

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
AUGUST 22, 2006

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Superior Courtroom, 1 Hillsboro Street, located in Pittsboro, North Carolina, at 6:00 PM on August 22, 2006.

Present: Chairman Bunkey Morgan; Vice Chair, Tommy Emerson; Commissioners Patrick Barnes, Mike Cross, and Carl Outz; County Manager, Charlie Horne; County Attorney, Robert L. Gunn; and Clerk to the Board, Sandra B. Sublett

- The Chairman called the meeting to order at 6:07 PM.

- Commissioner Barnes offered brief comments about redistricting prior to the beginning of the public hearing.

- **Public Hearing on Altering the Structure of the Board and Method of Election (At-large or by district):** Public hearing to receive public comments concerning the question of adoption of a resolution calling for a referendum on whether to alter the structure of the Chatham County Board of Commissioners to provide that each of five Commissioners be nominated and elected by the voters of their district only

The Chairman opened the floor for public comments.

Mary Nettles, 80 Millikin Road, Pittsboro, NC, stated that she registered and remained a democrat because she believes in the process; that she is dismayed that the party has turned into a dictatorship; that she looks forward to supporting the referendum in the November election; and that the African-Americans have been sold out.

Bill Sommers, 20 East Madison, Fearrington Village, Pittsboro, NC, stated that after last night, the redistricting was exposed for what it was; that the redrawn district map, based on old population data was flawed, skewed, and deceptive; that a return to district voting is an attempt to eventually return control to the currently discredited majority and eliminate the continuation of African-American entry into Chatham’s elected life; that history has shown similar attempts by politicians to redraw district lines for their own benefit; that one scenario would be to wait until the 2010 census and using the new date devise a representational system with seven county commissioners; that four would be elected from equally balanced districts and three would be elected at-large; and that such an organizational scheme or reasonable variations would reduce or eliminate Chatham County’s current political situation that has produced this discredited electoral scheme.

Barbara Lott, 1265 Adolph Taylor Road, Pittsboro, NC, stated that the comment that got her attention was that Chatham County had not changed in forty years; that forty years ago, segregation was still the law; and that she is asking the Board of Commissioners to vote for voting by district.

Max Cotton, 133 Pittsboro School Road, NC, stated that he is a native of Chatham County; that in his opinion one of the worst things that has happened was the legislation for at-large voting; that 1) Commissioners have been elected that were not the choice of the voters in their district; 2) That this will reduce the cost of campaigning; 3) That it will increase the number of candidates; 4) Reduction of dependence on political action committees and their influence; 5) Reduction in dependence of special

interest funds; 6) Voting by districts is a return to representative government; and that he urges the Board of Commissioners to place the item on the November ballot.

Sonny Keisler, 3006 River Forks Road, Sanford, NC, stated that they are opposed to district only voting; that they need to be able to vote for all commissioners, not just one; that they think it is a losing proposition; and they do not feel that it will pass.

Don Lein, 13 Crosswinds Estates, Pittsboro, NC, stated that a person can be responsive to fewer people; that the issues may be the same but may mean different things to different areas of the County; that voting by district is true representative government; that the election should be returned to the voters and let them decide on someone that can really represent them. He urged the Board of Commissioners to put it on the ballot.

Loyse Hurley, 16 Matchwood, Pittsboro, NC, stated that she represents Chatham Citizens for Effective Communities (CCEC); that for the past 3.5 years, CCEC has followed issues impacting County issues; that these issues are County-wide; that during this time, they have observed that the issues facing this County are diverse and complex; that there are issues related to water supply, waste disposal, justice system, schools, growth, laws and budget; that they affect and impact every single citizen in the County; that each and every Commissioner must be knowledgeable about each and every one of these issues; that the County has grown beyond the days where an issue can be isolated to a specific district; that these times require that all Commissioners represent all the people; that the County has moved beyond the days of small isolated neighborhoods; that the County needs to be treated as a whole and in its entirety; that since minority groups are diffuse throughout the County, district only voting prevents any minority from becoming a member of the Board; that this would be a step back in time; that local government must represent all the people, all the time, and representative of all those people must be allowed to serve all those people; that district only voting means that a Commissioner need only please his own district in order to be reelected; that it will lead to divisiveness, pork-barrel, politics, and special interests; that the needs of the entire County must be considered; that all citizens of the County should have a say in who can be elected and who continues in office; that the current system proves that; that at this critical point in time, Chatham can not afford to have Commissioners who are only dependent on their district for reelection; and that district only voting is outdated, outmoded, and totally unacceptable.

