

**PASQUOTANK COUNTY, NORTH CAROLINA
MAY 15, 2013**

The Pasquotank County Board of Commissioners and the Pasquotank County Governance Committee met today in a joint meeting on Wednesday, May 15, 2013 at Nixonton Ruritan Club in Nixonton.

MEMBERS PRESENT:

Jeff Dixon, Chairman
Joseph S. Winslow, Jr., Vice-Chairman
Dr. William R. Sterritt
Frankie Meads

MEMBERS ABSENT:

Lloyd E. Griffen, III
Cecil Perry
Gary White

OTHERS PRESENT:

Rodney Bunch, Interim County Manager
R. Michael Cox, County Attorney
Julie Stamper, GIS Coordinator
Lynn Scott, Asst. Clerk to the Board

The meeting was called to order at 7:15 PM by Chairman Jeff Dixon. He thanked Commissioner Sterritt and the committee for their hard work. Commissioner Winslow provided a history of Nixonton. He gave the invocation and led in the Pledge of Allegiance. Chairman Dixon welcomed everyone present and asked Commissioner Bill Sterritt, Chairman of the Governance Committee to preside over the meeting.

Commissioner Sterritt welcomed everyone present and introduced staff.

1. PRESENTATION ON POTENTIAL RESTRUCTURING OF VOTING DISTRICTS:

Attorney Cox explained that every ten years during the census the Board and the County are required to look at redistricting. He noted that this is not what we are doing currently. He said we are actually talking about restructuring the Board to allow more minority representation on the Board. He explained that in 1965 the Board of Commissioners changed from seven members to five members. Two were from Elizabeth City, two were from outside the City and one was At-large. He said the Board actually went on record opposing the change. He stated that the City and the County were sued in 1984 by the NAACP for alleged violations of Section 2 and Section 5 of the Voting Rights Act. He explained that Section 2 prohibits all forms of racial discrimination in the election process across the US and Section 5 applies to certain governments that had low voter registration rates at the time the Voting Rights Act was adopted. He said the Supreme Court is currently hearing a case in Tennessee to determine whether Section 5 is still valid and needed. He noted that Section 5 has been amended 5 times. He stated that the projections are that whites will be the minority in 2040. He said if Section 5 is struck there is a question of whether the rest of the Voting Rights Act will remain. He said Pasquotank County is one of forty counties covered by Section 5 in North Carolina, which means all election changes, however minor, must be pre-cleared by the United States Department of Justice. In 1985, the Board of Commissioners agreed to the current structure of the Board. In addition, the General Assembly approved a Local Act approving the restructuring. Pursuant to the Consent Order and the Local Act the Board of Commissioners went from five to seven members and four year terms. In addition, four districts were created and three At-large seats. Pursuant to the Consent Order one district would have to have at least 55% minority voting age population. Any change we make will have to go back to the Federal Courts.

Attorney Cox stated that after the 1990 census there was not enough deviation to require redistricting. In 2001 and 2011, there was enough deviation to require redistricting. He noted that we kept the same four districts and three At-large seats, but we had to move the district boundary lines a little bit to comply with the "one person, one vote". He said there are three ways to restructure the Board of Commissioners. One is to meet the statutory requirements and have a public referendum. The second way is by a Local Act of the General Assembly. The third way is by a Local Act by the General Assembly and a Public Referendum. He said if we have a public referendum there will be language placed on the ballot asking if the voter approves of restructuring the Board.

Attorney Cox stated that Pasquotank County has litigated this issue in the past, which makes things a little bit unique. He said we still have a Consent Order that is in place in the Federal Courts with the NAACP that was signed in the mid 80's. He said it would need to be modified with the approval of the NAACP and the Federal Court. He noted that it would certainly make things easier if we have something in place that the NAACP agrees with and the Federal Courts will sign off on. He said any changes in the structure of the Board will have to be pre-cleared by the Justice Department.

