

Lake County Redistricting Commission
Minutes
November 18, 2011

Members Present: Daniel A. Dumezich, Chairman of the Commission (“Commission”); S. Anthony Long, Vice Chairman of the Commission; Sarah Steele Riordan, member; Bryce H. Bennett, Jr., member; The Honorable Sue Landske, Indiana State Senator; The Honorable Earline Rogers, Indiana State Senator.

Members Absent: The Honorable Kathy Richardson, Indiana State Representative.

Staff Attending: Trent Deckard, Co-Director, Indiana Election Division of the Office of the Indiana Secretary of State (Election Division); J. Bradley King, Co-Director of the Election Division; Leslie Barnes, Co-General Counsel of the Election Division; Dale Simmons, Co-General Counsel of the Election Division.

Also Attending: The Honorable Roosevelt Allen; The Honorable Michelle Fajman; Mr. Nick Gasparovic; Mr. Joe Hero; Mr. George T. Janiec; Mr. Eric Krieg; The Honorable Thomas McDermott, Jr; The Honorable Rick Niemeyer; Mr. Bill Nordyke; The Honorable Mike Repay; The Honorable Gary Scheub; Mr. Kevin Smith; Mr. Matt Zapfe.

1. Call to Order

The Chair called the November 18, 2011 meeting of the Commission to order at 11:30 a.m. in Room 148 of the Anderson Building, Purdue University Calumet Campus, 2200 169th Street, Hammond, Indiana.

The Chair noted that proper notice of the meeting had been given, as required by state law. A copy of the meeting notice, agenda, and designations of proxy are incorporated by reference in these minutes. *[Copies of all documents incorporated by reference are available for public inspection and copying at the Election Division Office.]*

2. Transaction of Business

The Commission transacted the business set forth in the Transcript of Proceedings prepared by Ms. Drea Sasse of Connor & Associates Reporting. A copy of this document is incorporated by reference in these minutes.

The following corrections of scrivener’s errors in this document are approved by the Commission:

Page 7, line 6, replace “Dernule” with “Dernulc”.

Page 7, line 9, replace “Dernule” with “Dernulc”.

Page 8, line 3, replace "that" with "That".

Page 11, line 2, replace "Dernule" with "Dernulc".

Page 26, line 25, replace "Dernule" with "Dernulc".

Page 38, line 16, replace "In" with "And".

Page 41, line 8, replace "Dernule" with "Dernulc".

Page 41, line 16, replace "council" with "counsel".

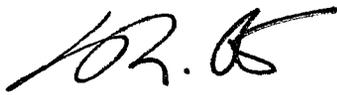
Page 45, line 16, replace "commissioner's" with "commissioners".

Page 67, line 25, replace "Dernule" with "Dernulc".

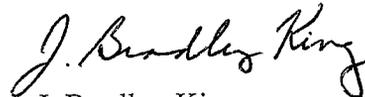
Page 68, line 9, delete "submit".

Page 74, line 17, replace "Dernule" with "Dernulc".

Respectfully submitted,

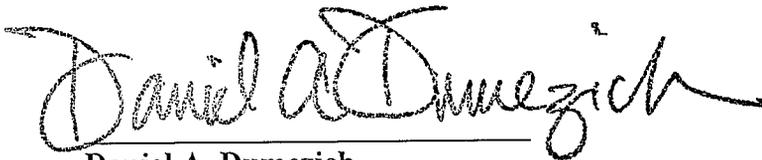


Trent Deekard
Co-Director



J. Bradley King
Co-Director

APPROVED:



Daniel A. Dumezich
Chairman

November 18, 2011

Original

LAKE COUNTY REDISTRICTING COMMISSION
PUBLIC SESSION AGENDA

Conducted On: Friday, November 18, 2011
Commencing 11:30 a.m. CST

Location: Purdue University Calumet Campus
Anderson Building - Room 148
Purdue University Calumet Campus
2200 - 169th Street, Hammond, Indiana 46323

A STENOGRAPHIC RECORD BY:
Drea Sasse, CSR, RPR
Notary Public
Stenographic Reporter

