

**BOARD OF SUPERVISORS
STAFFORD, VIRGINIA
MINUTES
Redistricting Work Session
January 19, 2022**

CALL TO ORDER – A work session of the Stafford County Board of Supervisors was called to order by Crystal Vanuch, Chairman, at 6:30 p.m. on Wednesday, January 19, 2022, in the Board's Chambers, George L. Gordon, Jr. Government Center, 1300 Courthouse Road, Stafford VA.

ROLL CALL – The following members were present: Crystal Vanuch, Chairman; Pamela Yeung, Vice Chairman; Tinesha O. Allen; Thomas C. Coen; Darrell English; Monica Gary. Absent: Meg Bohmke.

Also in attendance were Frederick J. Presley, County Administrator; Rysheda McClendon, County Attorney; Julia Homes, Assistant Deputy Clerk; various staff members; and other interested parties.

Ms. Vanuch called the meeting to order and noted that Mr. Toigo would be presenting.

Mr. Anthony Toigo, Constituent and Legislative Affairs Officer, stated that they were at a point in time where the Board could start work on redistricting maps, and the purpose of this work session was to more closely examine the four election district map options. He said that they were seeking the Board's direction on whether there is a preferred mapping option, and he noted that Attachment 2 in the Board's background report is the timeline. Mr. Toigo stated that as mentioned during his presentation the previous week, the County is on an accelerated timeline to complete redistricting, as is every county and city in Virginia due to federal and state delays that have impacted the process to date. He said that staff is proposing that the Board reach a consensus on the County's new election district, precinct, and polling location maps by February 11 to fulfill the Virginia Voting Rights Act requirements of public notice and public comment periods. He stated that the public comment period would start on February 15 and ultimately include a public hearing on March 15.

Mr. Jeff Harvey stated that David Capaz is the County's GIS manager and was there to assist with specific questions. He said that to provide some background with the maps and process, the maps originated by looking at the existing election district boundaries and moving out from there; some districts will have to grow in population, such as Rock Hill and Griffiths Widewater districts, and others will have to shrink in population or land area, such as the Hartwood and Aquia districts. He said that affected how the maps were drawn, and the purpose of the redrawing of the maps was to ensure apportionment among the election districts and equal representation in population within each of the districts. He stated that federal law allows a deviation of +/- 5%, and they tried to get close enough that they didn't have to worry about the 5% number. He said they used software to test against it, and all four options work and meet all

of the requirements; for discussion purposes, staff does not have a specific preference on any one of the options, but they are for the Board's consideration and discussion.

Mr. Harvey reported that as part of the process for making the map changes, they looked at the individual census blocks, and each has an assigned population, which has now also been done by the Census Bureau, as has the boundary of each block. He emphasized that the County does not have control over making adjustments to the census block lines or the people in the census block; they must abide by what has been provided based on the 2020 census. Mr. Harvey said that each block has an assigned number of people, and some blocks have zero, especially areas that have commercial or industrial development. He stated that some blocks may have 900 or more people, depending on the density of development, and as they went through the process, they looked at each block and what population added or subtracted, and the software informs the total number of people in the districts and the percent deviation from the required apportionment number. He stated that they also looked at roads and other physical boundaries that made things much easier for the public to understand where the election district lines might be, and they currently have a number of lines that follow creeks and such that may not be as noticeable to the general public.

Mr. Harvey said they also focused on several factors as they went through the drawing, with the key goal of apportionment as the first line of consideration; contiguity and whether the election districts aren't islands but are instead connected; compactness of district versus disparate parts in different parts of the County; and following the streets to ensure neighborhoods remained intact, with a number currently in the County that are split between districts. Mr. Harvey stated that they also looked at I-95 and major creeks as consideration for district boundaries because traveling to polling places can be difficult for some, especially if they have to drive a long distance. He noted that even if it may not be a long distance to cross an interstate, there are psychological and practical aspects with getting from one place to another, especially when traffic is bad. He said that the same held true of creeks that might require someone to go a great distance around the area's large peninsulas.

Mr. Harvey reported that they also took state district lines into account and tried to keep the map options less confusing for people. He said that some election districts will have multiple state house districts in them, but staff tried to keep them to a minimum, with one option that tries to do it to the maximum extent possible. He stated that they also considered racial and ethnic fairness, and there is currently no election district that is primarily minority population—and that trend continues with these four options, meaning they are not targeting people to certain districts. He said that from staff's perspective, they did not want to unduly favor one party or another, so in drawing the maps, they took into account the location where current Board members and School Board members reside and attempted not to move them out of their districts.

