus or minus and that
24 should take care of it. All right. We have a motion
25 on the table. All those in favor show by the raising

1 of your hand.

2 [RESPONSE]

3 MR. MASON: All opposed.

4 [RESPONSE]

5 MR. MASON: That measure passes 12-zero. All
6 right then, folks, the next agenda item is setting the
7 next meeting date. I will entertain some dates.

8 MS. BAILEY: Mr. Chair, if I might,--

9 MR. MASON: Yes, ma'am.

10 MS. BAILEY: -- Ms. Meggers and I were talking
11 earlier. Her calendar, she is available next week,
12 Tuesday, Wednesday, Thursday. She feels that she can
13 look at this information and be prepared to give this
14 group the plan in that amount of time if that meets
15 with the -- with the committee's favor so I just toss
16 it out there for just thought.

17 MR. BRIGHAM: I'm not available Thursday.

18 MR. MASON: Okay. Let's kind of work this thing
19 out. We heard -- now, that's -- well, we're looking at
20 three potential dates?

21 MS. BAILEY: The dates that we looked at earlier,
22 and Linda, correct me if I'm wrong, but anywhere,
23 Tuesday, September 27th, 28th, 29th or 30th, any day.

24 MR. MASON: Mr. Lockett.

25 MR. LOCKETT: I think, Mr. Chairman, we have to

1 determine the time of day we're going to meet.

2 MR. MASON: Right.

3 MS. BAILEY: Does this -- does two o'clock work?

4 MR. MASON: Afternoon. Is this time that we're
5 meeting here, is that --

6 MR. BRIGHAM: What date?

7 MR. MASON: Well, we hadn't sent a date yet, but
8 we were just wondering was afternoon --

9 MR. BRIGHAM: Afternoon is better for me.

10 MR. MASON: Can we get a show of hands for
11 afternoon meetings if we could?

12 [RESPONSE]

13 MR. MASON: Okay. And -- was that yes, sir?

14 MR. DAVIS: Yes.

15 MR. MASON: Okay.

16 MS. CAIN: Three o'clock is better for me, 3:00 or
17 3:30 is better for me.

18 MR. MASON: You said 3:30?

19 MS. CAIN: 3:00 or 3:30 is better for me.

20 MR. MASON: Three o'clock.

21 MS. CAIN: 3:00 or 3:30, either one, preferably
22 3:30.

23 MR. MASON: Well, can we see a show of hands then
24 if 3:00 -- or 3:30 I guess she's saying is -- Senator
25 Davis.

1 MR. DAVIS: Mr. Chairman, would it be appropriate
2 if we refer to the board of elections chair and Ms.
3 Meggers in terms of making certain that they have their
4 material and everything they'll be presenting and then
5 we can establish the date -- a time based on their
6 ability to present?

7 MR. MASON: Do you have a warm and fuzzy, if you
8 will, that --

9 MS. BAILEY: So the suggestion is that Ms. Meggers
10 evaluate -- using the criteria that you set today, over
11 the next couple of days see if she can in fact be
12 certain to meet that time line of next week. Then she
13 will let me know and I'll let the chair know. He will
14 set a date and inform the rest of you when that date
15 will be; is that what --

16 MR. MASON: Is that what you're --

17 MR. DAVIS: That's what I'm suggesting.

18 MR. MASON: I see some nods of heads, but I think
19 we still have an issue out here and at least we need to
20 address it as to whether or not the time frame of 2:00,
21 3:00, 4:00, 5:00, 6:00, whatever it's going to be, what
22 would be our meeting time regardless of the dates.

23 MS. BAILEY: Let me just say, too, just as you
24 think about this, I would suspect that the next meeting
25 could be longer than today's meeting because that will

1 be actually looking at a plan, making changes to a plan
2 so you may want to factor that in as well.

3 MR. MASON: Mr. Lockett.

4 MR. LOCKETT: Thank you, Mr. Chairman. I think
5 also if you consider Ms. Meggers, she's subject to
6 traveling back and forth from Atlanta and the earlier
7 we can have it -- if we have it too late that means
8 we're going to have to --

9 MR. MASON: Well -- well, so two o'clock in the
10 afternoon; is that --

11 MS. SIMS: That's much better.

12 MR. MASON: That's better than the 3:00 or 3:30?
13 Yes? All in favor of two o'clock -- we meet at two
14 o'clock and we determine the -- we have two o'clock.
15 All in favor of two o'clock raise your hand.