CONNOR & ASSOCIATES, INC.
1650 One American Square
Indianapolis, IN 46282
(317) 236-6022

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S:

LAKE COUNTY REDISTRICTING COMMISSION:

- MR. DANIEL A. DUMEZICH - Chairman
- MR. S. ANTHONY LONG - Vice Chairman
- MS. SARAH STEELE RIORDAN - Commission Member
- MR. BRYCE H. BENNETT - Commission Member

INDIANA ELECTION DIVISION STAFF:

- MR. DALE R. SIMMONS - Co-Legal Counsel
- MS. LESLIE A. BARNES - Co-Legal Counsel
- MR. J. BRADLEY KING - Co-Director
- MR. TRENT DECKARD - Co-Director

ALSO PRESENT:

- THE HONORABLE SUE LANDSKE
- THE HONORABLE EARLINE ROGERS
- THE HONORABLE EARL HARRIS

November 18, 2011

Page 3

1 **CHAIRMAN DUMEZICH:** I'd like to commence
2 the Lake County Redistricting Commission. I
3 would like to recognize each of the legislative
4 advisory members. Senator Sue Landske.

5 (Recognized)

6 **CHAIRMAN DUMEZICH:** Okay. Senator Rogers.

7 **SENATOR ROGERS:** Here.

8 **CHAIRMAN DUMEZICH:** Representative Harris.

9 (Recognized)

10 **CHAIRMAN DUMEZICH:** Not present is
11 Representative Kathy Richardson who
12 unfortunately had to be at a doctor today. So
13 I would request at this point in time
14 Mr. Deckard and Mr. King to confirm that the
15 Lake County Redistricting Commission meeting
16 has been properly noticed as required by the
17 Open Door Law.

18 **MR. KING:** Thank you, Mr. Chairman,
19 members of the commission. Yes, proper notice
20 in compliance with Indiana Code 5-14-1.5 of the
21 Open Door Law has been given.

22 **CHAIRMAN DUMEZICH:** I recognize
23 Mr. Deckard and Mr. King to present minutes of
24 the September 29th, 2011 commission meeting.

25 **MR. KING:** Mr. Chairman and members of the

November 18, 2011

Page 4

1 commission, in accordance with the commission's
2 request at the September 29th meeting, a
3 separate document has been prepared and
4 furnished to members that sets forth the
5 minutes of the Lake County Redistricting
6 Commission and was reviewed by both Trent
7 Deckard and myself for approval.

8 CHAIRMAN DUMEZICH: Okay. Is there a
9 motion to approve the minutes?

10 VICE CHAIRMAN LONG: So moved.

11 CHAIRMAN DUMEZICH: Do I hear a second?

12 COMMISSION MEMBER RIORDAN: Second.

13 CHAIRMAN DUMEZICH: Hearing a second, any
14 discussion?

15 (No response)

16 CHAIRMAN DUMEZICH: Hearing none, all in
17 favor of the approval of the minutes of the
18 September 29th, 2011 Lake County Redistricting
19 Commission indicate by saying aye.

20 THE COMMISSION: Aye.

21 CHAIRMAN DUMEZICH: All opposed, nay.

22 (No response)

23 CHAIRMAN DUMEZICH: 4-0, ayes have it.

24 The administration of the oath, this is --

25 (Discussion had off the record)

1 **CHAIRMAN DUMEZICH:** Just so everyone
2 understands the role of the legislative members
3 here, they serve purely in an advisory
4 capacity, and they do not vote on any of these
5 matters, but they are here to give us advice
6 from the legislative side.

7 By way of background, it's my
8 understanding the reason this commission has
9 this authority is because Lake County is the
10 only county that runs people by district where
11 only the people in that district vote for their
12 representative. Other counties apparently, you
13 run from a district, but everybody votes for
14 you countywide. So the reason that Lake County
15 has this particular quirk is because of the
16 nature of the representation of the county.
17 And you're indicating no. That's what I was
18 told.

19 **MR. McDERMOTT:** I'm sure you were.

20 **CHAIRMAN DUMEZICH:** That's Mayor
21 McDermott.