Bob Eby, 19 East Madison, Pittsboro, NC, stated that he apologized if he offended anyone by referring to them as a "lame duck"; that this public hearing was not well publicized; that last-minute scheduling is suspect; that district voting would create a board with parochial interests; that the County needs Commissioners that are well-informed about all the issues including planning, education, water supply, social services, affordable housing, recreation, public transportation, appropriately staffed County government and law enforcement; that it would take the County back to the 1970's when no African-Americans, representative of other minority groups, or women had ever been elected to the Board of Commissioners; that once County-wide voting was enacted, the composition of the elected officials broadened noticeably, which has been a benefit to all Chatham citizens; that it could lead to much "log rolling" and "pork barrel" decision making; that such a regressive change requires a favorable vote by all the County's citizens on a referendum; and that there is plenty of time for Chatham's citizens to decide to vote against this issue.

John Gray, 123 Cub Creek Extension, Chapel Hill, NC, asked that the people show respect for speakers and the Board stating that this is a serious business; that the consensus from last night was that redistricting is necessary; that he would like to have a Commissioner that is closer to home; that the elected official should be accountable to the public; that he would like to see the referendum on the ballot; and that a pool of people in one area should not have the control over the County.

Karl Kachergis, 1717 Morris Road, Pittsboro, NC, stated that he is concerned at how divisive this is and has been for the County; that he feels the new Commissioners will be very representative; and that he asks that people give the new folks a chance.

Jay Gatlin, Ed Clapp Road, Siler City, NC, stated that he agrees with voting by district; and that the only option is to send it to the voters on November 7th.

Sally Kost, 1101 New Hope Church Road, Apex, NC, stated that based on the previous night's map vote, Commissioner Barnes had joined the "lame duck club", but not to worry, the voters would bail him out.

Gene Brooks, 66 Nooe, Pittsboro, NC, stated that he is in favor of the proposition; that it is good to see an interest in democracy; that some people's passion for the cause got away with their manners; that one of the "midnight judges" was John Marshall; that most legislative bodies are elected by district; that this County is capable of being fair; that the government continues to be larger and larger every year; that if representatives could be elected by district, it would help the citizens.

Tom Vanderbeck, 8180 Old Graham Road, Pittsboro, NC, stated that voting by districts will divide the County; that it is a recipe for pork-barrel politics; that it will silence African-American voters; that it will exacerbate the east-west tensions; that he wants Commissioners to represent the interests of all; that this proposal will leave one district unrepresented for two years; and that he appeals to Commissioners Emerson and Outz to vote against the referendum because it will marginalize the western vote.

Joyce Cotton, 1221 North Pea Ridge Road, Pittsboro, NC, stated that she supports district voting; that it will better enable citizens to voice concerns to their representative; that the cost of running for office is prohibitive; that many media avenues must be used in a campaign; that more people would run for office; that each Commissioner would better understand the needs of the citizens in their district; that 30% of the registered voters voted in the primary; that Commissioner-elect Carl Thompson would have won even if he did not have any black votes at all.

George Lucier, 628 Redbud, Pittsboro, NC, stated that he is in favor of County-wide voting; that Commissioners make decisions on a County-wide basis and should be elected County-wide; that offices are established on a County-wide basis; that he campaigned across the County; that he enjoyed campaigning outside his own district; that he feels that he can make informed decisions after campaigning; that he is a strong proponent of County-wide voting; that Commissioners should serve the entire County that they represent.

Marti Hipple, 170 TC Justice Road, Pittsboro, NC, stated that she has a packet of petitions, cards and letters supporting voting by district; that she revised her speech after last night; that mob rule was what was in place at the previous night's meeting; that all citizens should have a say in this County's government; that all they would like is for this referendum to be placed on the ballot to allow all citizens the opportunity to vote on the issue; that voting by district is true representative government; that one heavily populated area, such as northeastern Chatham County, would not be able to elect all the Commissioners; that Chatham County is a very diverse County and each district has different needs; that when a Commissioner is elected only by the people in a district, the Commissioner will better understand those needs; that a constituent would be more inclined to call on his very own Commissioner instead of approaching the Board of Commissioners as a whole; that it would be less costly for candidates to wage a campaign; that more candidates would probably file for seats; and that she asked the Board of Commissioners to put this on the ballot.

Elaine Chiosso, 1076 Rock Rest Road, Pittsboro, NC, stated that in 1972 when she moved to the County, Jim Crow signs were still up; that the legacy of racism was still alive; that Carl Thompson was elected both times by a large coalition of people that worked together across the County; that it is important that candidates must get out and experience the needs of others beyond their district; and that three of the districts encompass the Haw River watershed.