Mrs. Stamper stated that in her job as GIS Director she was involved in both the 2000 and the 2010 censuses. She said in 2000, Pasquotank County had a population of 34,897, with 40.05% black and 43.05% non-white (Asians, Latinos, etc.). In the 2010 census, the population was 40,661, with 37.76% black and 43.29% non-white. She said the population is not becoming any whiter or any blacker, but is becoming more "mixed" race. Up until the 2000 census a voter had to say they were black, white, Asian, etc., but in the 2010 census you could say that you were up to fifty three different combinations. During the 2010 census approximately 8% of the people said they were mixed race and it is estimated that by the 2020 census we will see 20-25% mixed race and by the 2030 census practically everybody will be mixed. She said when we went from 34,000 to 40,000 we had to redistrict and make the populations roughly equal in the four districts. Previously when this was performed there were about the same number of people in the City as there were outside the City, but when the population changed to 40,000 there were 21,000 outside the City and 19,000 inside the City. So, we were no longer able to use our standard boundaries of the City.

Mrs. Stamper noted that when we are redistricting or restructuring there are traditional redistricting principles that are used, which include compactness, contiguity, respect for political subdivisions, respect for communities of interest, and protection of incumbents. She said the Department of Justice does not want to see districts that stretch from one end of the County to the other. The districts must all be connected. She said we try to keep communities together that share common interests and we try to make sure that incumbents are not pitted against each other. She went on to say that we do not want to retrogress and put our minority population in a worse situation than they were before the election.

Mrs. Stamper explained that the current structure of the Board includes four districts; Northern Outside, Northern Inside, Southern Inside, and Southern Outside. She said one commissioner is elected from each district and three commissioners are elected At-large. She said the population of the county is approximately 40,000, so we have to make sure that our four districts are roughly the same size, +/- 10%. She said there are roughly 10,000 people in each district. She stated that the Southern Inside district is our minority district with 66.53% black. She said up until the 2010 census the populations inside the City and outside the City were roughly the same, but in the last ten years the County grew much quicker than the City. Therefore, when she drew the lines she had to pick up some people outside of the city to make the districts roughly the same population. She explained that when we received the 2010 census there were no people living in Stockbridge or behind Wal-Mart, but we know that a lot of people have moved into that area. She said they cannot be counted until the 2020 census numbers are available. She noted that they were included with the city, because she knew people would be moving into that area and they would have similar interest with the residents of the city. She stated that she is bound by the 2010 census until 2020.

Mrs. Stamper stated that one of the plans that the County is looking at is the 2-2-2-1 Plan. This plan would restructure the County into three districts; the Central, the Northern, and the Southern. Two commissioners would be elected from each of the districts on alternating years and one commissioner would be elected At-large. In this system, each district would represent about 13,000 people. The Central District would have a 54.24% black population, the Northern District would have a 28.2% black population, and the Southern District would have a 29.0% black population. She noted that the largest percentage she can achieve in the Central District is 54%, because if she starts bringing in other census blocks the number will go down.

Commissioner Sterritt introduced members of the Community Relations Commission and thanked them for their help with this process. He read the committee's purpose statement and reminded the audience that we are here tonight to seek their thoughts on whether or not this is something that the county should do.

2. PUBLIC COMMENTS:

Mr. George Hague of 2321 Delia Drive stated that he is probably the minority here tonight because he is a Republican. He stated that when he looks at restructuring he wants to know how it is going to affect races politically in the county and asked if we are just trying to have a safe, secure democratic seat on the Board. He said he is not sure if that is fair politics or not. He stated that the citizens of Pasquotank County have been referred to as racist based on their voting records. He does not believe we are more racist than the state of Louisiana which elected a minority Republican and he does not believe we are more racist than the people of the state of South Carolina who elected a minority Republican to represent them in Congress. He went on to say that he does not believe that we are more racist than the people of Florida who elected a minority Senator to the US Congress. He said he cannot support politics.