22 Everyone present who plans to testify
23 before the Lake County Redistricting
24 Commission, please stand for the administration
25 of the oath, and I'd recognize Dale Simmons

November 18, 2011

Page 6

1 to -- oh, Brad King to administer the oath.

2 MR. KING: Please raise your right hand
3 and respond "I do" at the conclusion of the
4 oath.

5 (Participants complied)

6 MR. KING: I do solemnly swear that the
7 testimony I will give to the Lake County
8 Redistricting Commission today will be the
9 truth, the whole truth and nothing but the
10 truth. Say "I do."

11 THE PARTICIPANTS: I do.

12 MR. KING: Thank you.

13 CHAIRMAN DUMEZICH: Okay. I open the
14 public hearing on redistricting of the Lake
15 Commissioner and Lake County Council Districts,
16 and I would ask the Election Division to
17 provide a report on the filings that the office
18 has received to date. And first I'd recognize
19 Brad King, and after that Trent Deckard.

20 MR. KING: Thank you, Mr. Chairman,
21 members of the commission. The final three
22 tabs in your binders are entitled Lake County
23 Plan 1, Plan 2 and Plan 3. These represent the
24 three plans that were filed prior to the noon
25 Indianapolis November 10th, 2011 deadline.

November 18, 2011

Page 7

1 I'll just review them very briefly to identify
2 them for the record.

3 Plan No. 1 was initially filed on November
4 9th at 3:10 p.m. If you look back about ten
5 pages, you'll see a signature page for Dan
6 Dernule, Rick Niemeyer and Eric Holcomb.
7 The first copy is signed by Mr. Holcomb. There
8 is a duplicate copy that was filed on November
9 10th at 11:11 a.m. signed by Mr. Dernule and
10 Mr. Niemeyer. Plan No. 1 includes a proposal
11 for both the County Commissioner and County
12 Council Districts.

13 If you'll look to your next tab, Plan No.
14 2 was filed on November 10th, 2011, at 10:10
15 a.m. It consists of a series of e-mails that
16 I've grouped together along with documents that
17 were attached to those e-mails. Plan No. 2 was
18 submitted by Mr. Krieg, Mr. Eric Krieg, and Mr.
19 Joe Hero.

20 The final plan, Plan 3, was filed at 10:35
21 a.m. on November 10th, 2011, submitted by
22 Chairman Thomas M. McDermott, Jr., Lake County
23 Democratic Central Committee. It also includes
24 a plan for both County Commissioner and County
25 Council Districts.

Connor Reporting

www.connorreporting.com

(317)236-6022

1 There was one additional plan that was
2 submitted after the noon deadline at 12:10 p.m.
3 that plan is not included in the packet. Under
4 the commission's guidelines, late plans were
5 not to be considered in the further
6 deliberations of the commission. And I'll be
7 happy to answer questions.

8 **CHAIRMAN DUMEZICH:** Okay. Mr. Deckard.

9 **MR. DECKARD:** I concur with what Mr. King
10 said about the plans and their submissions.

11 **CHAIRMAN DUMEZICH:** Okay. So this is the
12 second time, in 2000 and 2010, the Lake County
13 Republican Party failed to submit a plan timely
14 to this commission. So this is the second time
15 that the county party has failed to frankly
16 respect and help the voter.

17 Yes.

18 **MR. GASPAROVIC:** Yeah, Mr. Chairman, I
19 just want to say --

20 **CHAIRMAN DUMEZICH:** Identify yourself,
21 please.

22 **MR. GASPAROVIC:** Nick Gasparovic, Board of
23 Elections. I was given that responsibility to
24 get those maps in. They were late. I have no
25 excuse.

1 **CHAIRMAN DUMEZICH:** Okay. Thanks for that
2 information. I'd like to begin receiving
3 comments on each of the three plans and then
4 receive any general comments that anyone may
5 have. I'd ask that the presenters limit their
6 presentation to five minutes with any
7 additional time required to answer questions
8 from the commission members so it will not be
9 counted against them. Is that acceptable to
10 the other members of the commission?

