Committee members: Ed Bronson, Rick Willson, Dick Harper, Carlie Chilson, Mark Morris, Bonnie Percy

Others present: Bill Holgate, Jesse Jayne, Pat Killen, Leslie Church, Doug Paddock, Dan Banach, Tim Cutler, Nonie Flynn, Emilee Miller, Rob Schwarting, Rob Brechko, Colby Peterson, Arlene Wilson, Tim Groth, Lois Hall, Kerry Brennan

Ed & Mark will do the audit this month.

The minutes of the March meeting were approved as submitted.

Public Comment
Jack Prendergast stated, previously, that doing this reapportionment wasn’t going to be an easy thing and that he didn’t envy them, he still doesn’t, as it is not done. At their last board meeting for the Town of Benton, they were for weighted voting. He sees that weighted voting has been turned down and they have to turn to an alternative. Jack suggests moving the districts for the least amount of disruption and maintaining the 14 legislators, not going to 10 legislators.

Sandy King stated that they have some people who have served on the legislature for 30, 40, or 50 years. She would like to see two year terms or a two term limit of eight years maximum, or maybe three terms, but she doesn’t think they need to be in the legislature any longer. She challenges the legislature to put a resolution in place for their term limits to be voted on by the people of Yates County.

Elections: Robert Brechko and Robert Schwarting
Rob Schwarting discussed the Board of Elections role in redistricting, in terms of how voters are effected, hardships it places on them, the election timeline, etc.

Rob reported that there are several new bills that have been drafted relating to elections. One of the bills, that is moving rapidly, is to increase the base wage for an Election Inspector to $17.65/hour for Election Day and $25/hour for short training call ins.

Rob reported that they are awaiting State approval of their Absentee Voting procedures. They are still awaiting new regulations and procedures for processing registrations and requests for absentee ballots processes through a NYS BOE website electronic voter portal that was scheduled for release 4/1/22.

Rob reviewed the March Objectives Achieved and their proposed April Objectives. Clear Ballot, a second new competitor to Dominion, was discussed as a “better” machine.

Soil & Water: Colby Petersen
Colby reported that the district staff has conducted 27 inspections to date in the Towns of Barrington, Jerusalem, Milo, Torrey, and the Villages of Dresden and Penn Yan. They anticipate completing 400 inspections in 2022. Staff has conducted 5 soils evaluations and reviewed 13 designs for new and replacement septic systems.

Colby reported that Tom Eskildsen will be presenting manure gas safety at the Slow-Moving Vehicle Workshop on April 5th at the Branchport Firehouse from 7-9 p.m. This is a free event to the public and sponsored by the Town of Jerusalem.
Colby reported that there are several projects that have been designed and are out for bid for construction during the 2022 season. Two new grants are delayed for Keuka Lake and Canandaigua Lake) awaiting contract development with NYS. A Keuka Lake grant awarded in 2019 will finish its projects this year and a Seneca Lake grant awarded in 2021 will begin its project this year. Two new grant applications have been submitted to NYS’s Climate Resilient Farming program.

Colby reported that the culvert inventory for the Town of Italy has been reviewed by the Highway Superintendent. Changes were made and four copies are being produced for the Town’s use. The Town of Benton and Town of Middlesex are the only towns that still needs to be inventoried.

Colby reported that the Nine Element Plan is nearing completion. They have been reviewing portions of the narrative, and they are still waiting on a couple pieces, but should have something near final coming very soon. There will be an update on it the LULA Training April 25 in addition to some other presentations. There will be a Zoom option to attend and save the dates have been sent out.

Colby updates the town Highway Departments on the culverts and they make notes on the hard copy, but they do not have a database. Colby will provide a copy of the 2022 Town of Italy Covert Inventory & Assessment for review in the Legislative Office for better review.

**Cornell Cooperative Extension: Arlene Wilson**

Arlene provided project and program updates highlighting the following:

The Pollinator bracket challenge is a gamification way of teaching people about pollinators. They will have a winner announced next week and they would like the winning pollinator to have a resolution naming them the Yates County Pollinator of the Year.

Gardening Matters Day will be held this Saturday and there is still registration available. They will have different presentations about gardening and yard work/yard care. It will be in the Yates County auditorium at 9:00 a.m.

The Field Scouting of Small Grains initiative is starting for the summer with a seasonal staff person, intern from Cornell University. They have four farms that have confirmed to do field scouting around barely, alfalfa, corn, soy, and winter wheat.

A new edition of the Farm Update will be coming out this week.

For the locally administered DEC Pesticide Credit Examination they had 17 people take the exam, 16 passed and received their credential. They will be doing one on one pesticide credit classes. There are quarter credit and half credit course available. They have been making space and computer access for those that may not have internet access to be able to take the online courses offered by the DEC.

May 7th, there is a Tractor one on one tips for beginning farmers and homesteaders class that will be held in Branchport.

No Mow May is an initiative to encourage people not to mow the grass and lawns in the month of May to give pollinators the opportunity to establish themselves, so they can better pollinate their crops and fields.
There is a compiling of roadside farm stands for around the County. They call it The Taste of Yates and they do it in cooperation with the Chamber of Commerce. They typically update it every two or three years. Arlene can make sure that they have that and that they look at different ways to get that information out.

Pat stated that if that is available in a link on their website then he can refer people to it. He has had people ask where they can get the best local produce.

Arlene will definitely share that information. They are seeing more and more farm stands being set up again as another line of business for local growers.

