

Morgantown Ward Boundary Commission Report, November 15, 2010

Morgantown Ward Boundary Commission Members

- 1. Don West 651 Standard Ave. ~~304-291-6355 (304-285-3155w)~~ First Ward
 - 2. David Huffman 705 Grand St. ~~304-296-3332~~ Second Ward
 - 3. Robert Feathers 123 Hoffman St. ~~304-599-8263~~ Third Ward
 - 4. Stephen Carpenter 456 Rotary St. ~~304-598-3614 (304-284-7585w)~~ ³⁰⁴⁻⁹⁰⁶⁻⁸²⁶⁰ Fourth Ward
 - 5. William Ryan 1133 Charles Ave. ~~304-292-1982~~ Fifth Ward
 - 6. Marca Paparozzi 788 Mountain View Pl. ~~304-292-6595 (304-599-0001w)~~ Sixth Ward
 - 7. Alan Donaldson 1300 Heritage Pl. ~~304-599-0539 (304-685-4223w)~~ Seventh Ward
- Chairman for 1992, 1994, 1996/97, 1998/99, 2000/2001, 2002, 2004, 2006, 2008, 2010 Sessions.

Charge and Responsibilities of Morgantown Boundary Commission According to Section 7.05 of Charter (1994)

SECTION 7.05. WARDS, ADJUSTMENT OF WARD BOUNDARIES.

- (a) Number of Wards. The territory included in the City shall be, and is hereby divided into seven wards and the number of wards shall not be increased or decreased.
- (b) Ward Boundary Commission. The Council shall appoint seven qualified voters, one from each of the seven wards of the City as they exist at the time of such appointment, who shall comprise a Ward Boundary Commission. The voters chosen shall not be employed by the City in any other capacity. The appointment shall be made not later than 30 days after the commencement of each Council's term of office.
- (c) Report. The Commission shall file with the City Clerk a report containing a recommended plan and a map for adjustment of ward boundaries to comply with the specifications set forth in subsection (d), which report shall be made between November 15 and November 30 of each even-numbered year.
- (d) Specifications. Except as otherwise provided in Section 10.05, the ward boundaries shall be adjusted from time to time in accordance with the following specifications:
 - (1) Each ward shall be formed of contiguous territory, and its boundary lines shall follow the precinct lines and the center lines of streets wherever practicable.
 - (2) Each ward shall contain as nearly as practicable the same number of qualified voters, determined from the registration for the last statewide general election. This specification shall not be construed to require the adjustment of precinct boundaries or to require the sacrifice of compactness of wards for the sake of achieving equality of numbers of registered voters among the seven wards of the City. The report shall include a map and description of the boundaries of each of the wards.
- (e) Action on Report. Within 15 days after the date of the filing of the report mentioned in subsection (c), the Council shall approve or disapprove the same. If the report is disapproved, the Council shall state the reasons therefor on the minutes of the Council meetings. If the report is approved, the Council shall within 15 days after such approval, introduce a proposed ordinance providing for the ward boundaries in accordance with the specifications contained in the report. The procedure for the

- (f) enactment of the ordinance shall be the same as for any ordinances provided for under Section 2.13 with the additional requirements of Section 2.13(b)(3).
- (g) Enactment of Ordinances. If (1) the report of the Commission is disapproved, or (2) if the Commission fails to file the report as and when required by subsection (e), the Council shall, within 15 days after such disapproval or of such failure to file the report, nevertheless introduce an ordinance adjusting the ward boundaries consistent with specifications of subsection (d) unless the Council shall, within 15 days after the filing of the report, or of the failure to file the report, make a finding of fact, entered upon the minutes of the Council meetings, that no ward boundary adjustments are necessary. The procedure for the enactment of such ordinance shall be the same as for any ordinances provided for under Section 2.13 with the additional requirements of Section 2.13(b)(3).
- (h) Effect of Enactment. The new ward boundaries as of the date of the enactment of an ordinance providing therefor shall supersede previous ward boundaries for all the purposes of the next regular City election including nominations. The new ward boundaries shall supersede previous ward boundaries for all other purposes as of the date of which all Council members elected at that regular City election take office.
- (i) Terms of Members of the Commission. The terms of office of the members of the Commission shall expire at the same time as the expiration of the terms of the Council which appointed them. A new Commission shall thereafter be appointed as provided by subsection (b).

2010 Registered Voters Data for City of Morgantown Provided by Office of County Clerk's Office, October 13, 2010

<u>Precinct</u>	<u>Registered Voters</u>
1	873
2	1242
4	1304
6	835
8	1130
10	1474
13	767
14	1264
15	242
16	1159
20	432
21	1513
23	1273
26	730
27	357
30	1133
90	357
Total 16,085	

Table 1. Voter Registration in 2010 by precinct for the city of Morgantown and its total Registration of 16,085.