11 **VICE CHAIRMAN LONG:** Sure. I think that
12 if we go on and we feel that we need more
13 information, we can always ask them to expand
14 on that. But if we can focus at the beginning,
15 it helps, particularly for me who's about as
16 far away from Lake County as you can get. And
17 when you talk about streets and expect me to
18 understand what you're saying, you'll be
19 mistaken.

20 **CHAIRMAN DUMEZICH:** Welcome to God's
21 country.

22 **VICE CHAIRMAN LONG:** That's what I'll tell
23 you when we come down to Warrick County for our
24 meeting.

25 **CHAIRMAN DUMEZICH:** Beauty is at the eye

November 18, 2011

Page 10

1 of the beholder.

2 Before we begin, I'd like to make a
3 statement as a point of personal preference.
4 At our last meeting, I said that the proposed
5 maps had to respect communities of interest.
6 Where existing officeholders are not a major
7 part of consideration, we have to make sure
8 that minority populations are respected and
9 considered. That there are no coffee cups
10 around houses. There are no independent spots
11 within a district that are assigned to another
12 district. We want to make sure that these
13 lines are squared off as much as possible.

14 I also observed there was -- it was
15 possible to adopt commissioner districts that
16 did not divide school districts, had very small
17 margins of error, in fact, less than 200 people
18 and had a major minority commission district.
19 I'd like for us to consider these plans in the
20 order which they were filed. Is anyone here to
21 speak to Plan No. 1?

22 Wait. No, no. This is the people that
23 originally put in the plan. Please come
24 forward.

25 MR. NIEMEYER: My name is Rick Niemeyer,

November 18, 2011

Page 11

1 Lake County Councilman, on behalf of myself,
2 and Dan Dernule, Lake County Councilman, Dan
3 had to leave on some business, and Matt Zapfe
4 from the Indiana Republican Committee
5 downstate. I'm here to present our plan, that
6 plan that we did present in a timely fashion.

7 The first comment we'll make real quick,
8 it's going to be about five minutes, is that it
9 was very tough in this -- in Lake County to
10 make these maps because of the diversity of our
11 county; the urban area and the industrial area
12 and the farm area in the south, trying to make
13 them as even as possible as you could do it.
14 We tried to go by what the recommendation was
15 of the committee September 29th, to look at
16 certain criteria that they asked us to look at
17 as far as what we look at, the demographics of
18 an area, the population of an area, using
19 straight lines as well as possible, and in some
20 areas having to use these exterior boundaries
21 such as a river or something like that that
22 came into play for us. We tried to make these
23 with straight lines as compact as possible to
24 make sure that we had the representation inside
25 those, that the community interests were

Connor Reporting

www.connorreporting.com

(317)236-6022

1 involved in that, looking at school districts,
2 townships, municipalities to make sure they
3 were represented in a like fashion in those
4 districts.

5 When we looked at the population factor
6 for the commissioner districts, we come to a
7 mean factor of 165,335 people in a district.
8 We put these into three categories on our maps,
9 which you can see of our commissioner
10 districts.

11 **MR. ZAPFE:** No, those aren't our maps.

12 **MR. NIEMEYER:** They don't have ours?

13 **MR. KING:** They're included in the packet.

14 **MR. NIEMEYER:** They're included in the
15 packet. Commissioner District 1 is 165,218;
16 Commissioner District 2, 165,599; Commissioner
17 3, 165,188, which give us a factor of .025 in
18 the deviation. The previous plan going in had
19 a deviation mark of 0.94, so we were able to
20 make those districts more uniform in the
21 population factor that we needed to look at.

22 We looked at precinct lines. These are
23 all areas that the precincts are not divided.
24 The precincts are all intact, all in whole for
25 each one of these commissioner districts.

November 18, 2011

Page 13

1 We looked at townships. The townships are
2 all intact except Calumet and North. Nine
3 townships are intact as a whole in one district
4 and not split. It was just impossible in
5 Calumet and North to make those as whole.