**IT: Tim Groth**

Tim reviewed the following Project Update Summary: Setup MDM on all the new Public Safety AT&T FirstNet phones, DSS Primary Internet Circuit Upgrade, Cyber Security Insurance for 2022, Monsido’s Acceccibility SaaS Solution, I.T. Focused Meeting with the Sheriff’s Office, FirstNet Upgrade to I.T. WiFi devices.

Tim reported that they have completed all the I.T. pieces of the backup 911 center. It is getting really close to being fully functional and there is some radio stuff that is still being worked on through the Sheriff’s office and Communications. They have their connectivity up there, the County phone system, CAD Systems setup, printing, and their television service. They are actually about 88% complete.

Tim reported that there are about 32 individuals left that still need to complete their 2022 Mandatory Cyber Security Training.

Tim reported that cyber security and the management of the cyber security events for his department has more than doubled. It is probably 50% of what they do in some cases on a day to day basis. They are addressing phishing, addressing attacks, they are having to address additional IOC, which is indicators of compromise, across the network they are having to go out and review their logs to see if they are involved in any of this stuff. This is happening constantly right now and it’s it really has interfered. Last week they had an all-time high of outstanding tickets in their queue.

Tim reported that there is a MUNIS upgrade that must happen this year. It is out of Tim’s hands and they will start testing the database in June. It is no longer a client based system, it is a web based system.

Tim reported that he will be attending the 2022 NYSLGITDA Spring Conference from May 3rd-6th.

**County Clerk: Lois Hall**

Lois reviewed updates for the DMV and County Clerk’s Office.

Lois reported that there were 1258 DMV transactions with $9,656.10 collected in fees. Sales tax collected was $44,063.68. CORPS Internet fees collected year to date is $0. There were 469 transactions processed on the internet for $34,615.25 for February for a year to date total of $85,488.00. They need to collect $85,099.25 more in transactions to reach the threshold of $170,587.25 and receive 3.25% of the monies collected. There were 2699 County Clerk
transactions and $182,201.51 in fees collected. Total fees collected for the County Clerk in February of 2021 were $247,069.09 and total fees collected by the DMV for retention in February 2021 were $8,941.50.

Lois reported that she received notification that the Social Security offices will be opening to in person clients as of April 7, with no appointments so anyone that needs to contact Social Security can do so in person after April 7. That will help a lot of people that need social security number cards replaced, retirement info, and things like that.

Lois reported that the DMV has determined that they will return the mail for license renewals to them probably in May, they are not sure exactly when it will roll out. Generally, that would be anyone that gets a renewal application can mail it back directly to them. The renewal for the registrations for vehicles seems to be working okay. Retention rates for the DMV will probably not be increased with this budget.

Lois reported that she received 66 pages of revisions to the one records management program. There are usually upgrades every year and this year there were 66 pages of them.

**Personnel: Kerry Brennan**
Kerry reported that the collection for the month of April will be diapers. After receiving a call from one of the legislators, she has expanded it to include wipes, diaper rash cream, and things like that.

Kerry reviewed the following resolution that would be needed. After discussion the Committee approved.
- Amend Resolution 106-22 Authorize Sheriff and Director of Public Health to Create and Fill a Shared Part-Time Physician Position

**County Administrator: Nonie Flynn**
Nonie reported that the next two CSEA Negotiations meetings are scheduled for April 6th and 21st.

Nonie reported that Steve Griffin from the IDA will be at the April legislature meeting to present.

Nonie reported that Tammy Slayton from Mozaic will be at the April legislature meeting to present on the Yates Transit Service.

Nonie reported that on April 29, thirty three Hammondsport BOCES students will tour their building and different departments to learn about county careers.

**Legislative Clerk: Emilee Miller**
Emilee reported that after talking and emailing with the legislators, the plan is to renew the County’s insurance with Stork’s for this year. She spoke with the County Attorney and it is not required that it be renewed every 5 years, even though that has been past practice. Emilee plans to start the RFP process sooner than November/December.

Emilee reviewed the following resolution that would be needed. After discussion the Committee approved.
- Authorize Insurance Renewal
- Opposing any Decrease to the Farm Labor Overtime Threshold-Approval of
Legislative Operations: Doug Paddock
Doug reported that the Ad Hoc Reapportionment/Redistricting Committee met in March to review rearrangement of boundaries prepared by Planning (Jeff Ayers) after rejection of the committee’s recommendation of weighted voting. A second supplement to the original report was sent via email to the legislators on March 31 and shown below.

Yates County Ad Hoc Reapportionment/Redistricting Committee Supplemental Report

APRIL, 2022 SUPPLEMENT TO FEBRUARY, 2022 REPORT

Committee Members
Daniel Banach  Robert Brechko  Timothy Cutler  Richard Harper
Douglas Paddock  Bonnie Percy  Robert Schwarting
Technical assistance from Emilee Miller, Colby Petersen
and especially Jeffrey Ayers

**Background**

U. S Supreme Court rulings relative to the 14th Amendment and New York County Law require that county legislative representation be reviewed every ten years and adjustments be made, if necessary, based on information obtained in the decennial U. S. census.

