

November 8, 2021

OFFICIAL PROCEEDINGS

St. Clair County Board Meeting





ST. CLAIR COUNTY BOARD

10 Public Square • Room B561 • Belleville, Illinois 62220-1623

MARK A. KERN
CHAIRMAN



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SPECIAL COUNTY BOARD MEETING – November 8, 2021

1. Invocation – Tom Holbrook, County Clerk
2. Pledge of Allegiance
3. Call to Order – Chairman Mark A. Kern
4. Roll Call by Tom Holbrook, County Clerk; Present - 25; Absent - 4
Absent – Mr. Coers, Mr. Gomric, Mr. McCall, Jr., and Mr. Reeb
(The Chairman noted Mr. Coers, Mr. Gomric, Mr. McCall, Jr., and Mr. Reeb are excused.)
5. Public Participation

MICHAEL BUTLER, 303 East Adams, O'Fallon, Illinois

"My name is Mike Butler and I'm proud to have Matt Smallheer as my County Board member. He does an outstanding job. The reason why I wanted to be here tonight to speak about this map is that every 10 years we are supposed to do this reapportionment. Look at the census data and see the overall decrease in the population in the County is about 8,000 people. But we also have this shift in population where people have moved away from the river and deeper into the County. You have towns like Belleville and East St. Louis that have shrunk and communities like O'Fallon that have grown by 14.1%. What we want to see reflected in this map is an accurate adjustment based on that data. We want to see the seats moved in the direction that they should. Every seat should have you know the statute is very clear and it's the same statute that is cited on this agenda that we got this evening that they should be substantially equal, they should be contiguous and they should only cross township boundaries when necessary. Obviously, this is the first time we have seen this map tonight so its tough to comment on a map that you have only had for about five minutes. It is kind of unfair to everybody in this room and everybody in the County that it always seems that we get things five minutes before the meeting and then its like Oh would you like to make a comment. That has been the pattern in the last six months we have gone through this process, surprise here is the map. There have been six versions. I think we are on our fifth version now maybe. But one of the things I noticed by looking at this map is there are a lot of townships that have been unnecessarily divided. If you take Lebanon Township for example there are only 4,500 people in Lebanon Township that is smaller than the target population for a County Board District. There is no justification for dividing Lebanon Township. What should happen is that all

of Lebanon Township should be in the same district and then you cross over into O'Fallon Township until you get enough people to meet your target and that should be the end of it. We are not asking for a map that is a Republican majority or a Democrat majority but we are asking for a map that is fair that accurately represents the changes in population throughout the County and to give the voters a chance to have their voices heard. I'm sure if you plugged these numbers in you are going to see that based on the partisanship of each district you are going to have a super majority of Democrat seats but the residents of St. Clair County are huge Democrats. I'm not saying that if we have a fair map we are going to have Republican majority. That's not what I am asking for. What I am asking for is that everybody in this room, everybody in St. Clair County has the opportunity to make their voices heard at the ballot box and choose who their County Board member is. You know its that principal of where the voters should be picking their County Board members. The County Board members should not be picking their voters, and that's what's happening here. It's a shame, its disappointing, its aggravating and that's why you see the participation in these elections in St. Clair County that you do because people feel like their voice doesn't matter. I can go to the ballot box and there is a pretty good chance you know there are districts in this County where you are only going to have a Republican candidate and there are districts where you are only going to have a Democratic candidate. It doesn't matter to some of the residents in this County how they vote in those races because its over before it even starts, and it shouldn't be that way. So what I would like to see is a map that does not violate that third principal of that statute. The townships should not be unnecessarily divided. That's all I have to say. Thank you."

PASTOR JOHN CURRY, Conquerors Christian Center, Belleville

"I just have a couple of things that I would like to bring up. Basically, will the redistricting to the map deprive black people of political power and will the map work for everybody not just for a few. Next question that I have is, I believe the Courts have made a decision years ago, all the way back to 2016, 17 seats in Congress came solely through gerrymandering according to the analysis of Brennan, Not for Profit, Law and Policy Institute. In essence, the redistricting and new maps were basically done in order to help others to vote in large numbers and black people down in East St. Louis, Cahokia, Brooklyn and all the other places was not going to be able to make a big difference. In other words, it is kind of like stacking the deck where certain groups of people will be able to get what they want and get it done. The next thing and I will sit down. I believe it was the Courts that decided to create a majority minority district and that was to give blacks more political power. This system is now being used to deprive blacks from their political power. So basically, what I am saying is that how is this going to help black folks in East St. Louis, how's it going to help those blacks in the surrounding cities down there. When a new map normally comes, from my research, that it is