6 Municipalities, we looked at. We have
7 three municipalities in the commissioner
8 district that were divided. I believe they
9 were Gary, Griffith and Crown Point. And
10 basically the division came in in Crown Point
11 because Crown Point is divided by two
12 townships, Ross and Center, and it's two
13 different school districts. So we were able to
14 use the Ross Township side and Crown Point into
15 one district because that's one school
16 district, and then the Center Township side,
17 which is about 72 percent, I think, in the
18 Center Township side, that stayed in that
19 district. So that's where that division came.
20 The only school district that was divided at
21 all in this plan was Lake Ridge. Every one of
22 the other school districts were intact in this
23 commissioner districts that we have brought
24 forward.

25 I'm going to speak a little bit on the

1 county council. Dan was supposed to handle
2 that, and Dan had to leave on business. They
3 pretty much follow the same criteria that the
4 committee set forth with the compactness, the
5 community, the precincts, the townships. It
6 was just a lot more difficult in these county
7 council districts to make all that happen
8 because of the population factor. But as far
9 as what we did in the population factor, I
10 think we have .025 is a deviation in those
11 factors also in the council, also, so
12 there's --

13 MR. ZAPFE: .07.

14 MR. NIEMEYER: Point what?

15 MR. ZAPFE: .07.

16 MR. NIEMEYER: That's really close. So
17 0.07.

18 MR. ZAPFE: .07.

19 MR. NIEMEYER: Yeah, less than 150 people
20 per council seat. So we was able to bring that
21 deviation down from a factor where it was in
22 the previous maps that were submitted.

23 Again, we spent a lot of time on these
24 maps. That's where Matt came in. Matt was our
25 go-to guy that me and Dan went to with the

1 state for getting in the criteria, the
2 information we needed to get, the codes we
3 needed to make sure we were following, and the
4 direction that the committee wanted us to
5 follow when presenting these maps so to make
6 sure that they were what they were looking for.

7 I've lived in this county all my life.
8 I'm a Lake County Councilman now. I didn't --
9 we did not use any lines in here as far as
10 trying to protect anybody. We looked at the
11 lines to protect in certain areas minority
12 areas where they need representation. And I
13 looked at the south area where I'm at also to
14 get the southern part of our area represented.
15 So we looked at the whole picture of Lake
16 County making sure that everyone would be
17 represented fairly but not gerrymander lines
18 around to make sure we can get people elected.
19 And that's what these maps represent. I think
20 they're what the committee wanted. They fit
21 the criteria the committee wanted. And I
22 appreciate the time. And, Matt, do you have
23 anything you want to add?

24 CHAIRMAN DUMEZICH: Well, any questions
25 for Councilman Niemeyer and Mr. Zapfe from the

1 commission? Senator Rogers.

2 **SENATOR ROGERS:** Yeah, I do have a
3 question. I've always lived in the 1st
4 District, and I see there's been a change in
5 the number. The boundaries are the same, but
6 what was in the past District 1 is now District
7 2.

8 **VICE CHAIRMAN LONG:** Are you talking about
9 council, or commissioner?

10 **SENATOR ROGERS:** I'm talking about
11 commissioner. It's now 2 as opposed to 1, and
12 I do know that -- I'm thinking there would be
13 some problems in terms of the staggered terms
14 at which the commissioners run. And I don't
15 know why those numbers were changed. And if
16 they don't have any significance, I would
17 suggest that we need to go back to the old
18 numeration of districts so to avoid any
19 problems as it relates to --

20 **MR. NIEMEYER:** I think it's more of a
21 technical change, Senator, that can be looked
22 at, you know --

23 **SENATOR ROGERS:** It's a technical change?

24 **MR. NIEMEYER:** Yeah, looking at population
25 and the figures we were putting together.

1 **CHAIRMAN DUMEZICH:** I think she's just
2 talking about the numbering on the districts,
3 1, 2 and 3. I think that's what the question
4 was.

5 **MR. NIEMEYER:** Is that what you were
6 asking about?

7 **SENATOR ROGERS:** Right.

8 **MR. ZAPFE:** An oversight that can be --

9 **SENATOR ROGERS:** It's an oversight?

10 **MR. NIEMEYER:** You know, I didn't even
11 know them district numbers had changed like
12 that. To me, it was an oversight because
13 they've got to remain what they were, I assume,
14 the numbers.