Additionally, a recently-passed NYS law (S5160B, 2021 session) requires multi-member legislative districts to “. . . provide substantially equal weight for the population of that local government in the allocation of representation in the local legislative body . . .” Other aspects of S5160B include:

A. Districts shall consist of contiguous territory;
B. Districts shall be as compact in form as practicable;
C. Districts shall not be drawn to discourage competition or for the purpose of favoring or disfavoring incumbents or other particular candidates or political parties.
D. The maintenance of cores of existing districts, of pre-existing political subdivisions including cities, villages and towns and of communities of interest shall also be considered;
E. Districts shall be formed so as to promote the orderly and efficient administration of elections.

A report was distributed to the Yates County Legislature in February. During that month’s Government Operation Committee and full Legislature meeting, several participants raised questions and comments on the ad hoc committee’s recommendations. A supplemental report was issued in March addressing the questions raised at those meetings.

The initial report and supplement were reviewed in the March Government Operations Committee meeting and further discussed in a special Government Operations Committee meeting after obtaining input from towns and villages. The recommendation of the Ad Hoc Reapportionment/Redistricting Committee (i.e. – weighted voting without moving legislative district boundary lines) was summarily rejected. The committee was asked to review a plan that would add a legislator in District II and adjust the boundaries of that district as necessary to achieve representation within guidelines of 7.3% total variation.

**S5160B**

For all plans studied, the following were considered relative to S5160B:

A. All districts consist of contiguous territory.
B. The nature of Yates County’s topography and population distribution make “compact in form” challenging, but the committee considers that the districts meet the “practicable” requirement.
C. Four, 15- or 14-member districts neither favor nor disfavor incumbents, particular candidates or political parties, thought there is the possibility of an incumbent legislator being displaced in the plan presented in Appendix B-2.
D. Cores of existing districts are maintained in the four, 15- or 14-member district plans evaluated.
   Additionally, as reflected in the minutes of the January 20, 2022 Ad Hoc Committee meeting, none of the plans affect:
   a. The distribution of enrolled party members;
b. Communities of color or urban or rural poor, as no group is large enough or concentrated enough to create a protected representative district;
c. Any identified political, ethnic, racial or socio-economic group. While the referenced minutes specifically state “weighted voting”, the same analysis applies to movement of district boundaries.

E. All plans presented in this supplement require creation of new election districts. Election commissioners are confident that new configurations can be accommodated with minimal risk of error.

In all plans, voting locations will not change, but ballots for individual voters will differ based on the legislative district in which they reside.

Adding a Legislator in District II (Total 15)
The plan reviewed by the ad hoc committee is presented as Appendix A. Boundaries have been adjusted based on physical characteristics (roads, watercourses, etc.). Red dots on the plan represent addresses of incumbent legislators.

Representation is as shown in Table 2-1, with 1,652 citizens desired per legislator. For a four-person district the desired total population is 6,608; for a three-person district the desired population is 4,956. Total discrepancy between districts is 5.5%, within guidelines.

<table>
<thead>
<tr>
<th>District</th>
<th>Composition (Towns)</th>
<th>Total Population</th>
<th>Legislators</th>
<th>Δ from Desired</th>
<th>% of Desired</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Italy, Jerusalem &amp; portion of Middlesex</td>
<td>6,740</td>
<td>4</td>
<td>132</td>
<td>102.0</td>
</tr>
<tr>
<td>II</td>
<td>Benton, Potter, Torrey &amp; portions of Middlesex &amp; Milo</td>
<td>6,380</td>
<td>4</td>
<td>(228)</td>
<td>96.5</td>
</tr>
<tr>
<td>III</td>
<td>Portion of Milo</td>
<td>6,706</td>
<td>4</td>
<td>98</td>
<td>101.5</td>
</tr>
<tr>
<td>IV</td>
<td>Barrington &amp; Starkey</td>
<td>4,948</td>
<td>3</td>
<td>(8)</td>
<td>99.8</td>
</tr>
</tbody>
</table>

Table 2-1 – Representation with 15 Legislators

The plan would require the creation of two new election districts – one each in Middlesex and Milo.

The committee does not recommend proceeding with this approach.

Yates County, with a population of 24,774 citizens, already has a ratio of citizens:legislators of 1,770:1. An additional legislator would change the ratio to 1,652:1.

Only one county in New York State has a lower ratio, that being Hamilton County. Hamilton has a total 2020 population of 5,107 and nine town supervisors, with a resulting ratio of 567:1. All other counties in New York have a higher ratio of citizens:representative than either Hamilton or Yates. Appendix D shows a chart of representation for all 57 counties outside of New York City.

Adjusting Existing Boundaries, Retaining 14 Legislators
The ad hoc committee further evaluated retaining 14 legislators and adjusting legislative district boundaries. The two plans evaluated are presented in Appendices B-1 and B-2. Boundaries have been adjusted based on physical characteristics (roads, watercourses, etc.). Red dots on the plans represent addresses of incumbent legislators.
Representation is as shown in Tables 2-2A and 2-2B, with 1,770 citizens desired per legislator. For a four-person district the desired total population is 7,080; for a three-person district, the desired population is 5,310. Both of the plans include the Village of Penn Yan entirely in District III, as preferred by the ad hoc committee member representing that legislative district and the current and future village mayors.