16 [RESPONSE]

17 MR. MASON: Okay. That's a majority so two
18 o'clock will be the time frame. You will get with me
19 and let me know the date.

20 MS. BAILEY: And we're thinking either next
21 Tuesday, Wednesday, Thursday or Friday. I keep hearing
22 rumblings that Thursday is not good for a lot of
23 people.

24 MR. MASON: Thursday is not --

25 MR. BRIGHAM: I don't know but I know there are

1 several things scheduled on the commission's agenda.

2 MR. MASON: Right.

3 MR. BRIGHAM: And I don't have those calendars in
4 front of me.

5 MR. MASON: I'll tell you what, because I don't
6 have that and we don't have a clerk in here, we do have
7 a number of various meetings scheduled for the
8 commission.

9 MS. BAILEY: How about -- Mr. Chair, how about
10 once we determine if it can be ready, if I get in
11 contact with you and then someone from the school board
12 and someone from the delegation to confirm that there
13 aren't any conflicting, scheduled meetings on that
14 particular date --

15 MR. MASON: Yes.

16 MS. BAILEY: -- and then go from there?

17 MR. MASON: Yes. Mr. Smith.

18 MR. SMITH: I'd like to bring up that maybe give
19 her plenty of time, the rest of the week, and then -- I
20 mean till next week and then on the following Monday,
21 you know, whatever it takes, two -- one, two, three
22 days in row and get it over -- get it done versus
23 jostling around and jumping around.

24 MR. MASON: Now you are in the first week of
25 October if I'm hearing you correctly because you said

1 not next week. Ms. Meggers, please.

2 MS. MEGGERS: If I could make a suggestion.

3 MR. MASON: Please.

4 MS. MEGGERS: I won't presume, but one thing we
5 could do is think about tentatively next Tuesday at two
6 o'clock and within the next 48 hours my letting Ms.
7 Bailey know whether that's not going to be workable.
8 But right now I think that Tuesday -- next Tuesday at
9 two o'clock might be very, very workable. Then if you
10 do decide to move it to the first week of October I'm
11 already engaged with a couple of other clients on
12 Tuesdays and -- Tuesday and Thursday of that week.

13 MR. MASON: That sounds good actually. If you
14 would coordinate and then let us know and then we'll
15 make a decision from that point, but I think two
16 o'clock is what we're looking at, whatever day that
17 will be. Okay. Now, is there any other business?
18 Well, actually there is. Let me say this. I'm not
19 sure what your office is -- will do in reference to
20 this, but I think we need to have in order to be in
21 compliance with the Open Meetings Act we need to have a
22 designated recorder and I'm not sure if that's
23 something that we're going to do, but we need to figure
24 out before we leave here who is going to continue -- if
25 we're going to continue to meet here or no matter where

1 it is that we meet we do need to have a recorder that
2 would agree to provide this service to who would take
3 minutes and record for us.

4 MS. BAILEY: My plan was to retain the services of
5 this reporting agency that we have here today and have
6 her record them -- he/she record the minutes. I'm not
7 sure if this will even be the venue next time. I don't
8 know what the vacancy is. I understand that the board
9 of education has a very nice committee room that's a
10 large table with all of the audio/visual equipment
11 where we can actually sit around in a table format and
12 we can look at each other as we work through the plan
13 or we can go to the library and sit in the horseshoe
14 and work with their audio/visual so there are options
15 out there.

16 MR. MASON: Okay, great. But --

17 MS. BAILEY: But they can follow us anywhere when
18 they're set up.

19 MR. BROWN: If I may, I checked with the clerk of
20 commission. There is nothing scheduled next Tuesday at
21 two o'clock in here or with any of the commissioners.

22 MS. BAILEY: Okay. Thank you.

23 MR. MASON: Mr. Padgett.

24 MR. PADGETT: Mr. Chairman, I'll get a date
25 scheduled to Ms. Bailey for the school board room if

1 you want to use it or if you want to bounce back and
2 forth. Parking may be a little easier up there than it
3 is here at times.

4 MR. MASON: So my understanding here is that the
5 two of you will get together and have that dialogue and
6 determine that. Mr. Padgett, you're get with -- okay.
7 And is there any other further business to be --

8 MR. HOWARD: One other thing, Mr. Chairman.

9 MR. MASON: Yes.

10 MR. HOWARD: There is one other thing that we
11 talked about along the way with the -- coming out of
12 the redistricting for general assembly and coming into
13 this process here for the local districting is that
14 there was some concerns or some desire to maybe have
15 some citizen input and one of the things that I've
16 heard from some of -- you know, from the community is
17 that would this group be amenable to allowing two
18 persons or whatever we may agree on or not agree on,
19 allow anyone to be a part of this committee from the
20 community.