Mr. Harvey explained that another consideration as they went through the maps was "keeping the districts recognizable," so that when someone says they live in the Griffiths-Widewater District, you think of the Widewater Peninsula—and moving the peninsula out of the district might pose issues for some. He said that the same would hold true for moving the Port of Falmouth out of Falmouth or not having Hartwood Church in the Hartwood District.

Mr. Harvey reported that staff developed four options and classified them as Option A, the least amount of change; Option B, which is similar but provides the most balance possible to achieve between election districts; Option C, which is minimizing the splitting of neighborhoods (Falmouth Town would remain split, but the rest of the subdivisions would be in one election district); and Option D, which tries to match the state House and Senate district boundaries to the greatest extent possible. He said that before staff discusses these, he wanted to ask the Board if any particular option should be discounted because it doesn't appear to be viable.

Ms. Yeung stated that regarding Option D, she did not want anyone messing with Garrisonville.

Mr. Harvey responded that Option D had the most changes because of trying to maneuver around the House district, and those boundaries did create some unique circumstances for the County in that it split the Stafford Lakes neighborhood into two districts, and it also had an odd configuration that goes down Route 1 into Aquia Town Center and back up, which creates an unusual situation in proximity to Aquia and Griffiths Widewater. He added that a portion of the district impacts what has traditionally been Rock Hill on the north side of Garrisonville Road, which splits them into two different districts. He said that those are some of the challenges noted in trying to find the House districts in Option D—but they will ultimately have to consider some factors when establishing precincts to ensure they don't have any split precincts.

Ms. Allen stated that she is not in favor of A or B, as the new House map for the northern part of the County—anything north of Route 610 and going up Route 1—should be in the Widewater District. She said that they should not have pieces of neighborhoods off of Route 1 be positioned in the Aquia District.

Ms. Vanuch suggested that she was not in favor of removing any of the maps, as they had not received any public comment yet and she would like to receive that before they rule one right out of the gate. She stated that the state and federal redistricting impacted districts a lot, and those split precinct issues are disallowed and must be applied for, including demonstrating that the County is following all the rules and making it as easy as possible on voters. She said they could all have their opinion on the maps, but she doesn't think they should remove anything until they've gotten feedback from the public and have considered all the elements to be considered.

Mr. Coen asked if it were fair to deduce that options A, B, and C could be configured with the precincts in a certain way that would not cause a violation with the precincts or other problems the County has had in the past.

Mr. Harvey responded that they could work through that with the map options, and they are able to follow roads for the most part and keep neighborhoods whole—but Stafford Lakes neighborhood would be split into two, so that could have an impact.

Ms. Gary agreed with Ms. Vanuch and stated that people in the public are already looking at these and may want to comment. Ms. Gary said that in looking at the descriptions that staff has given, where it says, "least changed," "most balanced," etc., she is not for keeping things the same just for the sake of keeping them the same—and this is an opportunity to ensure they do it correctly. Ms. Gary said that she is not sold on Option A for that reason and Option B is not

realistic for growth because they have different areas growing at different rates and will continue to do so. She stated that Option C is preferable because Aquia Harbor has been a headache, and people don't always know what district they're in; so the least confusing option is going to be the best one, as government functions better with more participation. She added that this also factors into not splitting up subdivisions, and Option D doesn't quite meet requirements.

Mr. Harvey said that Option D as it's currently drawn is a viable option, and staff can go back and study that, at the Board's direction. He stated that staff would be looking at some feedback from the Board in terms of how to proceed with this.

Ms. Gary stated that text addressing the apportionment requirements says, "This map does not completely achieve this goal but comes very close."

Mr. Harvey said that it meets the apportionment requirements but does not meet the goal of keeping an entire election district in the House district.

Ms. Allen asked if the intent to keep Supervisors in their seats was the reason it had split, because staff was saying now that they didn't want to split subdivisions—and if that was the genesis for splitting the harbor, they shouldn't split it anymore.

Mr. Harvey responded that the Aquia Harbor situation has been that way for more than 20 years, and he wasn't sure if there were people in office at the time the first map was drawn that split it, whenever that was, in one part of the harbor or another. He stated that staff could do some research to see what prior maps looked like and see what Supervisors were in office and where they lived.