<table>
<thead>
<tr>
<th>District</th>
<th>Composition (Towns)</th>
<th>Total Population</th>
<th>Legislators</th>
<th>Δ from Desired</th>
<th>% of Desired</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Italy, Middlesex &amp; portions of Jerusalem &amp; Potter</td>
<td>7,097</td>
<td>4</td>
<td>17</td>
<td>100.2</td>
</tr>
<tr>
<td>II</td>
<td>Torrey &amp; portions of Benton &amp; Potter</td>
<td>5,292</td>
<td>3</td>
<td>(18)</td>
<td>99.7</td>
</tr>
<tr>
<td>III</td>
<td>Portion of Milo</td>
<td>7,043</td>
<td>4</td>
<td>(37)</td>
<td>99.5</td>
</tr>
<tr>
<td>IV</td>
<td>Barrington, Starkey &amp; portion of Milo</td>
<td>5,342</td>
<td>3</td>
<td>32</td>
<td>100.6</td>
</tr>
</tbody>
</table>

Table 2-2A – Representation with 14 Legislators per Appendix B-1

<table>
<thead>
<tr>
<th>District</th>
<th>Composition (Towns)</th>
<th>Total Population</th>
<th>Legislators</th>
<th>Δ from Desired</th>
<th>% of Desired</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Italy &amp; portion of Jerusalem</td>
<td>5,436</td>
<td>3</td>
<td>126</td>
<td>102.4</td>
</tr>
<tr>
<td>II</td>
<td>Middlesex, Potter &amp; portion of Benton</td>
<td>5,134</td>
<td>3</td>
<td>(176)</td>
<td>96.7</td>
</tr>
<tr>
<td>III</td>
<td>Portions of Benton, Milo &amp; Torrey</td>
<td>7,245</td>
<td>4</td>
<td>165</td>
<td>102.3</td>
</tr>
<tr>
<td>IV</td>
<td>Barrington, Starkey &amp; portions of Milo &amp; Torrey</td>
<td>6,959</td>
<td>4</td>
<td>(121)</td>
<td>98.3</td>
</tr>
</tbody>
</table>

Table 2-2B – Representation with 14 Legislators per Appendix B-2

Total discrepancy between districts is 1.1% per Table 2-2A and 5.6% per table 2-2B, within guidelines.

Either of the plans would require the creation of two new election districts – one each in Benton and Jerusalem – to accommodate the consolidation of Penn Yan.

The plan shown in Appendix B-1 would require one additional election district in each of Milo and Potter. The plan generally represents Legislative District IV as it was configured between 1972 and 2014. Milo Election District 4 was joined with the remainder of the Town of Milo at that time to balance representation in Legislative Districts III and IV.

The plan shown in Appendix B-2 would require one additional election district in each of Benton, Milo and Torrey. The plan would require an incumbent in District III to give up a seat.

For a plan that retains 14 legislators, the Ad Hoc Reapportionment/Redistricting Committee unanimously recommends proceeding with the plan presented in Appendix B-1.

Changing to Five Districts with Two Representatives per District

As suggested during the special Government Operations Committee meeting and subsequent correspondence, the ad hoc committee also evaluated a change to five districts with two representatives in each district, for a total of ten legislators. The Village of Penn Yan is
proposed to be its own district (as preferred by the ad hoc committee member representing that legislative district and the current and future village mayors) with four additional districts comprised of all or portions of the towns outside the village.

The two plans evaluated are presented in Appendices C-1 and C-2. Boundaries have been adjusted based on physical characteristics (roads, watercourses, etc.). Red dots on the plans represent addresses of incumbent legislators.

Representation is as shown in Tables 2-3A and 2-3B, with 2,477 citizens desired per legislator, or 4,955 per district. Adoption of either of the plans would rank Yates County eighth (8th) in New York for citizens:representative, between Wyoming (2,533:1) and Seneca (2,415:1) Counties, as shown in Appendix D.

<table>
<thead>
<tr>
<th>Proposed District</th>
<th>Composition (Towns)</th>
<th>Total Population</th>
<th>Δ from Desired</th>
<th>% of Desired</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Middlesex, Potter &amp; portions of Benton &amp; Italy</td>
<td>4,855</td>
<td>(100)</td>
<td>98.0</td>
</tr>
<tr>
<td>2</td>
<td>Portions of Jerusalem &amp; Italy</td>
<td>4,845</td>
<td>(110)</td>
<td>97.8</td>
</tr>
<tr>
<td>3</td>
<td>Torrey &amp; portions of Benton &amp; Milo</td>
<td>8,089</td>
<td>134</td>
<td>102.7</td>
</tr>
<tr>
<td>4</td>
<td>Barrington &amp; Starkey</td>
<td>4,948</td>
<td>(7)</td>
<td>99.9</td>
</tr>
<tr>
<td>5</td>
<td>Village of Penn Yan (portions of Benton, Jerusalem &amp; Milo)</td>
<td>5,042</td>
<td>87</td>
<td>101.8</td>
</tr>
</tbody>
</table>

Table 2-3A – Representation with 10 Legislators per Appendix C-1

<table>
<thead>
<tr>
<th>Proposed District</th>
<th>Composition (Towns)</th>
<th>Total Population</th>
<th>Δ from Desired</th>
<th>% of Desired</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Italy, Middlesex, Potter &amp; portion of Benton</td>
<td>4,891</td>
<td>(64)</td>
<td>98.7</td>
</tr>
<tr>
<td>2</td>
<td>Portions of Benton &amp; Jerusalem</td>
<td>4,888</td>
<td>(67)</td>
<td>98.7</td>
</tr>
<tr>
<td>3</td>
<td>Torrey &amp; portions of Benton &amp; Milo</td>
<td>5,010</td>
<td>55</td>
<td>101.1</td>
</tr>
<tr>
<td>4</td>
<td>Barrington &amp; Starkey</td>
<td>4,948</td>
<td>(7)</td>
<td>99.9</td>
</tr>
<tr>
<td>5</td>
<td>Village of Penn Yan (portions of Benton, Jerusalem &amp; Milo)</td>
<td>5,042</td>
<td>87</td>
<td>101.8</td>
</tr>
</tbody>
</table>

Table 2-3B – Representation with 10 Legislators per Appendix C-2

Total discrepancy between districts is 4.9% per Table 2-3A and 3.1% per table 2-3B, well within guidelines.