Dr. Hezekiah Brown of 106 Terrilynn Way said he would like to personally thank the county commissioners for all the work they have put into this around the county. He also thanked staff for putting this program together. He stated that he came from New Jersey. He feels very strongly about what is being proposed and he feels it is important that he stresses that. He said what is proposed is a change and one of the things that we find in the world today is most people are reluctant to accept change even though it may be for the better of man because they fear that the change will do something that will affect them or that it will not be done the same way that it has been done. He noted that voting will take place the same. He said nothing will change except giving another African American the opportunity to be elected. He said he wrote a letter to the editor several weeks ago and he included some numbers and he believes they were close to being correct. He believes if those numbers were submitted to a jury of fair minded people they would say that something was not right here. He noted that the numbers show that people in Pasquotank County vote along racial lines and that is troubling to a lot of people. He went on to say that there are three At-large seats and in those seats there are approximately 20,000 Caucasians and 18,000 African Americans each, which is a majority. In four of the current districts, three of them have 7,000 Caucasians and 3,000 African Americans. There is only one district that we can elect an African American. He said if the system continues as it is, it is not likely that another African American will be elected, based on the evidence. The reason for the change in 1984 was because of the courts. He said he believes if we continue along the same route that the disparity in the various districts will also go to court and it is hard to believe that fair minded people would not say that something is not wrong with this system. He thinks the county commissioners will look at the numbers and say there is only one African American on the board and the reason he is elected is because his district has 7,000 African Americans as compared to 3,000 Caucasians.

Mr. Johnnie Walton of 401 New York Avenue asked if the purpose of these meetings is for the committee to decide whether or not to have a referendum. Commissioner Sterritt answered, after the fourth forum the Governance Committee will deliberate and decide what kind of recommendation they would like to make to the county commissioners. Then, it would take a motion and a second, followed by discussion. He said he feels the discussion will be thorough and lengthy. A decision will be made by the seven county commissioners and then it will be turned over to Attorney Cox who will investigate the best avenue to implement the wishes of the commissioners. Mr. Walton said people want to see people on these governing boards that look more like themselves. He believes the fairest systems in this country are the Federal system, then the court system. He said if he was a young man going before the court to be judged, even if he had a great lawyer like Attorney Cox, he would ask him to plea bargain if the jury looked like the committee does right now. But, if Mr. Perry was up there he would think about it a little more and he may go to trial. He said if the jury looked like the audience does night he would tell his lawyer let's go to trial right now. He said the board needs to look a little more equally represented.

Miss Andrea Williams of 1308 Halstead Boulevard stated that she and Dr. Sterritt worked together in the past and she thanked him for calling on her tonight. She stated that this is her third meeting and she is here because we need equal demographic representation. She said she believes diversity is very important. She is not sure how we go about accomplishing this. It is important to her because her grandfather was a justice of the peace back in 1963. She said it is important for candidates to be out there and it is important to have diversity in our representation on our boards and committees. She said the key thing is demographic representation. She said she also feels it is very important for women to be represented. She stated that we need to work together. She does not feel that this is a political agenda, but it is very important to have diversity for all people to continue to make this a great area.

Dr. Brown asked for clarification. He said someone said there was a decline in the African American community going from 40% to 37%. He asked if that was due to all the minorities being put together prior to that. Mrs. Stamper stated that in the 2000 census you could say that you were black and white, but in the 2010 census you were able to make more choices. She believes that we have seen an increase in the Asian population, but a lot of it is due to the mixed races. She said there was pretty much a continuous 43% minority population, but not all of that was black.

Mrs. Lena Lawrence of 1501 Crescent Drive said she does not understand either of the plans that have been proposed. She asked how many people of color have run in the areas that we are discussing. Mrs. Stamper said there was a candidate in the Northern Inside and Mr. Jordan ran At-large in the last election. She said a gentleman named Timothy Stallings and Mrs. Volanda Watts ran in the past. Attorney Cox added that Ms. Una Green was appointed and ran and Mrs. Lenora Mackey ran also. Mrs. Lawrence asked if these candidates ran in the areas that we are discussing. Dr. Brown noted that the two candidates that were appointed later ran and lost. Commissioner Winslow noted that Mr. Jordan did not run for the same seat that he was appointed to, but ran At-large. When he ran At-large, he had to run against Mrs. Watts, which he feels split the vote. He noted that Mr. Jordan ran very well and he knows personally that a lot of white people voted for him. He said it was not the policy that failed. He feels that Mr. Jordon would have beaten him if he had run against him. For some reason he said, someone talked him into running At-large and he has never understood why, because it divided the African American vote. He stated that if it would have been him it would have been the same result. Dr. Brown asked how many candidates ran. Attorney Cox answered five. Dr. Brown responded that Mr. Jordan did not just run against Mrs. Watts but he ran for the seat. Commissioner Winslow went on to say that if black people vote for black people then they had two black people to vote for and not just one. Dr. Brown said the current board gives the appearance that it is just not right. He asked who drew the lines years ago. Mrs. Stamper said technically the county commissioners did. She said they have someone like her to draw them, but it is their decision. She said the most recent lines were drawn by her, but they were approved by the county commissioners. Dr. Brown said the point he is making is the two people that were appointed ran and they lost.

