

Hall County, Texas
Called Commissioners' Court Meeting

November 3, 2021

BE IT REMEMBERED THAT THE HALL COUNTY COMMISSIONERS MET IN A CALLED COMMISSIONERS' COURT MEETING on November 3, 2021 with the following members present: Ray Powell, County Judge, presiding; Ronny Wilson, Commissioner Precinct #1; Terry Lindsey, Commissioner Precinct #2; Gary Proffitt, Commissioner Precinct #3; Troy Glover, Commissioner Precinct #4; Olivia M. Fisher, County Clerk; and Pauline Johnsey, Judge's Assistant. Also present was John Redington, Allison, Bass, and Magee, L.L.C.

1. Call meeting to order.

The meeting was called to order at 9:06 AM.

2. Receive and provide information, evaluate demographics, take action to establish criteria for redistricting.

Motion by Commissioner Wilson and second by Commissioner Lindsey and It is the Order of the Court to approve an order establishing criteria for redistricting of political boundaries. Motion passed, unanimously. (Exhibit A)

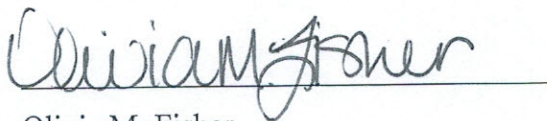
3. Take possible action regarding redistricting of county political boundaries.

Motion by Commissioner Lindsey and second by Commissioner Proffitt and It is the Order of the Court to approve an order for redistricting of political boundaries. Motion passed, unanimously. (Exhibit B)

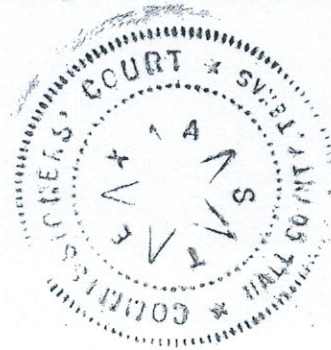
Motion by Commissioner Glover and second by Commissioner Proffitt and It is the Order of the Court to set a Public Hearing for November 12, 2021 at 9 AM in regards to the redrawing of political boundaries. Motion passed, unanimously.

4. Adjourn.

Motion by Commissioner Glover and second by Commissioner Proffitt and It is the Order of the Court to adjourn at 10:02 AM. Motion passed, unanimously.



Olivia M. Fisher
Hall County Clerk



ORDER 110321**AN ORDER ESTABLISHING CRITERIA FOR REDISTRICTING OF
POLITICAL BOUNDARIES**

The Commissioners Court is the governing body of Hall County, Texas, meeting in a duly scheduled and posted meeting, does hereby adopt the following criteria for use in the redistricting of all county political boundaries. Any plan for the redistricting of representative members of the Commissioners Court of the Hall County should, to the maximum extent possible, conform to the following criteria:

1. The plan should ensure that all applicable provisions of the U.S. and Texas Constitutions, the Voting Rights Act, the Texas Election Code are honored.
2. The plan should be drawn in such a manner that the maximum deviation from an ideal size, as determined by dividing the total population of the county divided by four (the number of single member districts that compose the Commissioners Court of Hall County, by not more than five (5%) percent for any single precinct, or a total top to bottom deviation (percentage of deviation below and above the ideal size) of not more than ten (10%) percent.
3. The plan should address minority representation, and if at all possible, in conformity with constitutional standards, avoid retrogression in the percentage of population and voting age demographics consistent with existing minority representation.
4. The plan should, avoid fragmentation and preserve minority communities of interest to the maximum extent possible. These communities of interest should be recognized and retained intact where possible. Only when the overall minority population of the county is sufficiently large to require more than one minority district should minority populations be divided, and only then to the least degree possible.
5. The plan should not, however, attempt to unreasonably join geographically remote minority populations into a single precinct unless there are strong and genuine connections between these communities as reflected by common schools, churches, or cultural ties. For example, minority populations in two separate towns, located miles apart, may not have sufficient links or common political cohesion to justify joining these two minority population centers into a single electoral group. Particularly when dealing with distinct minority groups, such as Black and Hispanic populations, a general assumption that separate minority populations will vote in a "block" may be unsupportable in fact.