Either of the plans would require the creation of two new election districts – one each in Benton and Jerusalem – to accommodate the consolidation of Penn Yan. The plan shown in Appendix C-1 would require one additional election district in each of Benton and Italy. The plan shown in Appendix C-2 may require two additional election districts in Benton.

In either of the above plans, the Village of Penn Yan, with 20% of Yates County’s population, is assured of proportional representation. As recently as five years ago, there was only one legislator living within the village.
In either of the above plans, it would not be possible for a total of four incumbent legislators to be re-elected. Table 2-4 reflects the situation.

<table>
<thead>
<tr>
<th>Proposed District</th>
<th>Legislators Living in District</th>
<th>Incumbents Not Re-elected</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>2</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>3</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>4</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>5</td>
<td>2</td>
<td>0</td>
</tr>
</tbody>
</table>

Table 2-4 – Effect of Five District Plan (10 Legislators) on Incumbent Legislators

In either of the above plans, additional staggering of terms, as approved by the voters in 2020, could be implemented by the candidate in each district that receives the highest number of votes having a four year term and the candidate receiving the next highest number of votes having a two year term.

For a plan with ten legislators, the Ad Hoc Reapportionment/Redistricting Committee recommends proceeding with the plan presented in Appendix C-2.

Timeline/Schedule

To be implemented in time for the November 2023 general election, the configuration of the legislative districts and quantity of representatives must be determined by February of 2023.

If the legislature adopts a plan that changes the number of legislators, a referendum is mandatory. Wording for the proposition that would appear on the ballot must be prepared and sent to the Board of Elections 90 days prior to the referendum. Believing that the legislature is not desirous of a special election or a special legislature meeting, the latest that a local law must be drafted by is the July legislature meeting and a public hearing set for the August 8 legislature meeting at that July meeting. In this scenario, Scott must have the wording for the proposition prepared simultaneously with the adoption of the local law. There is no opportunity for making changes that might be forthcoming from the required public hearing.

If the legislature retains its current structure (14 legislators) and only adjusts boundaries, a permissive referendum is possible. For that to occur, a petition to hold a referendum must be filed within 45 days of the passage of the local law. Believing that the legislature is not desirous of a special election or a special legislature meeting, the latest that a local law must be drafted by is the May legislature meeting and a public hearing set for the June meeting. This schedule, however, does not allow for any modifications that might be suggested at the required public hearing. A potential schedule appears in Table 2-5.

<table>
<thead>
<tr>
<th>Action:</th>
<th>Set Date for PH</th>
<th>Hold PH; Adopt LL</th>
<th>(Potential) Circulate Petition and File</th>
<th>(Potential) Develop Proposition Wording</th>
<th>General Election</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interval:</td>
<td>- -</td>
<td>35 days</td>
<td>45 days</td>
<td>11 days</td>
<td>90 days</td>
</tr>
<tr>
<td>Date:</td>
<td>May 9</td>
<td>June 13</td>
<td>July 28</td>
<td>August 8</td>
<td>November 8</td>
</tr>
</tbody>
</table>
The Ad Hoc Reapportionment/Redistricting Committee recommends that a draft local law be prepared prior to the May legislature meeting so that further comments can be received and evaluated.
Appendix A – 15 Legislators

District 1 = 6740  4 Reps
District 2 = 6380  4 Reps
District 3 = 6706  4 Reps
District 4 = 4948  3 Reps
Appendix B-1 – 14 Legislators

District 1 = 7097 4 Reps
District 2 = 5292 3 Reps
District 3 = 7043 4 Reps
District 4 = 5342 3 Reps

284 Citizens move from District 2 to District 1
552 Citizens move from District 2 to District 3
394 Citizens move from District 2 to District 4
68 Citizens move from District 1 to District 3

MarchE4_14MemberPlan
Appendix B-2 – 14 Legislators

District 1 = 5436 3 Reps
District 2 = 5134 3 Reps
District 3 = 7245 4 Reps
District 4 = 6959 4 Reps
Appendix C-1 – 10 Legislators

District 1 = 4855  2 Reps
District 2 = 4845  2 Reps
District 3 = 5089  2 Reps
District 4 = 4948  2 Reps
District 5 = 5042  2 Reps
Yates County currently has fewer citizens per representative than any other county in New York, other than Hamilton County. With 14 legislators, the ratio is 1,770:1, ranking it 56th. With 15 legislators, the ratio decreases to 1,652:1.

