

The 2021 Wicomico County Redistricting Committee met on August 11, 2021 at 5:00 p.m. in the Government Office Building, Room 301, Salisbury, Maryland.

Members Present: Wendy Anspacher, Gail Bartkovich, Muir Boda, Bernadette Cannady, Mark Danderson, Julie Giordano, and William "Kel" Nagel, M.D.

Staff Present: Laura Hurley, Recording Secretary; Paul Wilber, County Attorney; Frank McKenzie, GIS Coordinator; and Anthony Gutierrez, Director of Board of Elections.

Mrs. Hurley, Council Administrator for the Wicomico County Council, said this is the very first Redistricting Committee meeting for 2021. She then thanked the Committee members for volunteering to serve on this very important Committee. She said the purpose of this meeting is to give an overview of the role and responsibilities of the Redistricting Committee. She said they will start by giving brief introductions. She then highlighted the items on the agenda for the meeting.

Introductions:

Mrs. Hurley introduced herself as the County Council Administrator. She said she joined the Council Office in 2015, and prior to that she worked in the County's in-house legal department as a paralegal from 2008 to 2015. She said from 1999 to 2008 she worked in the private industry with the County Attorney, who at that time was Ed Baker.

Mr. Danderson introduced himself and said he moved to this area about six years ago. He said he is an adjunct professor at Salisbury University. He said, before he worked here, he worked for the New England Journal of Medicine for 25 years, and then he worked with the Chinese Ministry of Health creating educational programs for Chinese doctors for about eight years.

Ms. Anspacher said she has been in Salisbury for about 20 years. She said she was asked to do this by Mr. Joe Holloway. She said she is on the Republican Central Committee as well as part of the club, so Mr. Holloway knows that she is involved. She said she works for Edward Jones Investments.

Ms. Giordano said she is a teacher in Wicomico County and has taught for 15 years in middle school, and she was asked by Mr. Larry Dodd to be part of this Committee. She said she actually just applied for the Central Committee and she is in the Women's Republic Club as well as the Delmarva Conservative Movement.

Ms. Bartkovich said she served on the County Council for 12 years and was President for two years. She said she currently spends a lot of time with grandchildren, and in fact she has an 8-year-old with her three days a week during the summer. She said she really is happy to be here, and she volunteered because she thought it would be a good opportunity to get back into what is going on in the County.

Mr. Boda said he is the Vice President for the Salisbury City Council currently serving his second term. He said his day job is that he is an asset protection manager at Walmart. He said he has been there for about 28 years, and he has lived in the City for about 16 years and the County for probably about 30 or more years of his life. He said he is happy to help and be a part of this process any way he can.

Ms. Cannady said she works at the Wicomico Public Library, and in the last year she has been named the Branch Manager of the newly named Paul S. Sarbanes Branch. She said a lot of people know her because she has been there for about 30 years. She said she is a native of this area, and her home is in the

community of San Domingo, and she guesses she is the town crier when it comes to anything political or social action, so this was a perfect opportunity to make sure they get the message on what is going on in the County.

Dr. Nagel said he moved here in 1978. He said he is a retired physician who practiced pulmonary medical care and sleep medicine at what is now Tidal Health. He said he was President of the Wicomico County Board of Education from 1984 until 1995. He said he has three children, and has been active with the Community Players of Salisbury since he got off the School Board, and he is pleased to serve.

Mr. Gutierrez said he has been the Election Director for 15 years now in Wicomico County. He said, prior to that he was born and raised in Kansas and he and his wife have seven children. He said the last one at home is going to be a sophomore, and he cannot wait until he hits college.

Mr. Wilber said he has lived in Wicomico County his entire life, and he is here to try and help the Committee in any way he can.

Mrs. Hurley informed everyone that this meeting is being recorded on PAC 14. She clarified, it is not broadcast live, but it is being recorded, and there will be replays to be watched later.

Review of Charter Section 201 – Compositions and Districts:

Mr. Wilber said, under Section 201 of the County Charter, they have a seven-member County Council, and five of the Members are from Districts and two are At-Large. He said every ten years they have the census, and with the census they have to determine whether the district lines of the five districts need to be readjusted, so the charge this Committee has in the Charter is to provide a plan. He said it says by September 1, but he does not think that is going to happen since they do not even have the final census data yet, but he thinks Mr. McKenzie will explain that, once they have the proper set of census data, the Committee will have a fairly tight timeframe to take a look at the Districts and come up with new lines.

Mr. Wilber said the Charter calls for the Committee to develop a plan which will provide for Councilmanic Districts that are reasonably compact, contiguous, and substantially equal in population, so that is their Charter charge.

Mr. Wilber said, after the Committee develops a plan, it will be publicized and will go to the County Council for final consideration and adoption. He said he thinks Mr. Gutierrez will be able to explain the tightness of the timeline they will be on because he has to prepare for the upcoming primaries in 2022.