Mrs. Lawrence continued by saying she knows how it is when someone gets moved out of their ward because she experienced that during the last election. She said she refuses to believe that in 2013 when we have a black/mixed president, a black governor of Massachusetts, which has a 1% black population, and other states where similar things have happened that someone would not vote for her because she is a person of color. She said she refuses to believe that because she thinks when it comes to voting for an elected official that we would look at their character and their ability to lead. She believes if she decides to run for county commissioner that people will not look at her as an African American woman, but as a person who has something to bring to the position. She stated that she was born in Elizabeth City and grew up in the Pennsylvania section. She said the experiences that she encountered growing up in that community were certainly different than the experiences that she is hearing, because there were blacks and whites living together. She went on to say that if she had run for the city council in the 1st ward she refuses to believe that she would not have won due to the color of her skin. She stated that everyone has something to offer when running for an elected office. She asked how many meetings we have had. Attorney Cox stated that this is the third meeting. She asked how many more do we need and what is this supposed to generate after the four meetings are completed. Commissioner Winslow said for him he wants to hear what the people in the communities think. He stated that the purpose is to receive input. Mrs. Lawrence asked where do we go after all the discussions are complete. Commissioner Sterritt said as a county commissioner, whether you are Asian, Black, White, Catholic, Jewish, Baptist, or Methodist you have a lot of interaction with people in the community. He noted that some of them have been in meetings since 8:00 this morning. He said commissioners learn a lot, they interact with a lot of people, and they are able to make rational decisions based upon their experiences in the community. He said the Governance Committee may say they do not want to do anything, but they may think we should go with the 2-2-2-1 Plan. He went on to say that it is the interaction with people in the community that can do good for the community and if an additional African American is on the board he personally thinks that it will bring a lot to the process of making decisions on what is best for the community as a whole. He said he is not speaking for the committee, but for himself. Mrs. Lawrence asked if the ultimate goal is to have two persons of color on the Board of Commissioners out of seven. She said the two of color would have to persuade the others, because two is not going to help that much. Commissioner Sterritt said we are not talking about a majority vote, but we are talking about bringing thoughts to the commissioners as a whole. He

said it is a known fact that the African American community depends upon their church and their interaction within the church to help families. He said that would give us one more person that could bring ideas to the group as a whole. We are not talking about the different plans, but more ideas and more people involved in the thought process. Mrs. Lawrence stated that she is just trying to understand what the objective is. She said when it actually comes down to making something happen it is going to depend on how the vote goes. She does not understand any of the plans, but she said we need to find someone to run and then campaign for them, whether they are white or black. She thinks that if a person has something to bring to the table it really should not matter what color they are.

Mr. Mike Harrell of 608 W. Church Street stated that one of the reasons some African Americans have not run is because of the way the system is set up. He said we need to have someone that knows their community to represent them. He stated that it is time for a change and we need more representation of the county and the city. Dr. Brown said he would like to respond to Mrs. Lawrence's question regarding what the procedure is. He said the way he understands it once the committee has made a recommendation it goes before the Board of Commissioners to vote on whether or not to accept whatever plan is submitted at that time. Beyond that, the State Legislature has to approve it or a referendum would have to pass. Attorney Cox said it depends. He said if it is a structure that fits the General Statute we are required to have a public referendum and the General Assembly is not involved. He said the 2-2-2-1 Plan appears to fit the structure. He said the commissioners would have to approve it and call for a referendum, which would be on the ballot during the next election. Mr. Walton said if this goes to a referendum we will still have the same problem. Attorney Cox added that it will need to be pre-cleared. He said if the commissioners vote the idea down that would be the end of it. Mr. Walton asked what happens when it goes to the General Assembly. Attorney Cox said when Representative Owens was there his general rule was if it is something the local Board supported he was generally behind it. He said there were exceptions, but that was his experience working with him. Mr. Walton said this is another reason why we need equal representation if it is going to be fair because everybody in the General Assembly will think like the majority. Mr. Walton said he heard Mrs. Lawrence talk about the camaraderie she had in her neighborhood, but he did not have that same camaraderie. He said he lived in town and once a week he would pass by and see people playing softball and he wished that he could play, because his parents paid taxes like everyone else. He noted that we have come a long way.