With 10 legislators, the ratio changes to 2,777:1, ranking it 50th, between Wyoming and Seneca Counties.
Doug stated that the Committee did not recommend going forward with 15 legislators. If they look at Appendix D, Yates County already has, except for Hamilton County, fewer residents per legislator. If the legislature would like to go forward with 10 legislators, then the Committee recommends Appendix C. The one that most members of the Committee thought would be the least disruptive overall is to stay with 14 legislators and adjust the boundaries, so that the entire Village of Penn Yan is within District 3. Both plans showing 14 representatives had the entirety of the Village of Penn Yan in District 3 and the current District 3 would lose the area around Himrod. This would be incorporated into District 4, which is how it was for 40 years until 1984. Milo District 7 which became Milo District 4 was part of the Starkey Barrington District for 40 years and has only been in the Milo District, District 3, and the last 10 years. A portion of the Town of Potter would be incorporated into District 1. The total discrepancy or difference is 1.1% in that situation, which is very close. Doug stated that was the recommendation of the Committee and he would like to thank the members of the Committee that worked on it, especially Jeff Ayers, who put a lot of time in on drawing the maps included with the reports.

Carlie stated that she had mixed feelings while reading this second supplemental report. She is appreciative of the work that has gone into this. They rejected the last Ad Hoc recommendation of weighted voting. The Committee was asked to review a plan to add a legislator to District 2 and adjust the boundaries of that district as necessary to achieve representation, with a guideline of 7.3% total variation and there is a small amount of information provided on that. That was their request. It seems as though the information that was provided is to take it to 10 legislators and there is a lot of explanation on that, which they didn’t really ask for. Carlie finds herself lacking information of why did the Committee reject that and what information was wrong. She feels that it has fallen short of the requests they made. She knows she is stepping out there and acting like she is not thankful for the work that was done, but she doesn’t feel that she has the information necessary to make a decision on this.

Ed asked Carlie to share with them what she would like to see.

Carlie stated that she would like the information, unbiased information, on adding a legislator and changing the district, not the Committee says that they don’t want this, instead here is what they want. If she reads the supplemental report without prejudice, the information gained from it was having 10 legislators, not adding 1.

Bonnie stated that she thinks somewhere along the line it was mentioned of reducing the number of legislators and that is why they did the 10. The reason that they recommend B1 is because it put the Village of Penn Yan all into one district and they are only moving people from the Himrod area into District 4, which has been done before and there has never been any confusion that Bonnie knows of. This would bring District 2, to where it needs to be and they are 1.1% in line with the law. The 15 legislators wasn’t needed and would cost the County more money.

Carlie stated that in other words, that was their decision as the Ad Hoc Committee.

Doug clarified that this is a recommendation to the Government Operations Committee, it does not make the decision for the Government Operations Committee. The boundaries were adjusted to reflect geographic situation, so that it was easy to make districts and it came in at 5.5% which is slightly less than the 7.3% that the Franklin lawsuit would allow, so they do have the information.

Dick stated that one of the things they have to remember up front is that they looked at different maps at the original meeting. They felt that the least impact to the voters was to do the weighted
voting, which is basically going to get them to the same thing. The weighted voting with the two indices added, not just weighted voting by itself. Listening to the input from the public and the different mayors they went back and looked at other options and so they have the maps for those options that they looked at. They didn’t look at anything else, that he is aware of, that they are not presenting. They looked at 15, 14, and 10 and they had mentioned that if they were going to change the boundaries and not use weighted voting, then they should look at reducing the legislature. Which is what they did and they are presenting all of those options. As far as he is concerned, the options from the original are still on the table. They had to make a recommendation, they gave the recommendation from the Committee, and it is not the decision for this group. Dick has a hard time trying to break up some of the districts. If you look at Benton, it has gotten broken up into three different areas, which he doesn’t like. The least amount of people being moved initially is on the 15th legislator, but they are going to add costs. Anytime they are doing these moves they add costs and they are going to add an additional legislator. If they keep it at 14, the cost for the current legislator is the same and they are going to split up the different areas is all. They are going to have that cost and the other option is that if they are going to move the boundaries, then they can drop to 10 legislators and that is what they did. It is not a final decision, it is still ultimately up to the legislature, which way they want to go forward and present it.

Rick stated that he had a relatively brief conversation with a former legislator, who was there in the beginning and some of the history of the other discussion that happened. District 2 has never been split up before, his understanding is that it came into being, and has always been that way. Originally, there was an extra district that encompassed Middlesex and Italy. He has spent many hours going through all of this and he keeps coming back to the back part of those abstracts dealing with fairness, fairness to the people and fairness to the legislators. He has a very hard time, taking Potter for example, and putting it over into District 1. Rick thinks that the towns are the contact in the smallest group in the government hierarchy and they deal most directly with the people. It is not a new thing to add an additional legislator, there was one added at some point. He appreciates all of the work because there has been a lot of work and he has spent hours looking at it, what is going on, and what the best solution is. He still comes back to adding a 15th legislator. No matter which way this goes, he will take all of this back to the town and he will ask everybody to take this conversation back to their towns. The legislators work for them, they are just intermediaries between the state and the towns.

Ed stated that he agrees, but this most directly affects the legislators, it doesn’t really affect town board members. It does affect their citizens, but the most impact will be on the legislators.

Mark stated that he was part of the group that was saying they wanted to have the minimum impact, which was to add a legislator and make minimal changes. It is still not clear to him what the allowed variation is, he has heard 5%, 7%, or 11%. If they want to be bold about something, he would be bold about pressing that number and looking for somebody to have a problem with them doing that.

Doug stated that Franklin versus Krause says 7.3% using the appropriate analysis.