Open Meetings Act:

Mr. Wilber said this is a Public Body that is considered to be subject to the Open Meetings Act. He said he doubts there will be any reason for the Committee to have a closed meeting, so everything will be open and recorded, there will be minutes, and PAC 14 will record to be rebroadcast for the public to see. He said the one point he will caution is, if a majority of the Committee discusses the redistricting matters, not in a meeting but elsewhere or by internet, they do not want to do that. He clarified, if there is a majority present and they are discussing redistricting issues, it needs to be in an open meeting.

Discussion on Selection of Chairperson and Vice Chairperson:

Mrs. Hurley explained, the role of the Chairperson is to set the agendas and conduct the meetings, and then the Vice Chair would fill in if the Chairperson is not available. She then suggested the Committee

could select a Chairperson and Vice Chairperson tonight, and she would need a consensus in order to do that, or they can wait until the next meeting.

Ms. Anspacher said Ms. Bartkovich has been on this Committee before, to which Ms. Bartkovich clarified, she was not on the Redistricting Committee, but she was on the County Council the last time they had to do redistricting, so has sort of been through this once before, and would be willing to do it.

Mr. Boda nominated Ms. Bartkovich for Chairperson. Mrs. Hurley asked if there were any other nominations. There were none. There was a unanimous vote for Ms. Bartkovich to be the Chairperson.

Mrs. Hurley asked for nominations for Vice Chair. Ms. Bartkovich asked if anyone wanted to volunteer. Mr. Danderson volunteered.

Ms. Bartkovich nominated Mr. Danderson for Vice Chair. There were no other nominations. There was a unanimous vote for Mr. Danderson to be the Vice Chair.

Census Software Demonstration:

Mr. McKenzie said he works in the County Planning Office and started in 1978, and in 1980 he had his first redistricting situation. He said back then it was a paper project with paper maps and books with numbers in it. He said, with every census that has occurred, there has been a different process. He said the first several he was involved in were paper projects, but the last three have been digital processes. He said, ever since the development of what they call a geographic information system (GIS), which is computer mapping, that really has assisted in doing this project. He said he will go through the workflow of what they have done before, and he will show the Committee some of the paper products they came up with, and then he will walk them through how the redistricting software works to get a feel for the capabilities of what they are dealing with.

Mr. McKenzie said one of the things they have to do is come up with equal population, and that is called the ideal population. He said the ideal population is generated by taking the final population and dividing it by five, and that will be the five districts. He clarified, the ideal population is very hard to hit when going through this process, so they allow a deviation of 5 percent above the population or 5 percent below, and that will meet the requirements of the law. He said the County is also required to have a minority district, so typically the minority district is the first one that is tackled when going through this. He said the minority district is defined by black population by the Census Bureau. He said the census data will give them information on the white population, the black population, the Haitian population, American Indian, or however anybody identified themselves, there is a category for that in capturing information, but for this purpose they are dealing with black and white.

Mr. McKenzie displayed two maps and said the larger map shows the five districts, and District 1 is the minority district. He said, while going through the process, they start to look at the data and see where the concentration of the black population is, and this information tells them that, and he will show them that on the computer in a few minutes. Referring to the second map, he pointed out a chart showing the five districts and the adjusted population. He explained, the initial population that is released is the total population, but a law was induced by the State of Maryland for the 2010 election census that required the consideration of folks who were incarcerated. He said they find out where the prisoner's last address was, and that is the district they are assigned to. He said, for Wicomico there were about 500 people incarcerated who needed to be considered, so that is what they call the adjusted population. He

said, when he receives the initial data, it will be sent to the State of Maryland who will then contact the Department of Corrections to find out who is incarcerated as of April 1, 2020 and what their previous address was. He said that will then become the adjusted population, and that is when they can really start their work and cannot start before that. He clarified, they may be able to do some preliminary work, but, ultimately, they cannot do anything final because it is a moving target until that time.

Mr. McKenzie said the district map is what was sent to the Council. He said the Redistricting Committee came up with as close of an equal population as they could, but when the County Council looked at it, they had some other considerations, such as precinct data. He explained, when they create their data, the State of Maryland is also creating Legislative data, and there is also additional election district data that is not for voting but for tracking parcels. He said all of these overlays create precincts, and in some cases not all of the precincts were easy to track, so they went back and readjusted what was done by the Committee with the approval of the County Council to make sure they were not creating precincts that were illegal or identified a particular voter at a specific time. He said, in some cases there might be a precinct that has one person in it, and that is not something they can have, so they would move that person to another precinct to balance things out and to keep things more anonymous.