Ms. Allen said she agreed with Ms. Gary that it's confusing for people who live in Aquia Harbor to find out they lived in Widewater. She said that if they want to keep subdivisions whole, they must be consistent for all of them and not pick and choose which ones they will split or not split. She stated that she also wanted to know whether they were able to superimpose some of the House and Senate maps to determine how maneuvering would impact the districts, and she cited House District 23 and one of her original points to take some of the subdivisions off of Route 1 and put them into Widewater—and whether that would create a split precinct.

Mr. Harvey said they have the capability of doing that and imposing the state lines on the maps so the Board can see where they are in relation to County neighborhoods. He said they can do that in this format or in large-format printouts.

Ms. Allen asked if it would be possible to see what the potential House map would look like in relation to Option C and Option A.

Mr. Harvey referenced the maps provided and pointed out what he had noted earlier in terms of the district boundary taking a strange configuration, following along I-95, intersecting with Austin Run, and coming back up through some of the neighborhoods opposite of Cole Landing Road. He said that it follows the border of Aquia Harbor up to Aquia Town Center and follows the border of Aquia Harbor to a portion of Aquia Creek. He stated that this makes it very

challenging to try to keep this in a single election district without having it look very odd. He added that putting it in Griffiths Widewater would be taking a chunk out of Aquia.

Mr. English asked if the creek is the dividing line as you get to the bottom of the hill and go across Aquia Drive.

Mr. Harvey responded that this was the current election district dividing line.

Mr. English stated that the reason it was likely done that way 20 years ago is because the third section of the harbor was developing and got more people into it.

Ms. Allen [off mic].

Mr. Harvey said that a positive aspect of the new state map is it keeps Aquia Harbor in one district.

Ms. Allen said that she wasn't asking for all of Widewater to match HD-23, she was just speaking to Port Aquia and the Hills of Aquia neighborhoods—which she was suggesting moving those into Widewater versus keeping them in the Aquia District. She noted that this would mean they would not go in a different House District.

Mr. Harvey confirmed this.

Ms. Allen said they would not be creating a split precinct for that kind of arrangement, and the split precinct for Widewater would still potentially remain along the creek.

Mr. Harvey responded that this was one area staff noted as a concern, as it could create a very small precinct if it were to be a standalone precinct.

Mr. Coen stated that his primary question, in considering Mr. Toigo's timeline, was that early voting starts at a certain point and new voting cards must be mailed before then—so the redistricting must meet a certain deadline, or they would be in violation or ask for special dispensation for not following guidelines.

Mr. Toigo explained that the first question concerns the absolute drop-dead date for completing all of the requirements associated with redistricting—VVRA, resident identification. He said the date of the 2022 primary is June 21, and residents must be notified of any changes in election districts, precincts, and polling locations 15 days prior—or a drop-dead date of June 6, 2022.

Mr. Coen noted that early voting started May 6, so they would have to have everything done early enough to send out voter ID cards prior to that date.

Mr. Toigo confirmed that it would be April 21.

Mr. Coen said if they don't follow that timeline, they would be risking penalties or would have to be for an exception.

Mr. Toigo explained that there could still be split precincts, but just like the blanket waiver last year, it would have to be an individual waiver for each precinct that has splits, filed with the Department of Elections. He commented that it's possible but was a more bureaucratic process.

Mr. Coen clarified that they would have to have the public hearing by the middle of March, so that would need to be advertised and definitive maps would need to be available a month earlier.

Mr. Toigo confirmed this, but he pointed out that there was room in the state law for any change made after the public comment period would add 15 days, so it would just prolong the end of that period—but it can be done.

Mr. Coen said that if they have a public hearing in mid-March and make a decision that adds another 15-day time period, that pushes them even closer to the drop-dead date. He stated that he has consternation with how they proceed and how they disseminate information, which is why he is leaning towards the least chaotic option—as they saw the chaos in 2016 of people not knowing which district they were in, voting in the wrong precincts, etc.

Ms. Yeung asked if the timeline staff presented already included the public hearing.

Mr. Toigo responded that the public hearing, by law, had to be included.

Ms. Yeung said that she had read the state and federal legal redistricting information provided including that “the County may exclude the adult inmate population of the regional jail, located in the County, from the population figures used for the purpose of redistricting.”