Mark stated that it still may be debatable on how far they can go. If they don’t go with the 15th legislator, then he would go with the 14 with the minimum amount of impact, B1 appears to be the option with the minimal amount of impact. He is not in favor of the other option at all, he is not in favor of 10 legislators.

Rick stated that he realizes that they could be sued, they could do this or they could do that and this or that can happen. The ones who would have standing in court would be District 2.
Doug stated that any county resident and the State of New York would have standing in court.

Rick stated that will be fine, let the judge make the decision for them.

Pat stated that in looking this over, he is not in favor of 10 representatives. He has a number of issues with that reduction. The first, is that anytime they have an even number, if they get a split vote, it can be difficult, they should possibly be looking for an uneven number, to make decisions more clearly decided. Considering the current and historical representation of people elected to the legislature, both age and occupations, it is not common to have everyone there. Shrinking the numbers significantly could make it hard to have a quorum at various times with people’s occupational disruptions, travel, age, medical, or any other issues. He thinks that it is a bad idea for the general function of the group. The suggestion of 15 legislators and the minimal amount of population moved to vote in another area seems least disruptive. Everyone that Pat has spoken to in the community has had the general consensus to go with the least disruption the better and they are strongly against any weighted voting. He is in favor of adding a legislator and minor boundary adjustments.

Tim stated that he would just like to remind everybody that if they go with 15 or go for 10, the legislators can’t make that decision. Those changes require a mandatory referendum. They should keep that in mind, they can move the districts and people can object to that with a permissive referendum. If the people don’t like the way the districts are set up they can start a petition. He just wanted to remind everybody that any change to the number of legislators requires voters to approve it. It is not a decision that the legislature can make.

Leslie stated that to reiterate what Tim said, whenever they are adding or taking away the number of legislators, that has to go to vote. Changing the borders could be a permissive referendum. Doing nothing is not a viable option, at a minimum they may have to adjust the lines like in B1. She thinks that there is still some shifting or changes that could be done on that, but at a minimum adjusting the lines is something that needs to be looked at. As far as the probability of a lawsuit, she doesn’t think they know for sure whether that would come to pass, but they are required to address this and the chances of winning any such lawsuit would be none. It is important that this is part of what they are asked to do every 10 years and they have to come to terms of how it is going to be done.

Carlie stated that if they look at this statistically, what is presented to them on the maps, if they decrease it to 10 legislators and 5 districts, what they are doing is centralizing the power of the legislature and they are reducing that distribution. If they add a legislator, they are increasing the distribution and giving more power to the people, because they are giving them more representation. She should never try to take that voice or the power of the people away ever, she sees that is exactly what would be accomplished in reducing it to 10, so she strongly opposes reducing it to 10. Their community came and gave comment. Jack’s comment was the more input the better, the more input that they have from the community, the more representation they have for them. When they turn Penn Yan into its own district, they take away the voice of a good amount of legislators. They take away all of the influence of those other two communities and the representation.

Ed stated that what he believes that he is hearing is that there is not support for going to 10 legislators. The Committee agrees that 10 legislators if off the table. So that raises the 14 or 15 legislators. Ed asked what the preference is of the Committee.
Doug stated that he has probably put in as much time on this as anyone else. He has spoken with some people, one of the people came there to tell them it was a bad idea and happened to think 10 representatives was the right number. There is no reason to add additional people, Yates County already has reasonable representation, and he will work against 15 people. Which may help some make their decision, but he thinks that there will be others. There is not a reason for it, when you can adjust boundaries. When they reject weighted voting, they have to be able to accept adjusted boundaries. That is the only other alternative, ignoring the situation and proceeding the way they are now is not acceptable.

Leslie stated that they know that the 11% deviation is not acceptable and they know that there is no definitive deviation, but what they have is too high. This one plan, B1, brings it down to 1.1%. Leslie asked if there is a way to adjust the lines and bring the percentages a little up. So that the percentage is not quite so close.

Doug stated that Leslie and her new Committee can do anything they would like to, but these are geographic markers. It is convenient locations to allow Board of Elections to clearly define the districts, for the representatives that have to collect signatures, and for the people residing in those areas to understand where the boundaries are. The census tracks are sometimes the middle of fields, so that is what those are based on.

Leslie stated that she doesn’t think that people realize that those lines are based on geographical areas that they felt would be easier to ascertain.

Doug stated that they get the numbers to get the quantities of their citizens within the district, within their criteria and they are geographic locations that are easily determined.

Leslie stated that it was stated that no poll locations would be changed for any.

Doug stated that the polling locations would not change, it would just change the election districts. Someone on the south side of the road might get a ballot that looks different from someone on the north side of the road, but they would still be voting at the same location.

Carlie stated that she wants to go back to the comment of actively working against. It is very threatening and for someone who is on the Ad Hoc Committee, it is unacceptable and inappropriate. The statement that she and her Committee can do whatever they want is the same. It just shows bias and she thinks that it is unacceptable and unprofessional, to make these comments, to threaten all of them in that way. This should be brought to the table without bias, fully explained, and as was asked, and she doesn’t feel that has been accomplished in what they have.

Doug stated that it is very factual. Mr. Willson suggested last time that perhaps there should be a new Committee. What he is telling them is that, if the desire of the legislature, or this Committee is to proceed with 15, he has a resignation letter written. He will gladly share it with the Chair of the Legislature and the Clerk of the Legislature. He is not threatening, he is merely stating what he is going to do. They may consider it unprofessional, if they wish, but he is expressing his feelings, just like them, and he is allowed to just like everyone else.