21 MR. MASON: Well, one of the questions I would
22 have of you, Mr. Howard, is that you -- how many
23 individuals were you talking about?

24 MR. HOWARD: Well, my recommendation would be two.

25 MR. MASON: Okay. Now, were you also recommending

1 that these individuals have some sort of voting
2 privileges or something like that?

3 MR. HOWARD: Well, I would leave that up to this
4 committee.

5 MR. MASON: Well, what's your pleasure? Mr.
6 Dolan.

7 MR. DOLAN: I think we have a lot of people now
8 and it's going to be difficult. The more people we add
9 the more difficult it's going to get, all due respect.
10 And they have the rant and the rave and the TV, two
11 radio stations. They can eat us up on the TV. I'll
12 suggest that we keep it right here.

13 MR. MASON: There's one suggestion and one side.
14 Mr. Padgett.

15 MR. PADGETT: Well, I think we decided today how
16 this will be configured and if we change it we'd have
17 to go back and start over again. Whether they're
18 voting, non-voting, whatever, I think the way we've set
19 it up gives everybody a vote.

20 MR. MASON: Do we have any -- I'm sorry. Mr.
21 Barnes.

22 MR. BARNES: Well, I was going to agree with Mr.
23 Padgett. I guess we're all from the same place but we
24 look at it the same way. We were charged with forming
25 this committee, the people that we have. One of the

1 problems you would have, how are you going to select
2 two citizens? And as Mr. Dolan said, we have enough
3 people here right now to create confusion.

4 MR. MASON: Is there any discussion on the
5 opposite end of that?

6 MR. HOWARD: No. I'm putting it out there. It's
7 a conversation that I had and I'm putting it on the
8 floor. If this committee desires not to do it then the
9 people in the community says they understand that.

10 MR. MASON: Well, we can't do anything unless it's
11 put in a motion if you're looking for some sort of
12 action to see if it would go up or go down. I mean you
13 certainly have the right to put it in the form of a
14 motion and see if it -- first of all, see if it even
15 got a second, and then if it did we could see if it
16 would be okay or not. That's strictly up to you. No?

17 MR. HOWARD: [Indicates negatively.]

18 MR. MASON: Okay. Let me say this. We should and
19 can always have public hearings for public input if
20 that is something that would be amenable to the
21 committee. And I'm not saying that necessarily has to
22 be decided today but that is something that we could do
23 because today is not a public input day, designated as
24 that.

25 MR. HOWARD: On that note, Mr. Chairman, that was

1 actually my second suggestion, is that maybe we should
2 look at public hearings based on districts or --
3 present districts, come up with some sort of a format
4 where we can find those target areas where we can get
5 the mass -- more people, as many people and truly have
6 hearings where the public can have input. That's my
7 hope, make sure we have input from the public in open
8 forum where they can voice their opinions. So I would
9 like to -- we can do that in the next meeting by, you
10 know, identifying dates and agreeing on that.

11 MR. MASON: Okay. And just to let you know, Ms.
12 Sikes [phonetic], I did see your hand but again this is
13 not a public forum for conversation. I wanted to make
14 sure that that's -- and I want to get that out there so
15 that we can have that, so people can have an
16 opportunity to do so if the committee chooses to go in
17 that particular manner. Is there any other business?

18 MS. BAILEY: One other thing I would like to say.
19 There was one other thing in the material I neglected
20 to mention. There is a large map folded up in the
21 pocket of your notebook, that's the entire Richmond
22 County districts so between that and the insets that we
23 gave you you should have a pretty good idea of where
24 the districts are. Thank you.

25 MR. MASON: Thank you, Lynn. Thank you, Ms.

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1 Meggers, and thank you to the committee. Did I hear a
2 motion to adjourn?

3 [MULTIPLE] Second.

4 MR. MASON: We stand adjourned.

5 [Meeting adjourns at 3:58 p.m.]

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2 I hereby certify that the foregoing deposition was
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4 Stenomask, and the questions and the answers thereto were
5 reduced to typewriting by me or under my direction; that the
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7 correct, and complete transcript of the evidence given on
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10 I further certify that I am not kin or counsel to
11 the parties in the case and I am not in the regular employ
12 of counsel of said parties.

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