Roy Hipple, 1076 TC Justice Road, Pittsboro, NC, stated that the major employer in Chatham

County is still agriculture; that a common thread among people is that the folks in the eastern part of the County won't listen to those in the west; and that district wide voting will solve this problem.

Beverly Ann D'Aquanni, 856 Fearington Post, Pittsboro, NC, stated she wondered why this is an issue; that she questioned if divide and conquer is the methodology; that district voting will cause problems; that Commissioners elected in May will prove that they will be representative of all in the County.

Jesse Albright, 1423 Coleridge Road, Siler City, NC, stated that he is in favor of voting by district; that fairness is the most important thing; that freedom to vote for someone that is a representative from the citizen's district is favorable; that when County-wide voting takes place, a citizen only has one-fifth of a vote; and that district voting is the only fair way.

Margie Ellison, 11538 Highway #902, Bear Creek, NC, thanked Commissioner Barnes for his courage and honesty. She stated that district voting will hurt the opportunity to elect an African-American; that voting rights must be protected; that Commissioners that have exacerbated the problems live in one's own district right now; that she would like to know why Commissioners are trying to make this change at this time; that all the citizens must be protected; that what is good for African Americans is good for the rest of the County; and that African-Americans' vote will become divided and invisible. She asked that the Board not allow the years of fighting for the right to vote and elect their choice be in vain.

Joe Weisman, 1359 Fearington Road, Pittsboro, NC, stated that this is a very important issue; that the motives are irrelevant; that citizens must judge by actions, not presumed intent; that this issue will stand or fall on its own merit at the polls; that the founding fathers established a representative government; that currently the northeast corner is more influential because of numbers and wealth.

Nick Meyer, 988 Booth Hill Road, Chapel Hill, NC, stated that if there could be fairly apportioned districts, then it may be a good thing; that District 1 has 150% of the population of any other district; that by the time there is a next election for a District 1 Commissioner, it will have twice the population; that when the majority takes away the rights of the minority, then mob rule ensues; and that by voting by district will take away the rights of those in District 1 because they will have ½ the vote.

Kim Cotton, 1136 Sanford Highway, Pittsboro, NC, stated that she wanted to apologize for the behavior of last evening for the lack of respect shown to the Board. She stated that she is in favor of voting by district; that there would be increased voter turnout; that running would be more economical; that the data may be out-of-date for the maps, but that the County has to start somewhere; and that she urged the Board to let the voters decide.

BREAK

The Chairman called for a short break.

Dave LeGrys, 111 Pokeberry Lane, Pittsboro, NC, stated that he trusts Commissioner Cross with his tax dollars; that he ran for Commissioner four years ago and had to appeal to voters across the County; that last night's decision may lead to political payback; that district voting will make it unlikely that an African American will be elected; and that republicans pushed this, but they have not been able to field candidates in the past.

Shannon Plummer, 116 Thrift Street, Pittsboro, NC, stated that it is not affordable to run for office; that many Republican candidates could not afford to run; that accountability is a benefit of district voting; that he commends those in the northeast for turning out to vote; and that district voting will encourage people to run.

Jeffrey Starkweather, 590 Old Goldston Road, Pittsboro, NC, stated that it is unfortunate that time did not allow for the setting up a committee to represent both sides of redistricting with dialogue;

that the political action committee is designed to be a vehicle for the people to voice their preferences; that the accountability aspect of this is that they pushed for elections on the basis of issues; that the people support those issues then they elect people on the basis of those issues and hold them accountable; that someone who ran for the office who would not spell out what those issues were could not be held accountable; that the best predictor of future behavior is past practice; that there have been less and less congressional and legislative races bearing competition; that that is due, in part, to money and special interests; and that they could have much more influence if they could focus their money on a smaller area.

Mike Fox, 350 Red Hill Lane, New Hill, NC, stated that Carl Thompson lost in his district; that no African-American has been elected in the district system in the County; that when African-Americans get elected it is because voters in the northeast and other areas of the County combine their votes with African-American votes to elect them; that is why no African-Americans were elected before and they have been elected since; that anyone could have been elected because of County-wide voting; that a 40% African-American district in the County could probably not be drawn according to State standards; and that the results are that African-Americans are not elected unless there is County-wide voting.

Karl Ernst, 711 Red Oak Drive, Siler City, NC, stated that he is a proponent of this change for years; that he asked that the people be able to decide; that this is representation by population; that it would be more economical; that more candidates is a good thing and can be productive; that he is not a racist nor a shield for Chairman Morgan; that this is something that is done on a State and federal level; and that we can learn from the past but we need to move forward in order to deal with issues.