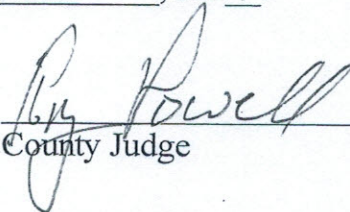
6. The plan should seek compact and contiguous political boundaries. Physical boundaries of cultural or economic significance, such as rivers, multi-laned control access highways or turnpikes, which tend to divide populations in fundamental ways, should be recognized and where possible, should only serve as necessary to achieve recognized objectives. To the maximum extent possible, clearly recognized boundaries, such as streets and highways, should be used to facilitate ease of voter identification of boundaries, as well as election administration.
7. Where possible, well-recognized and long used election precinct boundaries should be retained intact (within the limitations imposed by state and federal law) or with as little alteration as possible.
8. Election precincts in the plan should be sized in conformity with state law. For example, in counties that use traditional, hand counted paper ballots, no election precinct may contain more than 2000 voters. In counties with voting systems that allow for automated ballot counting, this number may be increased to as many as 5000 registered voters.
9. The plan should afford incumbent office holders with the assurance that they will continue to represent the majority of individuals who elected these incumbents, and all incumbents' residential locations should be retained in their reformed precincts to ensure continuity in leadership during the remaining term of incumbents to the extent possible.
10. The plan should address fundamental and necessary governmental functions, and to the extent possible, ensure that these functions are enhanced rather than impaired. For example, county road mileage should be balanced to the extent possible between the resulting commissioner's precincts. Election administration should not be unduly complex as a result of election boundaries.
11. The plan should ensure that election voting precincts under that plan do not contain territory from more than one commissioner's precinct, justice precinct, congressional district, state representative district, state senatorial district and state Board of Education. Although no longer required, city election wards should be honored in virtually all circumstances, with city and rural county voters being kept in separate voting precincts to the extent possible. Where they exist, other special election districts, such as water, hospital, or navigation districts, should be structured in a manner to provide to the greatest extent possible the harmonious administration of various election jurisdictions.

12. The plan should attempt to locate polling places in convenient, well-known locations that are accessible to disabled voters to the maximum extent possible. Public buildings should be utilized to the maximum extent possible as polling places. Where necessary, buildings routinely open to the public, such as churches, retail businesses, or private buildings dedicated to public activities, can be used as polling places.
13. If the reduction of polling places can be accomplished, without impinging upon voter convenience and minority voting rights, such reductions can be considered.
14. Citizen input should be encouraged, but in order to minimize cost and to have sufficient information to evaluate such proposals fairly, the County will only consider proposed plans submitted to the County for evaluation by individual citizens or groups if the proposed plan is submitted to the County in a commonly used GIS format, such as .SHP, .MAP, .KLM, .GPX, .MDB, along with maps and demographic data sufficient to address voting rights concerns.

The foregoing criteria are deemed to be illustrative, but not exclusive, examples of fundamentally important issues, which should be considered in any redistricting, plan. Therefore, the Commissioners Court expresses its intention to measure any plan submitted for consideration by this set of criteria, and to base any eventual exercise of discretion upon the foregoing criteria.

The criteria approved this date were considered in open Court, following posting not less than 72 hours before any action taken on the same. Upon motion by Wilson, second by Lindsey, the Commissioners Court of Hall County hereby adopts the criteria set forth herein by a vote of ___ to ___.

Signed this 3rd day of November, 2021.



County Judge

Attest:



County Clerk

IN THE COMMISSIONERS COURT OF
HALL COUNTY, TEXAS

FINDINGS OF FACT REGARDING POLITICAL BOUNDARIES
OF HALL COUNTY, TEXAS
FOLLOWING PUBLICATION OF 2020 CENSUS DATA
AND
ORDER FOR REDISTRICTING OF POLITICAL BOUNDARIES

On the 3rd day of October, 2021, the Commissioners Court of Hall County met in regular/called session, having posted notice of said hearing in compliance with Chapter 551 of the Texas Government Code.