basically depriving blacks and other minorities from having a power base to be able to vote and vote consistently. What I think and I hope I'm wrong, when I think about this how long will it take before people wake up to the fact that black folks want to vote too and that we vote in large numbers. But if we basically separate black votes from voting, you say why do you keep saying black because that appears to be to whom it is going to affect the most. So I wanted to speak to that. Are we still honoring the majority minority and is that still working and if it working is it working for everybody or is it just stacking the deck for a few people to get what they want in order to keep black people out of power so in essence people that are in other groups can move in there power. That's pretty much my question."

JAMES VERNIER, Shiloh

"My question would be just paying attention to the news that Madison County and they are shrinking their board by several members and I'm wondering why St. Clair County is shrinking this Board by one board seat, instead of say 10 like it probably should be. Anyway, what is the reasoning behind that?"

Chairman Kern responded that there was a population drop and commensurate with that we can save the taxpayers the money so dropping a district we think is the right thing to do.

DAVID LINDQUIST, 2864 Smokehouse Way, Belleville

"I'm here tonight as a concerned citizen in regard to the drawing of the district map and I have some concerns as I believe most people here have. I'm not here as a Democrat or a Republican or Independent, I'm here as a concerned citizen and I have a two-part question that I would like to address to the Board. Per Section 2-3003 sub paragraph 1a-d which states "shall be substantially equal in population to each district" and the way this is drawn up now, with this new revision, it is not. "Shall be comprised of a contiguous territory as nearly compact as practical and may divide townships or municipalities only when necessary to conform to the population requirement of paragraph a. of this section and shall be created in such a manner that no precinct shall be divided between two or more districts in so far as it is practical. It seems looking at this that this has not been done. That is just my perception. The other part I have is that it seems that the majority, which at this time is Democrat, are favoring districts and Democrat voters and their party for redistricting and they are not adhering to the unbiased representation of the citizens of St. Clair County based on the 2020 census that should be used. I'm just saying that if you do anything, let's follow the law and not try to gerrymander the districts in favor of one party or the other. Thank you."

STEVE DUFF, 541 Cunningham Drive, Swansea, Illinois

"Just so you know Michael Butler is not a lone wolf. I agree with his comments and his concerns and I would like to be added to the list of that. The other question that I might have is what methodology and how did you go about drawing this map? What were the rules governing the drawing of the map? I don't know if you will discuss that or not. Thank you."

MELINDA HULT, 421 C Street, Belleville, Illinois

"My district is represented by Jerry Dinges. My question is about procedure, referencing again the law Section 2 Paragraph 3003 from paragraph 3 "the board shall conduct at least one public hearing to receive comments after the map is proposed". Clearly, we have a new map presented tonight. Do you have a public hearing scheduled or do you intend to vote on that this evening, because the law says the Board is prohibited from enacting an apportionment plan until after a hearing on the plan presented by the Chairman?"

Chairman Kern explained that this meeting tonight is merely to present the map. There will be a public hearing next Tuesday and after that a vote will be taken on the map.

Ms. Hult – "Will that be before the end of November?"

Chairman Kern said that it will be next Tuesday.

Ms. Hult – " You are holding the public hearing and the vote on the same day?"

Chairman Kern stated that is correct.

Ms. Hult – "Thank you."

Mr. Butler – "So my question is if you are holding the public hearing and the vote on the same evening then how can any of our comments be taken under consideration? We have a deadline of November 17 for this map has to be passed according to statute. So we have a 48 hour window to address comments that you are going to vote on."

Chairman Kern interjected that it is not 48 hours but a week away.

Mr. Butler – "But I'm saying that if we have public comment on Tuesday evening which is a week from tomorrow and the deadline that this has to be finalized by November 17 according to the statute that is a very small window."

KEVIN SCHMITZ, Millstadt, Illinois

"I have one question so you have the census data since August 16 why do we the maps just now?"

Chairman Kern stated that the work on the map was done using the new census data, so it is utilizing the new census data.

UNIDENTIFIED FEMALE

"I am going to address what I see as the elephant in the room. That when we look at the maps that we have seen so far they seem to have protected incumbents of the majority party and align those districts to protect the incumbents. In doing so, that really disenfranchises the voters of those very districts because they do not have the option to vote for someone else. That is a secure district for the incumbent and those voters have no choice unless someone can swim upstream and get elected. That has happened in every map I have seen from the County Board. It is not right. The whole County has shifted. Those people who moved out of the other districts, many are still in the County they want their voted counted in the area they moved to. It is not just trying to secure the seat of the incumbent that we should focus on. We should focus on equal representation for every voter in this County according to the census data.