Mr. McKenzie then demonstrated the software and pointed out that each of the lines are boundaries of a block, which are established through a variety of different data sources. He said there are election district boundaries and there are incorporated boundaries. He clarified, not the voting election district, but the other election district. He said any of these can create a block, and when the census folks go out into the community, they assign numbers to each of these blocks, and each block shows how many people there are. He said, as they start building these districts, he will build some boundaries, and software will tell them how many people live in a block and the racial characteristics. He then demonstrated how he could take 78 people out of an unassigned district and add them to District 1, and it recalculates how they are going to meet their population minimums and the racial characteristics.

Mr. McKenzie clarified that the data he is using in his demonstration is the 2010 data, and the new information will come out tomorrow. He said he will be able to start working on it, but not be able to adjust it until it goes through the Maryland Department of Planning.

Mr. McKenzie then explained how the Committee can go to the County website to view the minutes from the meetings in 2010 as a resource for the Committee to see how the process went.

Mr. McKenzie said, after the Committee goes through their process, there will be a submittal to the County Council who will look at it and consider everything, and they will make their recommendations and then they look at the changes. He then showed the Committee a map that was done for the newspaper because it had to be advertised. He said then there will be a public hearing and the Council will continuously be making their comments on this final product. He said, after the Council has approved that, it gets turned over to Mr. Gutierrez with the Board of Elections.

Board of Elections Overview:

Mr. Gutierrez said he is the tail end of this project. He said they have a June gubernatorial primary on the last Tuesday in June, and they are currently looking at early voting to go back to regular election processes, which means it would go from Thursday, June 16 for eight days until Thursday, June 23. He said mid-June is when voters will actually start casting ballots; however, the ballots must be prepared at

least 45 days in advance to meet the federal deadline for UOCAVA, which is overseas military and other citizens, so they are talking probably mid-April. He said things probably need to be locked down by the State, and they always want to give extra time, so around April 1 the State would normally want that all locked down so they can give it to the printing company. He explained, they have a Statewide process to provide all the ballots in the State of Maryland to all 24 jurisdictions, so the State Board of Elections Office in Annapolis does that through State contract. He clarified, he is talking normal regular processes that hopefully COVID will be far behind them at that point. He said they also have the end of February for the filing deadline, so that is when the candidates will need to know; however, there are a lot of issues they are going to be facing in Maryland Elections in this next cycle. He explained, the Legislature is talking about doing a special Session for Congressional redistricting this fall, but they have not heard whether they are going to roll in the Legislative redistricting, which is the Senate and House of Delegates. He said, if they do not, then the regular process is that the first Bills in the January 2022 Legislative Session are the Bills for the State Senate and State House of Delegates redistricting, and that is the Governor's plan. He said the Governor has a Committee similar to this that has meetings. He said there are a lot of factors and issues, so, in working with their State Board of Elections, they do not know that they are going to get the Legislative part of it for redistricting until possibly March or April. He clarified, the reason he is bringing this up is because in a normal year their local office is doing Senate, Delegates, and County Council at the same time, and that is important for them because, as Mr. McKenzie brought up, two things always happen – they have anomalies and they have overlays that do not line up. He said ten years ago they had someone from the Maryland Department of Planning Office come here for three days, and together they looked at all the data. He said one thing he remembers is in Fruitland going along Route 13 there are the right of ways and easements, and there are people living close enough who are affected, and small changes needed to be made. He said, if they are only doing Council first and then the Legislative next spring, they will not have time to correct those anomalies because the filing deadline will have passed if it stays on the calendar the way it currently is.

Mr. Gutierrez said he has been working with Mr. Wilber and Mr. McKenzie to figure out when they need the data in their local office in order to do an accurate administration of the June primary election, and that is not an easy question to answer because there are too many variables. He said, to mitigate risk as much as possible, they came up with a date of early December, ideally, and that is even going to make it tight on their schedule. He said they have already started their regular preparation for the June primary because they start that a little over a year in advance every election cycle, so they are starting to get busier and busier month by month as they get closer. He clarified, this is on top of their regular election work, so, if they can hit that target deadline in December, that will give them December and January to get the County Council work done. He then asked that the Committee keep in mind that they are a small staff of six people and next year will be a tough year, so now is the regular time for him to give staff maximum leave because he does not want them to burn out in June and November of next year, so it would help him immensely if the Committee can hit that target.

Ms. Bartkovich asked, just for clarification, does he want the Council to have adopted the map by December, or is that when this Committee has to have finished their work, to which Mr. Wilber responded, the Committee's work. He said they are hoping in December and January the Council will put the final stamp on the districts so that the Election Board has the data by the end of January.

Mr. Gutierrez clarified, early December is a target, but, if they could do sooner it would be appreciated, to which Ms. Bartkovich responded, she thinks they would all be happy to do sooner, so they will try.