The Commissioners Court of Hall County has previously retained the firm of Allison, Bass & Magee, LLP, of Austin, Texas, to conduct an Initial Assessment of existing political boundaries of Hall County, following the issuance of census data by the United States Census Bureau. Attached to this Order, and incorporated herein for all purposes by reference, is a copy of the initial assessment conducted by Allison, Bass & Magee, LLP. This assessment is based upon PL94-171 data, as required by federal law, and is further based upon information provided to Allison, Bass & Magee, LLP by the Texas Legislative Council, other official sources of information, and by Hall County, Texas.

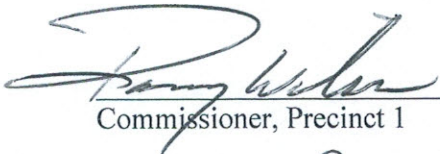
Based upon this information, Hall County has a total maximum deviation of 11.18%. The term total maximum deviation is determined by dividing the total population of Hall County by four, the number of Commissioners Court precincts to determine an ideal precinct size. The actual population of each precinct is then determined, based upon the official population data contained within the census count, as defined by Public Law 94-171. The actual population of each precinct is compared to the ideal precinct size and a range of deviation by percentage is determined. Any total maximum deviation in excess of ten percent (10%) is presumptively unconstitutional under established federal law.

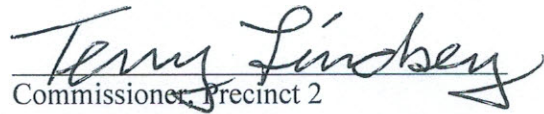
As a result of this determination, Hall County has a constitutional duty to redistrict its political boundaries so as to achieve "One-Person-One-Vote" numerical balance between the four commissioners court precincts at a legally acceptable margin of deviation, and to make such changes as are necessary to comply with the Voting Rights Act and applicable state and federal law.

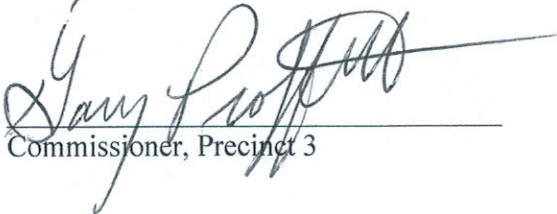
IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the Commissioners Court of Hall County, Texas expressly finds that it has a legal duty to redistrict. The public interest will be served by redrawing the existing political boundaries of Hall County in such a manner as to comply with applicable state and federal law. The Commissioners Court hereby enters the following findings of fact and of law:

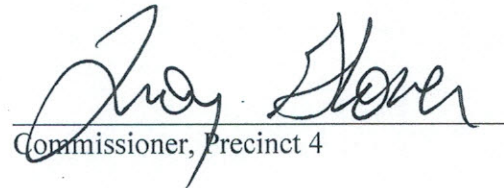
1. Hall County has a total maximum deviation, as defined in this order, of 11.18%.
2. Any total maximum deviation in excess of ten percent (10%) is presumptively unconstitutional under federal law.
3. Hall County, acting by and through its Commissioners Court, is hereby resolved to immediately undertake such necessary and appropriate action to accomplish redistricting of existing commissioners court precincts, and any incidental modification of existing, consolidated, or newly created election precincts necessary to accomplish such redistricting.
4. The Commissioners Court shall henceforth convene in open meetings, duly posted in accordance with the Texas Open Meetings Act, to take up and consider one or more alternative plans for the legal redistricting of Hall County.
5. After due consideration of one or more alternative plans, Hall County shall adopt a plan deemed to satisfy legal requirements, and which best suits the legitimate governmental needs of Hall County.
6. The adopted redistricting plan will address political boundaries of the Commissioners Court, Justice of the Peace and Election precincts of Hall County, and shall remain in effect until altered or amended by subsequent Order of the Commissioners Court.

Signed this 3rd day of October, 2021.


Commissioner, Precinct 1


Commissioner, Precinct 2


Commissioner, Precinct 3


Commissioner, Precinct 4


County Judge, Hall County


County Clerk, Hall County