Mary Phyllis Horn, 24 Creekside Apartments, Pittsboro, NC, stated that not as many people turn out in races where there are many candidates; that in the last two elections, the people who spent more money didn't win; that each Commissioner already represents districts; that we need to get people out to vote; that she is for district voting; that we do not have the option to be divisive anymore; and that the County cannot afford to be selfish any longer and continue to progress.

Judith Ferster, 228 Carolina Meadows Villa, Chapel Hill, NC, stated that if the Board of Commissioners was a bicameral body like the US Congress, she might be able to accept that one body should be elected by and represent one district and that another body should be elected by and represent the whole County; that give the Board is unicameral rather than bicameral, she would rather have it more like the Senate than the House; that a county, even the largest one in the State, is not so large that each corner of it must retreat to consider its own issues in isolation; that many important issues that have figured large in recent elections, such as planning, economic development, education, and redistricting affect the County as a whole; that another is taxation which is also a County-wide issue; that since they need to consider and discuss these matters together, County-wide voting will serve them the best; and if there is a referendum on the November ballot to change the way they vote, she'll vote "no" and urge her friends to vote "no" also.

Richard Bradley, 929 NC Highway #87 North, Pittsboro, NC, stated that four years ago, 40% of the people voted; that a mandate should be representative of a true majority of the people; that everyone has a right to vote regardless of position. He also said that when the Clerk to the Board called "time" on speakers, after ten seconds if the speaker keeps talking that she should be able to activate a "trap door" under the speaker leading to a crocodile below.

Linda Sisco, 604 Mitchell Chapel Church Road, Pittsboro, NC, stated that she appreciates Commissioner Barnes willingness to stand up for his beliefs; that she is an opponent of district voting; that equal representation was not a part of this nation when it came into being; that prior to 1975, blacks were disenfranchised; that County Commissioners should represent all the people; that she proposes a test of issues for prospective Commissioners that if it cannot be passed about different areas of the County, then maybe the candidate should not run for the County Commissioner seat; and that district voting disenfranchises parts of the community.

Lori Sisco, 604 Mitchell Chapel Church Road, Pittsboro, NC, thanked Commissioner Emerson for

her brief history lesson on early Chatham County. She stated that a County Commissioner is elected by the County for all the people; and that voting by district is going the easy way instead of the right way. She asked that if they do not learn to grow together, how are they going to grow at all.

Ken Boggs, 371 River Road, Pittsboro, NC, stated that he has heard folks say that they want “their Commissioner” from “their district” and he is present to explore if this can work. He stated that the Commissioners operate nothing like the State Representatives and Congress; that at the State and federal level, there is an executive branch balancing act, the governor and the president balance the representatives; that this is not present with the Commissioners; that they are sort of a combination of the two with nothing to check their monopoly power; that there is no balance here; that if the County is prepared to make each district self-funding, prepared for each district to pay for its own schools and other public facilities, each district to manage its own affairs without interference from others outside that district, then it might be quite reasonable that they elect their Commissioner and the rest of the people have no say; that if the problems and funding are County-wide, if the schools, water, and other facilities are to be funded County-wide, if the benefits and draw-backs of the County’s growth are to be equally shared, and if his group is not a majority in any district whether it is farming or Haw River clean-up or whatever, then he cannot see why Chatham County cannot be divided into five little counties called districts; that based on their real opportunities and the consequent problems, everyone will do well together or go down the tubes together; and that election of Commissioners by districts just does not fit the citizens’ needs, conditions, or pocketbooks.

Herbert Gaines, 4284 Siler City Glendon Road, Bear Creek, NC, stated that he recommends that the referendum be placed on the ballot for the people to decide whether or not they should vote by districts; that he is personally in favor of his five County Commissioners being nominated and elected by the qualified voters of their district only; that he feels that this is the only way for all County citizens to have a fair and equitable opportunity to elect their leaders; that however thankless and difficult it has been, he appreciates the job that each Board member has done as the County’s elected officials; that as he told his young officers and soldiers in Vietnam, he salutes them for the superb performance under fire.

Della Turner, 557 Clyde Simpson Road, Gulf, NC, stated that as an African-American, she has a vested interest in switching from County minority to district vote; that when she heard of some people taking African-American situations and bringing them into this mess in the County, she was offended; that she didn’t grow up taking things for granted; and that the African-Americans of the 1960’s or 1970’s are not the African-Americans of today.