Historical Comparison: 1996-2010

A) Voter Registration Totals

Voter Registration for Morgantown in 1996 = 12,838

- Voter Registration for Morgantown (9/10/98) = 13,699 pre-purged data used at 1/28/99 meeting.

(1/25/99) = 13,367 purged data obtained from County Clerk on February 1, 1999

- Voter Registration for Morgantown (11/21/2000) = 14,336
- Voter Registration for Morgantown (9/23/2002) = 14,655
- Voter Registration for Morgantown (3/25/2004) = 14,168
- Voter Registration for Morgantown (4/12/2006) = 13,762
- Voter Registration for Morgantown (5/13/2008) = 14,360
- Voter Registration for Morgantown 10/13/2010 = 16,085

Ward	Precinct	Registered Voters in 2010	2012	Deviation from Ave. in V.R. & %
1 st	1	873		
	2	<u>1242</u>		
		Total 2115	2100	-183 9%
2 nd	4	1304		
	6	<u>835</u>		
		Total 2139	2132	-159 9%
3 rd	10	1474		
	16	<u>1159</u>		
		Total 2633	2843	+335 15%
4 th	20	432		
	21	1513		
	26	<u>730</u>		
		Total 2675	2876	+377 16%
5 th	13	767		
	14	1264		
	15	<u>242</u>		
		Total 2273	2400	-25 1%
6 th	8	1130		
	30	<u>1133</u>		
		Total 2263	2233	-35 2%
7 th	23	1273		
	27	357		
	90	<u>1357</u>		
		Total 1987	2038	-311 15%

Ward Average = 2298

2010 Morgantown Voter Registration = 16,085

Table 2. Voter Registration in 2010 by precinct, total for different Wards, and the voter registration deviation from the average for each Ward.

B) Average Ward Voter Registration on even years .

- Average voter registration per Ward in 1998 = 1979 (pre-purged; 1910 using purged data)
- Average voter registration per Ward in 2000 = 2048
- Average voter registration per Ward in 2002 = 2094
- Average voter registration per Ward in 2004 = 2024
- Average voter registration per Ward in 2006 = 1966
- Average voter registration per Ward in 2008 = 2051
- Average voter registration in Ward in 2010 = 2298

C) Deviations of registered voters from Average of Wards is a measure of sameness, between wards.

- Deviation from average of Wards should be considered as a criteria for changing ward boundaries, especially when a ward deviates more than 15% from average of Morgantown's seven wards. However, this criteria is of secondary importance according to Section 7.05 (d)(1,2) of 1994 Charter.
1996: Fifth Ward deviated 17% from average.
1998: Fifth Ward deviated 15.4 % using pre-purged data and 14.1% using purged data.
2000: Fifth Ward deviated 16.2% from the average.
2002: Third Ward deviated 10% and Ward Seven 11% from the average.
2004: All wards deviated less than 10% from the average, with Seventh Ward highest at 9%.
2006: All wards deviated less than 10%, with Fourth Ward highest at 7.7%.
2008: All wards deviated less than 10% with highest 7% in both Fourth and Seventh Wards.
2010: Wards 1,2, 5 and 6 deviate less than 10% from average, but Third, Fourth and Seventh Wards deviate 15%, 16% and 15% from average respectively. An examined remedy would consider precinct 20 as Seventh Ward but unfortunately its position in Fourth Ward is not contiguous and exchangeable with Seventh Ward, thereby eliminating it as a credible remedy option.
- January 4, 2006, the County Commission consolidated the following Precincts within the City of Morgantown. This consolidation reduced the number of precincts in the City of Morgantown from 27 to 17.
Precincts 3 & 2 consolidated and known as Precinct 2. Precincts 12 & 14 consolidated and known as Precinct 14.
Precincts 5 & 4 consolidated and known as Precinct 4. Precincts 21 & 22 consolidated and known as Precinct 21.
Precincts 7 & 6 consolidated and known as Precinct 6. Precincts 23 & 24 consolidated and known as Precinct 23.
Precincts 8 & 9 consolidated and known as Precinct 8. Precincts 26 and 28 consolidated & known as Precinct 26.
Precincts 10, 11, & 18 consolidated and known as Precinct 10. Precincts 30 & 31 consolidated & known as Precinct 30.

These consolidations suggest a reverse possibility to make smaller adjustments between contiguous wards, where former pre-2006 precincts are contiguous to adjacent wards for remedy swap (unfortunately precinct 20 is not contiguous the Seventh Ward).

