

**Caroline County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: **June 8, 2021**

Title: **Consent Agenda – Request for Waiver of Elimination of Split
Voting Precincts**

(Check Mark)

- | | |
|---|--|
| <input checked="" type="checkbox"/> Consent | <input type="checkbox"/> Closed Meeting |
| <input checked="" type="checkbox"/> Action | <input type="checkbox"/> Public Hearing |
| <input type="checkbox"/> No Action (Information Only) | <input type="checkbox"/> Ordinance |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> PowerPoint Presentation |

Summary: Caroline County currently has voting precincts in Bowling Green, Sparta, Milford and Woodford that serve voters from two separate House of Delegates districts (known as a “split precinct”). Under §24.2-307 of the Code of Virginia, the governing bodies of localities are now required to establish precincts that are wholly contained within a single congressional district, Senate district, House of Delegates district and local election district.

This must be done prior to the November 2021 election unless the governing body of the locality requests a waiver. General Registrar Kathryn McVay has indicated that Caroline County cannot comply with this requirement prior to November. As a result, Ms. McVay is requesting that the Board of Supervisors adopt a resolution seeking a waiver from the Virginia Department of Elections to permit the County to conduct any election held in 2021 in accordance with its current electoral map, including the identified split precincts.

Ms. McVay has indicated that she believes the problem will be largely solved once redistricting from the 2020 census is implemented.

Updated Information: At the May 25 Board meeting, Supervisor Thomas asked what would happen in the event the County’s request for a waiver from the Virginia Department of Elections is denied. To eliminate the split precincts before redistricting from the 2020 census is implemented would require the creation of four (4) new precincts just for the fall 2021 election based on the 2010 census data. New voting machines, equipment and supplies would have to be purchased and poll workers hired at an estimated cost of \$50,000 to the County.

Because of the implausibility of this scenario and the confusion it would create with voters, the County has every reason to believe the request for a waiver of split precincts for the 2021 election will be approved by the state.

Budget Impact: N/A

Action(s) Requested of Board: Adopt attached resolution prepared by County Attorney Ben Emerson

**RESOLUTION OF THE BOARD OF SUPERVISORS OF CAROLINE COUNTY,
VIRGINIA REQUESTING A WAIVER FROM THE VIRGINIA
DEPARTMENT OF ELECTIONS ALLOWING IT TO CONDUCT THE 2021
ELECTION WITH SPLIT PRECINCTS**

WHEREAS, pursuant to §24.2-307 of the Code of Virginia (1950), as amended, all precincts must be contained within a single congressional district, Senate district, House of Delegates district, and election district used for the election of one or more members of the governing body or school board for Caroline County; and

WHEREAS, pursuant to § 24.2-307 all governing bodies shall establish precinct boundaries to be consistent with any subsequent changes to the congressional districts, Senate districts, House of Delegates districts, or local election districts for the November 2021 election; and

WHEREAS, the following split precincts exist in Caroline County:

- 101 - Bowling Green Precinct has voters in House Districts #55 and #99;
- 102 - Sparta Precinct has voters in House Districts #55 and #99;
- 302 - Woodford Precinct has voters in House Districts #54 and #55;
- 502 - Milford Precinct has voters in House Districts #55 and #99; and

WHEREAS, the full and complete 2020 Census data required by Caroline County to comply with the procedural requirements of Title 24.2 generally, and the deadline mandated by § 24.2-307, specifically, are unavailable; and

WHEREAS, the Virginia Department of Elections has the authority to grant a waiver to the County of Caroline to allow for split precincts to be used for the November 2021 election;

NOW, THEREFORE BE IT RESOLVED that the Caroline County Board of Supervisors hereby formally requests the Virginia Department of Elections to grant it a waiver and permit it to conduct the 2021 election in accordance with its current electoral map, including the split precincts set forth above, and further authorizes and requests that the Director of Elections and General Registrar apply to the Virginia Department of Elections for such a waiver.

Adopted this 8th day of June, 2021.

A true copy, teste;

Charles M. Culley, Jr., Clerk
Caroline County Board of Supervisors