Mr. Toigo explained that the document may need to be updated, as there was new legislation a year or so ago that provided that incarcerated populations in jails are now counted as residing in their place of residence prior to incarceration. He said that they technically would not be counted in the County's population numbers.

Mr. Coen said that they received a breakdown of the inmates and where they lived before they were incarcerated, so there would be 197 in the George Washington District, for example—and at one point, that was all put in the Aquia District.

Ms. Yeung commented that staff is working diligently, and she just wanted to make sure that this wasn't political, and they needed to remember why they were there. She said there is a lot of rural area, and she noted that they cut off part of Hartwood and had included text of “like voters,” and keeping suburbs was “like voters” also. She stated that she would like public comment and some more time to listen to constituents because she wants to ensure complete transparency.

Mr. Toigo stated that the maps were put together by staff without any input from members or elected officials.

Ms. Allen said she agreed with Ms. Yeung's comments and stated that you can't have Aquia Harbor out of Aquia District. She stated that she appreciated Mr. Coen's concerns about the timeline, but she did not want them to be held prisoner to that timeline and make decisions because it's convenient for them. She emphasized that she wants to make sure the map is convenient for residents, because they are the ones that have to go vote. She stated that it's not their fault that the information was disseminated to them from the federal and state government, but the County shouldn't be forced to make decisions just to fit their convenience. She added that these maps would remain in force for 10 years, and they wanted to make sure they didn't create future headaches for people—and be mindful of growth, expansion, and keeping neighborhoods whole, which public comment would help foster.

Ms. Gary stated that it was odd to her that the line was drawn upward in Aquia, and she would like to match district lines as much as possible; whatever is easiest for constituents and provides the least amount of confusion is what they should pursue. She said if they were to pick one to look at more in depth, this would be the ideal for her to work from, incorporating other maps.

Ms. Yeung said that she agreed with Ms. Gary as long as they can keep Garrisonville together.

Mr. English stated that everyone is losing something, and that's just the way it is.

Ms. Yeung said that it's not about her losing, it's her community.

Ms. Vanuch asked that they not direct comments to other supervisors and just discuss the issues.

Ms. Allen asked staff to take Option A and asked them to demonstrate if they had to maintain the population deviations and were hypothetically to make the neighborhoods whole, how it would change the equation and stay within the 5%.

Mr. Harvey stated that the answer would get depending on the different options, but Mr. Capaz could demonstrate this on the map for illustrative purposes.

Ms. Vanuch said that she has asked staff for large maps that show street names and boundaries, and it would be helpful if the Supervisors could look at each option and comment on them with specifics—and that may even yield a fifth option.

Mr. Harvey responded that staff would love to see some input from Board members on things to study from these four maps as a base to see if they work—and if they don't work, they could inform the public as to those facts.

Ms. Vanuch asked if everyone agreed in terms of getting that information back to Mr. Harvey and Mr. Toigo, then decide what kind of work session they wanted to have to review that information. She added that from the public's perspective and transparency, she wanted to know at what point they would allow the first layer of public comment for all of these maps.

Mr. Toigo stated that public comment was currently available and ongoing online, and if there were a desire among the Board to have public comment at these work sessions, that could be

done as well. He said that in terms of Ms. Allen's point about the timeline, it was customary in redistricting years to delay elections until August—and while he has not heard about that, he would research it and get back to the Board.

Ms. Allen said that three Supervisors have not been exposed to this yet, and she wanted to make sure they had ample time to get the information and proper feedback.

Mr. English asked if they had received any public comments thus far.

Mr. Toigo responded that they had received three in the current phase and seven or eight in the previous, or about 11 total.

Ms. Vanuch asked what date staff needed the Board's feedback in order to make adjustments.

Mr. Toigo said that staff would like their feedback by Tuesday, January 25.

Ms. Vanuch stated that they would want a work session in which they could interact with the maps and point to areas of concern. She said that she liked the idea of setting everything out, with a formal part of the meeting, capability for public input, and conversation about the proposed changes.

Ms. Allen suggested having the capability for "doodling" on the maps.

Ms. Gary agreed that it would be helpful to have an overlay and Dry-Erase marker or something like that.