D) Actions Recommended by Morgantown Ward Boundary Commission and City Council's Responses.

The Morgantown Ward Boundary Commission is charged by City Council to recommend ward boundaries that provide some uniformity in registered voters between wards. An unacceptable imbalance in the past has been where a ward deviates 15% or more from the average of all seven wards. When this deviation exceeds 15%, then the Commission recommends remedies for City Council to consider. The remedy normally consists of changing one or more ward boundaries (usually by exchanging precinct(s) that are contiguous between different wards), but it also can subdivide a precinct (a more complicated process to enact because it requires County Commission as well as City Council approval) to ensure the desired uniformity in registered voters of the seven wards.

- **In 1996, both First and Second Wards deviated by 15% or more.**
- **Accepting the recommendation of the Ward Boundary Commission in January 1997, the annexed land and its registered voters adjacent to the First and Second Wards were "attached" to the First Ward, thereby decreasing the registered voters deviation below an acceptable 15%.**
- **Several options were suggested in January 1997 that would lessen the registered voters for the Fifth Ward, but the Boundary Commission recommended no change for the Fifth Ward deferring to the 1998 analysis to determine whether a stable trend was occurring there. Fifth Ward commonly has a relatively high WVU student population and its number of registered voters has fluctuated in the past; City Council concurred with this recommendation and did not make a change in the boundaries of the Fifth Ward, awaiting the 1998 analysis to determine the consistency in numbers before making a change, particularly a change that would affect the present members of City Council because of their residencies.**
- **In November 1998, the Morgantown Ward Boundary Commission (MWBC) received data run on 9/10/98 by the County Clerk's office that indicated the distribution of 13,699 registered voters in the city by precinct. The MWBC delayed meeting until vacancies in 3 wards were filled by members of City Council in order to have representation from all seven wards.**
- **Finally, in January 1999, this was accomplished and a meeting was scheduled for January 28. Using data dated 9/10/98, Ward Five showed its registered voter deviation decreased from 17.4% in 1996 to 15.4, yet still exceeded the 15% value suggesting the need for remedies. As a result, three options were considered at the January 28 meeting where MWBC members voted NO CHANGE IN WARD BOUNDARIES (option 1). On February 1, Chairman Donaldson phoned the County Clerk's Office and discovered that they had updated their 9-10-98 data by purging 332 registered voters prior to their computer run of 1-25-99. This "purged" data decreased deviation from the average ward voter registration from above to below 15%. Importantly, this change made the deviation acceptable according to the criteria practiced by the MWBC for at least the past 16 years (1982-1998). By February 1, 1999, all seven members of the Commission voted NO CHANGE IN WARD BOUNDARIES.**
- **Voter Registration (County Clerk's Office) data dated 11-21-2000 indicated that Ward Five (16.2%) exceeded 15% deviation from the average of all seven wards, which warranted an evaluation to determine its need for a remedy to correct the imbalance. In addition, Wards Two and Three were between 10% and 15% deviation from the average, which was considered acceptable yet marginal. Morgantown Ward Boundary Commission voted NO CHANGE IN Ward Boundaries in a letter to Linda Little, the City Clerk, on January 17, 2001, but probably would recommend changes in 2002 if the**

high deviations persisted another two years.

- **In 2002**, the County updated the precinct data using current census and voter registration information (see Table 1). The Wards were better balanced than in 2000 (Seventh Ward Deviated 11% from the mean whereas the other six wards deviated less than 10% from the Ward average. The Morgantown **Ward Boundary Commission recommended NO CHANGE IN WARD BOUNDARIES** in a letter to Linda Little, the City Clerk, on October 30, 2002.
- **In 2004**, data indicated all seven wards deviated from the average less than 10%. The greatest deviation from the norm was Seventh Ward, but it had decreased from 11% in 2002 to 9% (8.7%) in 2004. The Morgantown **Ward Boundary Commission recommended NO CHANGE IN WARD BOUNDARIES** in a letter to Linda Little, the City Clerk, on April 16, 2004.
- **In 2006**, the voter registration data indicated that all seven wards deviated from the ward average less than 10%. The greatest deviation from the norm was the Fourth Ward at 8% (7.7%). Following the decision-making criteria of previous years, the Morgantown **Ward Boundary Commission recommended NO CHANGE IN WARD BOUNDARIES** in a letter to Linda Little, the City Clerk, on May 20, 2006.
- **In 2008**, the total voter registration for the seven wards was 14,360, with an average Ward voter registration of 2,051. All seven wards deviated from the average ward voter registration less than 10% with fourth and Seventh Wards highest at 7%. The **MWBC recommended NO CHANGE IN WARD BOUNDARIES** in a letter to Linda Little, the County Clerk on August 12 2008.