Bill stated that Jesse answered his question on if they were to take that block out of Potter with the map and that brings it up to 8.8%. He disagrees with Carlie, he does not think Doug is threatening anything, he is entitled to his opinion. They are all sitting there and everyone has their own opinion and he has his own. Just because he is on the Ad Hoc Committee and he has done a lot of work, doesn’t mean that he can’t have an opinion. Bill and Jesse looked at moving
that block of Potter from District 2 to District 1. He was curious what the math would be since it was 1.1% and Jesse did the math, it would be 8.8%. Bill sees B1 as being the best way to go.

Dan stated that as a member of the Ad Hoc Committee, they discussed this just like they are doing today and it was very civil discussions. He thinks most of them came up with B1 because they were trying to achieve the most amount of representation to one legislator, which goes to 1.1%. All they are moving, basically, is a little bit of Potter and they are going back and moving a little bit of Milo. Milo is going back to the way it was 10 years ago. Going back to Bonnie’s point, he has never heard anybody complain about that movement. The board is trying to get it down to the best possible representation per person for the legislators. He thinks that B1 achieves all of that. To go to Doug’s point, no matter what they do, they are going to have to change something. In his mind, they are really only going to change a little bit of Benton that wasn’t there 10 years ago. In Milo it is going to be the way it was 10 years ago or Districts 3 & 4 are going to be the way they were 10 years ago.

Rick stated that it is incumbent upon all of them to take these choices back to the towns. The towns need to have input and they need to give them direction. Again, it isn’t a little piece of Potter, it is 20%, and that is not little. It is enough that they need to have the conversation with the people that they were sent there for. It is important that they have resolutions from those governments so that they are actually speaking for the people who sent them there.

Jesse stated that his big thing was weighted voting, he is strongly against it. He agrees that they have to give and take. He thinks that 15 works well and he thinks that B1 is getting to where they want to be, they have to get somewhere. He thinks that they should take another look and try to get it so they are within the 7.3%, but he thinks that B1 is on its way if 15 is not going to pass.

Bonnie stated that more Milo residents are being moved into their district, but they need to remember that they were in their district before. She doesn’t think that they will have any problem with District 4 people and she can’t see why Potter people would be against a little bit of that being put into District 1. The other thing is that they did get the opinion of the Village of Penn Yan because the former mayor and current new mayor thought it was a good idea to have them all in a district. So, that is what they were striving for and she still thinks that B1 is the best way to go.

Carlie stated that would give them power over that district without input from Milo, without input from any other area. It gives them more power because the legislature only has this little bit of representation over Milo, which also includes the Village. Right now, there are more legislators that have input into their Village because their districts go into it. They have more input of what happens and the impact there, like shared sales tax for example. Carlie agrees with Rick, he is losing a percentage, all of that district is losing a percentage of their district of the people that voted them into position. They are responsible to take it back to them, to talk to them about how they feel about this. The same with Milo, these people voted them into position. They need the opportunity to go back and talk to these people.

Dan stated that the people voted them in to make a decision, they should make a decision.

Doug stated that the towns rejected weighted voting, which from a boundary standpoint and a district standpoint, is the least disruptive. So, if that is rejected, they are listening to what the towns have to say. The only other way to achieve parity is to move boundaries.
Carlie stated that they are responsible to those people who voted them into those positions to ask them how they feel about this.

Doug stated that they are responsible to make a decision, but how they do it, is up to the legislature. He can assure them that the Committee has done more study on this than any other resident within the County.

Rick made a motion for a resolution to add a 15th legislator and make some minor adjustments along the border of Jerusalem and adjustments in Milo as well. Seconded by Carlie.

Ed questioned the other Committee members, Bonnie and Mark, if they were ok going forward with this. Bonnie said no and Mark said yes. Ed initially brought this back after Jack Prendergast suggested it a couple months back, but then he was thinking if they if they can do it for 15, why can’t they do it for 14, so he is really kind of sitting on the fence. The role of this Committee is to vote to bring something forward to the legislature. Ed voted yes, to bring the resolution to the full legislature, to make a decision and they will go from there on Monday. VOTE: Roll Call- Ed, Rick, Carlie, Mark voting “Yes”; Bonnie voting “No”; Dick absent. Motion carried.

Public Comment
Sarah Purdy stated that she would like to clarify for everyone that in relation to B1, there are 68 residents from the Town of Jerusalem that would also be impacted, but that was not mentioned.

John Christensen stated the he was there as a citizen, not a reporter, but he wanted to ask regarding B1 and the residents of Himrod, he has not heard anyone mention the naturalness of including the residents of Himrod with Starkey and Barrington. The residents of Himrod are educated in Dundee Schools. It seems like a natural fit for them to be included in that voting district, with the other members of their school district, rather than dividing them out. He brings this up because he hadn’t heard it mentioned and they are talking about representation that is also organic, natural. Grouping people together by their community to ensure that their communities are represented. Just because of a historical boundary of the Town of Milo, doesn’t necessarily reflect the actual community. That portion of the Town of Milo, in his opinion, would better be represented if they were included with the rest of the members of their community in Starkey and Barrington.

Ed stated that they have voted to bring forward a resolution adding a 15th legislator and doing minor boundary adjustments that they will vote on it Monday. He thinks they have a lot to think about before Monday.

Meeting adjourned at 3:18 p.m.