Mr. Hague asked if Mr. Jordon ran as a conservative. Commissioner Winslow said all he knows is that he was well liked. Attorney Cox stated that he was appointed to Commissioner Harris' seat after he died and he believes that he was a Democrat. He said he believes the precinct elected him and it was approved by the Board of Commissioners.

Dr. Kurt Hunsberger of 900 W. Church Street stated that he is a "damn Yankee" because he stayed. He said usually "damn Yankees" ask for some changes. He said the purpose of these meetings is to raise the question whether a change needs to be made in some way to bring a little more equal representation on the Board of Commissioners relative to what the population is. He said out of respect to City Council Person Lena Lawrence, he agrees with her that he as a white person will vote for her as a black person because it does not really matter whether she is black. He said he may vote for her because he believes we need some women. He thinks it is true that many people are not that broad minded yet and that is what Dr. Brown was trying to point out. He stated that there is evidence that people still vote along certain lines and because of that it becomes difficult to sometimes have equal representation. He said that is what we are talking about. He hopes we get to a point that it does not matter, but he thinks it does still matter at times and that is why there have been questions raised as to whether we need to change something.

Dr. Johnny Houston of 602 W. Main Street Extended thanked the commissioners and committee for allowing us to meet. He stated that he has lived in Pasquotank County for over twenty five years and he has enjoyed watching the County grow in a number of ways. It fascinates him to note that a lot of the demographics have changed and as we change he thinks there is a need to try to get representation, not only in terms of race and gender, but also in terms of county interests. Certain parts of the county have certain concerns, interests, and needs that need to be represented. He said we need to get people to bring different world views and different perspectives of the county to the commission so that we can make the best decisions and progress. He said with all of the changes that have occurred over the past twenty years he does think we need to relook at our system for representation and also to make sure that interests of

different parts of the county are represented and there is some focus on that to move forward. He said it is not only race and gender, but he is more concerned about interest and he hopes it gets to a level that race and gender does not matter, but we still have a ways to go before that happens. Right now he said there are a lot of concerns with of lot a people about the imbalance as they look at how the Pasquotank County Board of Commissioners looks in terms of representation and how others in the area look. It is a belief that the only way that we can change that is by looking at our voting pattern and looking at our voting districts and make a change in such a way that representation will be more evenly represented on the commission itself. He noted that we have approximately 35% African Americans and only one out of seven on the board. He said that does not give very much of a picture of interest that we have representation for the county throughout. He stated that we are very lucky to have some fine commissioners representing the county, but he thinks that perspectives by different persons will make a lot of difference because we need to look at the real problems. He said we need different voices and different views that really represent the cross section of the county. He said he is in favor of the commissioners looking at our current structure for electing commissioners and see if we can do something to get more equity, especially for race and also for the interest of the county on both sides.