WAVEY LESTER, Millstadt, Illinois

"I have attended a couple of these meetings before and it seems to me that every time we voice our opinions and our concerns and the needs and wants of the constituents, that these maps are designed to represent. My question to you is at what point or what procedures do you use in order to take our concerns into play and do you actually do that? Because if we are voicing the same concerns time after time after time and every map that subsequently comes out looks the same as the previous maps with just a couple of adjustments here and there then why are we here? That's my question."

MR. MATHEWS, O'Fallon, Illinois

"I would like to know how many of the County Board members participated in the drawing of this map? Has everybody that is representing the County of St. Clair participated had their say representing the districts they currently represent in redrawing these new boundaries. Honestly one person here will not be represented because one district has been dropped. So I would like to know if this has been a participated process or just a small sub-set of the County Board participated in drawing up this map?"

Chairman Kern replied that there has been much participation in this map.

Chairman Kern stated that perhaps a few of the questions can be answered with a little history. Until June 17, 2021, Section 2-3002(a) of the Illinois Counties Code pertinently required reapportionment of a county board by July 1st of this year, and Section 2-3003(3) of the Illinois Counties Code pertinently provided for the submission of an apportionment plan by a county board chairman by the third Wednesday in May of this year.

Pursuant to Section 2-3003(3) of the Illinois Counties Code, the St. Clair County Board Chairman developed and presented to the County Board an apportionment plan (utilizing the most recent American Community Survey 5-year data as the only census population data then available in the absence of federal decennial census data) at its Special Meeting on May 10, 2021, and the St. Clair County Board held a public hearing with due notice on the apportionment plan on May 24, 2021.

On June 2, 2021, the St. Clair County Board adopted Ordinance No. 21-1252, approving its Chairman's apportionment plan as set forth therein (utilizing the most recent American Community Survey 5-year data as the only census population data then available in the absence of federal decennial census data).

On June 17, 2021, Illinois Public Act 102-15 amended Section 2-3001(c) of the Illinois Counties Code, redefining "population" for the reapportionment of 2021 to as "the number of inhabitants as determined by the county board by any reasonable method, including, but not limited to, the most recent American Community Survey 5-year data."

Also, on June 17, 2021, Illinois Public Act 102-15 amended Section 2-3002(a) of the Illinois Counties Code, delaying the deadline for a county board to reapportion its county to December 31st of this year, and added Section 2-3003(5) of the Illinois Counties Code to allow a County Board Chairman to develop and present, or re-develop and re-present, an apportionment plan by the third Wednesday of November this year.

After the enactment of St. Clair County Board Ordinance No. 21-1252 and Illinois Public Act 102-15, federal decennial census data has become available, reflecting a population decline in St. Clair County.

While pending litigation over the Ordinance No. 21-1252 has so far resulted in a dismissal of Plaintiffs' Amended Complaint, the St. Clair County Board Chairman's re-developed and is re-presenting an apportionment plan (utilizing the now available federal decennial census data), that would avoid the further use of valuable County resources defending any further legal action.

This re-developed apportionment plan still contemplates a County Board Chairman elected by the voters of St. Clair County pursuant to Section 2-3007 of the Illinois Counties Code (55 ILCS 5/2-3007), but with a reduction to twenty-eight (28) County Board Members elected by county board district from each of the twenty-eight (28) County Board Districts identified therein as a result of the population decline reflected in the federal decennial census data.

Reports and Communications from the Chairman

- a. Chairman Will Re-present Re-developed Apportionment Plan pursuant to Section 2-3003(3) of the Illinois Counties Code (55 ILCS 5/2-3003(5))**

The Chairman thanked everyone for attending and he stated that there will be a public hearing next Tuesday and after that a meeting at which time the map will be considered.

10. Adjournment

There being no further business, a motion was made by Cj Baricevic, seconded by H. Hollingsworth that the Board stand adjourned until Tuesday, November 16 at 7:30 p.m., for a Special Meeting, and to convene in the County Board meeting Room B-564, 10 Public Square, Belleville, Illinois, when it will be the pleasure for all to attend. Motion carried unanimously.

**THOMAS HOLBROOK, COUNTY CLERK AND
EX-OFICIO CLERK OF THE COUNTY BOARD**

JUDICIARY COMMITTEE