The past decade of voter registration data show continuing improvement from 1996 to 2008 in their evenness of distribution throughout Morgantown in present precincts and associated wards.

Voter Registration Data in 2010.

The voter registration data in 2010 indicates 4 wards deviating less than 10% from average, but 3 wards deviating 15 % or more from the average. The 2010 Voter Registration data exhibits less sameness between the wards than our past 4 reports of 2002, 2004, 2006 and 2008. The consolidation of precincts during these same years (27 precincts consolidated to 17 precincts) has increased the number of voters per remaining precincts, which also seems to make changes between Wards more difficult unless contiguous precincts between Wards that need adjustment in order to improve sameness have similar but opposite numbers of registered voters. This is particularly true in 2010 where Seventh Ward shows relatively high deviations from the overall average voter registration (which is O.K.) for two contiguous Wards, but not the precincts between these wards that are contiguous as well. Specifically, if one could change the 432 registered voters from Precinct 20 in Fourth Ward to Seventh Ward, then Fourth Ward would deviate only 2.4% from the average and Seventh Ward would deviate only 5% more than average. However, Precinct 20 in Fourth Ward is not contiguous to Seventh Ward, which is a more critical criteria than sameness (deviation from the average) according to Section 7.05(d)(2) of the Morgantown Charter (refer to page 2).

The Morgantown Ward Boundary Commission thanks the following people for their data and advice used in this report: City Clerk, Linda Little, County Clerk Carye Blaney's staff assistant, April Davies, Morgantown's Planning Director, Chris Fletcher, and the WV GIS Technical Center Manager, Kurt Donaldson.

Kurt Donaldson, WV GIS Technical Center, makes the following recommendations:

Ward Boundary Adjustments: *"The authoritative source for population data is the U.S. Census. It is recommended that when the Census 2010 data becomes available in April 2011, the Commission review the population data at the Census Block geographic level to validate that each ward is nearly equal in population. If the ward boundaries need to be adjusted, then according to State Law 8-5-7, boundary changes shall be made according to population from the most recent decennial Census. In addition to Census population data, it is recommended that the City use ancillary data such as digital aerial photography to assist in the ward boundary changes".*

Municipal Boundary Adjustments: *"In accordance with State Law 3-1-5(b), precinct boundaries shall be established to coincide with municipal and ward boundaries. Consequently, it is imperative that the City submit accurate digital boundary and annexation survey (BAS) files to the U.S. Census, since this information is required by the County Clerk to establish precinct boundaries. Otherwise, the voting precinct and municipal/ward boundaries will not align and result in noticeable offsets on the maps."*

Historically, 15% or less deviation in voter registration of an individual ward from the average of the seven city wards has served as the upper limit by the Morgantown Ward Boundary Commission during the past two decades. This seems reasonable considering the combination of: 1) some less precise methods of collecting and plotting of both census and voter registration data at ward-level scale, and 2) during recent years when precincts were consolidated. These conditions have caused difficulty in "fine-tuning the sameness" of wards unless boundary changes between contiguous wards use block-group size options".

Actions by Morgantown Ward Boundary Commission, 10-29-10.

Members present at noon meeting in conference room of Municipal Building: Don West, David Huffinan, Stephen Carpenter, William Ryan, Marca Paparozzi, and Alan Donaldson. Absent: Robert Feathers.

The members had studied the information mailed to them in "Draft Morgantown Ward Boundary Commission: October 13, 2010" and Alan Donaldson discussed the data and advice contributed by Linda Little, Chris Fletcher, April Davies and Kurt Donaldson that seemed pertinent to consider before opening the meeting for suggested action items. Kevin Kuhn (GIS Tech Center) had prepared a large map for our use.

Following a good exchange of knowledge by all members present,

- Stephen Carpenter made motion #1 seconded by David Huffman and William Ryan: **"The Morgantown Ward Boundary Commission recommends NO CHANGES IN WARD BOUNDARIES."** *The members voted 6 to 0 in favor of the motion.*
- Don West made motion #2 seconded by Marca Paparozzi: **The Morgantown Boundary Commission recommends that it meets next when the 2010 census data have been received by the City of Morgantown and its ward boundaries have been placed on a map and certified by a person authorized according to State Code and Municipal Charter.** *The members voted 6 to 0 in favor of the motion.*

We assume the requested data and map will be available between April and June, 2011, at which time a meeting then can be scheduled for MWBC to -evaluate the Ward Boundaries using the "new" (2010 census data) and hopefully more geographically accurate digitized BAS data base.