Mr. Toigo noted that they did have the Smart Board in ABC Conference Room, and staff had chosen the Board Chambers because it held the largest number of attendees—but in ABC, they would have GIS capabilities on a 70-inch screen and could still set it up for the public. He confirmed for Ms. Allen that they could also stream it from ABC.

Ms. Yeung read something from the County Attorney's Office to ensure that a goal of the process is to ensure that fair and equal representation is maintained., and she wanted to make sure this was on the website.

Ms. Vanuch asked if that was on the website and if staff has posted it on the redistricting information.

Mr. Toigo stated that there is the redistricting and racial diversity document on the redistricting web page, and that document is already online.

Ms. Gary said that she had asked the County Attorney about this previously, and those numbers had already been evaluated and were not an area of concern at this point.

Ms. Vanuch asked for clarification that the racial diversity demographics were in the GIS system as a rule to follow—and if for some reason, one of their suggestions violates the redistricting

equity plan, the GIS flags that and restricts their ability to do that. She said that it is highly transparent to the public and would show up as an exclusion as something that violated one of those rules, so that is built into the system to align with state and federal guidelines. She stated that she served on the Redistricting Committee, and they were diligent in ensuring that this and other rules were reflected in the system.

Mr. Toigo stated that the software does have “checkers” built in.

Ms. Allen commented that districts that buttress each other should have conversations, such as moving neighborhoods to make them within one district, and she asked if it were permissible to discuss this one on one.

Ms. Vanuch responded that this can absolutely happen and was totally appropriate.

Ms. Allen said she wanted to be sure the public understood that they were being transparent.

Mr. Toigo stated that this was a great start and was very helpful, and the maps presented could certainly be altered, with revisions likely to happen until they reach consensus on those. He said that he had originally proposed Thursday evening work sessions, and he said that the week of January 31 might pose a conflict.

Ms. Yeung asked if they could move the meetings a bit earlier.

Mr. Toigo said that the courts might need the space, but the Board could always use ABC. He said that he understood the Board thus far to say they’d like to keep neighborhoods as whole as possible and try to make the maps at least run along House and Senate lines to the extent practicable.

Ms. Allen asked if staff would have the updated deviations with the next iterations of maps to ensure they worked to meet the criteria.

Mr. Toigo confirmed this and said that the maps presented at this meeting met all the checkers in the system.

Ms. Vanuch suggested that they take the Board input and provide alternatives in the event the Board versions have conflicts with the stipulated parameters. She said that she would prefer they have the public comment on the maps being displayed, but that timeframe may not work for the next meeting but could for the follow-up meeting.

Mr. Toigo said they could do a County news story on the draft maps and put out the online comment link, with him sharing any comments with the Board weekly.

Ms. Vanuch emphasized that they need to include a link to the rules, and she wanted to ensure that the public understood the process.

Mr. Toigo agreed and said that it goes back to what Mr. Harvey said about census blocks.

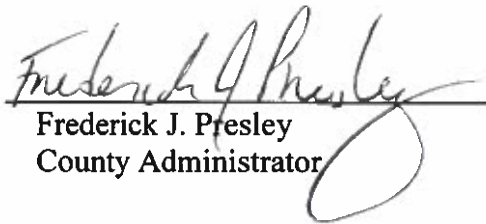
Mr. Toigo said that he would check schedules in light of the VACO conference and PRTC.

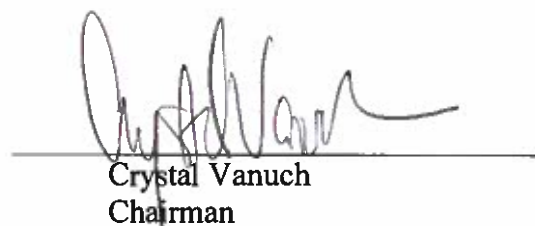
Mr. Coen stated that doing things earlier in the day precludes the public from attending and providing comments. He said that if they are commuters, they could attend for the public comment portion but may miss the informational portion in the beginning.

Ms. Vanuch said that she would have to speak with Ms. Bohmke and ensure she can be present for the public comment period, and Supervisors would need to be amenable to making this work.

Mr. Toigo suggested that they do the subsequent work sessions in ABC to maximize the use of technology.

Adjournment At 7:30 p.m., Chairman Vanuch adjourned the January 19, 2022 Stafford County Board of Supervisors Redistricting Work Session.


Frederick J. Presley
County Administrator


Crystal Vanuch
Chairman