Mr. McKenzie said the last Committee looked at the old map and decided they wanted to start from scratch, so they started off dividing it by Route 13 and Route 50, but that did not turn out. Referring to the map he said they can see that they were able to keep part of District 3 down Route 50 on the eastside, and they tried to use Route 13 as a dividing line and kept it for part of it, but it just does not work out that way. He said, in previous years, the goal was to move as few people as possible because that makes it easier for the project and easier on the Board of Elections to do their work because, the more they start moving these boundaries, the more they have to change their voter rolls.

Mr. Gutierrez said they have a report called a street file that is every segment of every street in the County and is 375 pages with address ranges. He said they need to know for every segment of that the Senate, Delegate, Councilmanic, and Board of Education, so the data entry and computer parts are one thing, but it is the proofing, proofing, proofing that takes time. He said, if they are doing that in January and February before the filing deadline, then they are only doing five things at one time, which is better than doing it in March and April where they are doing seven and eight things at the same time. He said they are human and get tired, and trying to proof tiny print and all these reports, they absolutely want to get it right. He said they want that just as much as any voter and any candidate, but when they are asking people to do physical work like that and accuracy is key, if they can get it sooner rather than later, that is going to help the accuracy of the process and a better election outcome.

Next Meeting Date:

Mrs. Hurley said the Committee needs to decide when to meet again. Ms. Bartkovich asked Mr. McKenzie what he suggests because he is who will have the data for them to work with, to which Mr. McKenzie responded, he does not anticipate receiving the data until sometime in September from the Maryland Department of Planning. He clarified, there will be a release tomorrow that he can start doing some preliminary work with, but as far as something the Committee can start doing some work on, it is going to be sometime in September. He said he can keep in contact with the Committee as he finds out from the Maryland Department of Planning as to when they will be releasing the adjusted data.

Mr. Danderson asked if there are more adjustments other than incarcerated people, to which Mr. McKenzie responded, that is the adjustment. Mr. Danderson then asked whether they need to wait for the adjusted data, to which Mr. McKenzie responded, that is up to the Committee. He said, if they start building this map, they will have to come back after the new data comes out and go through block by block and recalculate the numbers and see what the new population may be. He clarified, it may not hurt them at all. Mr. Danderson asked if there is an error margin of 5 percent, to which Mr. McKenzie responded, yes, plus or minus. Mr. Danderson said, based on 2019 data, each district is going to have to be about 21,200 people, so that 500 is not really going to make a huge difference one way or the other. He said it is such a small percentage, and he assumes that 500 will be distributed throughout the County. He said he thinks they can get started before the State data comes out.

Mr. McKenzie responded, when this data comes out tomorrow, he is still going to have to look at it closely because there are inherent errors in the data. He said, for example, the last time they had 37 people living at K-Mart and they had 20 people living in the median of the highway, so those things will pop out and he will have to figure out how to work around that. He said he will try to identify those things and alert the Committee to where they are, but they will not have time to ask the Census Bureau to fix it because they will have to go back through all their computers.

Ms. Bartkovich asked if Mr. McKenzie is saying he will need a week or two, to which Mr. McKenzie responded, yes, he will probably need a week or two just to go through the data.

Ms. Bartkovich said she noticed with the last Redistricting Committee that they met and then waited almost a month before they met again, probably because of the same issues. She said she thinks they need to decide what the best time is for people to meet and to find out when this room is available.

Mrs. Hurley said she has the calendar available, and she is available during the day and the evening. There was then discussion about what time to have the meetings and how long each meeting will last.

Ms. Bartkovich said, if the Committee has any questions, they can contact Mrs. Hurley by email and she will forward them to whoever needs to answer the question. She also suggested everyone download the minutes from the prior Redistricting Committee.

Mrs. Hurley said Wednesday September 8 is available, to which Ms. Bartkovich responded, she would like to get started on this as soon as they can. Mr. McKenzie said he is not sure when in September the new data will be out, but he will have the initial data tomorrow so they will have something to discuss.

There was then discussion about how often the Committee will meet. Mr. McKenzie suggested once a week if everybody else can fit that in. He said he just wants to make sure they get the work done in time for Mr. Gutierrez, but as they go through the process, they can adjust their schedule as needed. Ms. Bartkovich said she wants to be done well before the holidays if they can. It was then decided they would meet on September 8 at 6:00 p.m.

Dr. Nagel asked if they will be operating under Robert's Rules of Order, to which Ms. Bartkovich responded, that is what the last Committee did.

On motion by Mr. Nagel and seconded by Mr. Boda, it was unanimously approved that Robert's Rules of Order would be used.

Mrs. Hurley thanked everyone for coming out and said they will meet again on September 8, 2021.

There was no further discussion.


Gail Bartkovich, Chair


Laura Hurley, Recording Secretary