Commissioner Winslow stated that this is his third meeting and he has really been concerned about the perception of people of color in our county. He said the perception is that they do not have the opportunity to be elected. He said that bothers him because he does not care what color someone is as long as they can represent him well. He agreed with Mrs. Lawrence. He said it is 2013 and he has lived here all his life and in any community there are things that could be better and certainly things were wrong when he was a child. He felt that way then and feels that way today, but we have made great strides. He said this has never been Alabama and it never will be. He stated that we have loved each other, worked in the fields together, and gone to church together. He said we can disagree, but we still love each other and he hopes that we always will. He went on to say that he had a lot of support in Mr. Jordon's community, which is Newland, and most of it was from blacks and he would hate to think that someone who was black looked at him as a white person and felt that he could not represent them. It means a lot to him, whatever color you are, male or female that if you have a problem you can come to him and he will try to work it out as if it were his own. He felt that way yesterday, the day before, and he hopes he will feel that way in the future. He said a few months ago he went out to ECSU and there was a young black lady that spoke. He said he believes she is president of the student council. He stated that he did not care if she was black, white, purple, male or female. He said you could only be proud of her because her attitude was "get out of my way because I am going to go out there and make it". He said at the public forum that was held in Newland a young, black man made a comment that this is a problem with the older people, because young people do not think like that, they think about doing the job. He said that gave him faith and hope that in the future others will feel that same way. He went on to say that he went to a commencement ceremony the other night at COA and the person that stood out the most to him was the President of the COA class who was a black male. He said he does not know if Mrs. Lawrence could run for county commissioner and win or if he could run for city council and win, but if someone voted for them because of their color that is their problem and not his. He said he knows his heart is right. He stated that the young man at COA the other night could run for city council or county commissioner or even governor and he thinks that half the people there would vote for him. He said we have made great strides. He stated that he disagrees with Mr. Hague because he does not believe that this is a political issue as far as Republican versus Democrat. He thinks it concerns the perception of some people. He does not know how he will change that, but he will try. He said he understands the issue better after three meetings than he did after the first meeting. He knows the men on this Board and race is not an issue to them. He said he does not feel that Commissioner Perry looks at him like a white person and he does not look at him as a black person. He stated that he hopes we can get this resolved so that all of us will feel like we have done the right thing.

Commissioner Dixon said that is a tough act to follow. He said as a voter he likes to have control. If he does not see something being done right on the Council or Board, he likes to know that he has the majority votes to change that board. He stated that currently voters get to vote for four candidates regardless of where the voter lives in Pasquotank County. He said you may not get to vote for them during the same year, but you get to vote for three At-large seats and depending on what district you live in, you get to vote for a fourth candidate. He explained that if you do not like what the board is doing you can form a group and get rid of them. He said that is the issue that he has with restructuring. It dilutes the majority of the votes you get on the Board, because regardless of what plan we go with, you will go from four votes to three votes.

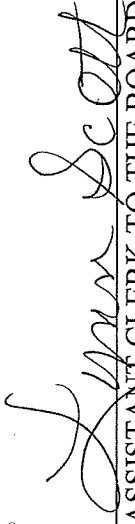
He went on to say that he is a history buff and if you go back to 1986 the Board was made up of five commissioners that were all At-large. He said as he understands it that was a huge problem with the minority, so after the Southern Coalition and the NAACP sued the city and county districts were developed. He said the Board added two additional At-large commissioners because they wanted the people in Pasquotank County to have a majority voice. He said he understands the minority issue, but someone needs to tell him if they want to give up the majority vote. He stated that he does not vote for almost three fourth of the city council because they do not ask him to. Mr. Walton said he does not vote for some of them himself. He stated that the only person that is talking in favor of change is Commissioner Sterritt and we may have to stay with what we have, but there is an interest by the group in attendance. He said a lot of people from the city council do not come because they feel we already have our minds made up. He said he will be at the next forum, but feels that many on the Board already have their minds made up. Commissioner Dixon said when he first ran for county commissioner he had a former county commissioner tell him that he was dead in the water and did not have a chance to win. He was told there were five clans in Elizabeth City that he needed to go see and get their support if he even wanted to have a chance. He was also told there would never be an African American mayor elected under our present system and we have had two since then.

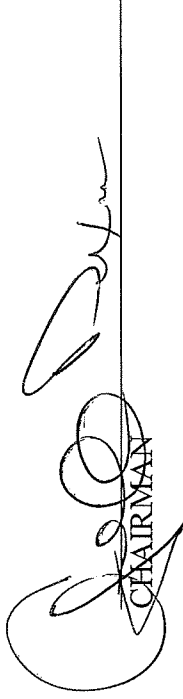
Commissioner Sterritt stated that the next public forum will be held at Faithway Apostolic Church on Bell Street. He thanked everyone for coming.

Motion was made by Commissioner Winslow, seconded by Commissioner Sterritt to adjourn the Governance Committee meeting. The motion carried and the meeting was adjourned at 8:50 PM.

Chairman Dixon asked for a motion to adjourn the commissioners' meeting.

Motion was made by Commissioner Sterritt, seconded by Commissioner Winslow to adjourn the meeting. The motion carried and the meeting was adjourned at 8:50 PM.


 ASSISTANT CLERK TO THE BOARD


 CHAIRMAN