Alvin Reed, 481 Lydia Perry Road, Sanford, NC, stated that he is running for the North Carolina House District 54 which includes all of Chatham County and parts of Orange and Moore Counties; that he has come before the Board tonight to speak not directly on the issue of district voting, but rather indirectly on the issue of respect...respect for elected officials, respect for each other, respect for original intent, and most of all, respect for what is right; that he would like to quote Colonel Steve Acuff, USAFR who is running for the United States House District 4 for North Carolina, “ Bring a Bible and a friend to the polls.”; that he submits a proposition to the citizens of Chatham County and specifically to the Chatham Coalition; that if the Coalition will follow the Colonel’s advice, he will support the Coalition on this specific issue with every fiber of his being; and that if the Coalition will not follow the Colonel’s advice, he will fight the Coalition on this specific issue with that same vigor; that the choice is the Coalition’s choice. He quoted a verse in the Bible, “He was oppressed, and he was afflicted, yet He opened not His mouth: He is brought as a lamb to the slaughter, and as a sheep before her shearers is dumb, so He openeth not His mouth.” He thanked the Board for their time.

John Graybeal, 3396 Alston Chapel Road, Pittsboro, NC, stated that in justifying his vote to adopt the district map, Commissioner Outz stated that many other political territories are divided into districts; that he referred to the district systems used for the NC House and Senate and to the US congressional district; that the implication of his comment was that the existence of these systems argues for use of a district system for voting in Chatham County; that regardless of where district voting is used and regardless of its merits or demerits in other places and for other purposes, the relevant question before

the Chatham Board now is what the effects of such a change would be in Chatham County and whether those effects would be good or bad; that several effects of going to district voting in Chatham are predictable and they are all undesirable; that some effects that have been identified are: 1) commissioners would focus on the needs of their local districts rather than on the needs and problems of the entire County; 2) A special version of this problem cited last night was the fact that a Commissioner from a western district could side with developer interests that would adversely affect citizens in the eastern part of the County, leaving eastern citizens helpless to deal with such a Commissioner; 3) The opportunities for minorities to be elected to the Board of Commissioners would be substantially reduced; that all of these effects are bad; that the Board of Commissioners should have a County, not a local perspective; that candidates should get to know the problems of the whole County, not just the problems of their district; that even though some counties went to district voting in the 1980's for the purpose of enabling greater minority representation, such a system should not be used where, as in Chatham County now, such a move would have the opposite effect; that many persons testified last night that moving to a district voting system in Chatham would have a major adverse effect on minority participation on the Board of Commissioners; that some of those supporting district voting argue that the present system means that eastern Chatham elects Commissioners for western Chatham and, in effect, deprives western citizens of full voting rights; that this argument fails to acknowledge that Chatham has a district system now and that the five Commissioners must reside in five separate districts; that even though they are elected at large, the present system means that the Commissioners should be and are especially mindful of the problems and concerns in their respective districts.

Mr. Graybeal stated that in dealing with these arguments, Commissioner Emerson said last night that the Board is not adopting district voting but submitting to the voters the question of which voting system to use; that those of them that supported the incoming Commissioners agree that Chatham voters are very wise; and that at the same time, the current Commissioners should be able on the basis of the evidence before them to decide that district voting in Chatham is a bad idea.

Floy Oldham, Lystra Road, Chapel Hill, NC, stated that he served on the board that drew up the map; that there have been many changes in Chatham County over the years; that Siler City use to rule the County; that the County does need to make a change; that they are present tonight to carry on democracy in Chatham County; and that the Commissioners are giving the citizens a right to exercise their right to vote.

Cynthia Crossen, 1116 Marshall Road, Pittsboro, NC, stated that the process has not been respected in time and citizen input; and that she does not like the divisiveness that this has caused.

The Chairman closed the public hearing.

The County Attorney reviewed the resolution calling for the referendum.

After considerable discussion, Commissioner Emerson moved, seconded by Commissioner Outz, to adopt the **Resolution #2006-46 Pursuant to Article 4 of Chapter 153A of the General Statutes of North Carolina Calling a Referendum on the Question of Nomination and Election of One County Commissioner from Each of Five Districts**, attached hereto and by reference made a part hereof. The motion carried three (3) to two (2) with Commissioners Cross and Barnes opposing.

ADJOURNMENT

Commissioner Emerson moved, seconded by Commissioner Cross, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting was adjourned at 9:23 PM.

Bunkey Morgan, Chairman

ATTEST:

Sandra B. Sublett, CMC, Clerk to the Board
Chatham County Board of Commissioners