15 **CHAIRMAN DUMEZICH:** Any other questions?

16 **MR. NIEMEYER:** Okay. I'd be glad to talk
17 to you about it. I didn't know that they had
18 changed the numbers on the districts.

19 **SENATOR ROGERS:** Okay.

20 **CHAIRMAN DUMEZICH:** Wasn't the southern
21 district 1, and then your district was 2, and
22 Hammond was 3, I think.

23 **MR. NIEMEYER:** I mean our district prior
24 to when my dad was commissioner was a different
25 number, too. After redistricting, it changed

1 to another number, okay, when he ran in '90
2 so...

3 SENATOR ROGERS: I'm just looking at the
4 problems that would come up based upon --

5 MR. NIEMEYER: Right, that was a problem
6 back then, also. I can understand that.

7 SENATOR ROGERS: -- in terms of when
8 people run and --

9 MR. NIEMEYER: A district changed back in
10 1990 in the redistricting, also.

11 CHAIRMAN DUMEZICH: Commissioner Long.

12 VICE CHAIRMAN LONG: You mentioned
13 precincts. Are you following the precinct
14 lines of the old precincts, or the precinct
15 lines of the new precincts?

16 MR. NIEMEYER: Following the lines of the
17 new precincts.

18 VICE CHAIRMAN LONG: On all of your plans?

19 MR. NIEMEYER: Except for some changes
20 that -- you know, there was some stuff
21 submitted after September 29th through the Lake
22 County Election Board that we might have to
23 tweak on those, sir, but we didn't have that
24 information at the time we put this together.
25 We used the September 29th data.

1 **MR. ZAPFE:** We identified one. The
2 council commissioner plan is unchanged by the
3 re-precincting. On the council plan, one
4 technical change we noticed after the plan was
5 submitted, Gary 1-9 and Gary 1-10 was merged
6 together into one, not precinct, Gary 1-10, so
7 at some point we would move that entire
8 precinct into the council district rather
9 than leaving it --

10 **CHAIRMAN DUMEZICH:** Will that cause any
11 deviation in the numbers?

12 **MR. ZAPFE:** A 310-person switch, which
13 would bump our deviation up a little bit on the
14 council plan, but still right under 1 percent
15 total deviation for the plan, so minimal
16 impact.

17 **VICE CHAIRMAN LONG:** Do we have available
18 to us your existing school -- that's the first
19 question, school corporation maps, and secondly
20 I'm a believer in community of interest, too,
21 and is the desire to stay -- keep the school
22 corporations consistent with these for that
23 reason, community of interest, or does the
24 local government have more involvement in your
25 schools than what they do in my county, and

1 that's why -- I mean to our county, it matters
2 naught.

3 **MR. NIEMEYER:** I don't think so. I mean
4 we have elected school boards, and we have
5 elected people in charge of our school system
6 and --

7 **VICE CHAIRMAN LONG:** They're autonomous.

8 **MR. NIEMEYER:** Yes, yes.

9 **VICE CHAIRMAN LONG:** Okay. And I should
10 have known that, but I didn't, and I --

11 **MR. NIEMEYER:** Crown Point was the
12 toughest one because Ross Township goes right
13 down through the northern part of there, and
14 that put 21-some percent of those people in a
15 different district, but the school district and
16 a township line dictated that split.

17 **MR. HERO:** I have a question.

18 **CHAIRMAN DUMEZICH:** Yep.

19 **MR. HERO:** St. John and Winfield precinct
20 lines --

21 **CHAIRMAN DUMEZICH:** Please.

22 **MR. HERO:** Joe Hero, St. John 10, Precinct
23 Committeeman. It's my understanding that the
24 map wasn't improved until November the 5th.
25 There was precinct lines that were different in

1 St. John and Winfield, so I would suggest that
2 the -- the question is which precinct's lines
3 were followed? I think some of the precincts
4 were cut with this map, but I'd just like
5 somebody to explain whether they were or were
6 not. It's more than just a Gary precinct.

7 **CHAIRMAN DUMEZICH:** Mr. Zapfe, Councilman
8 Niemeyer?

9 **MR. ZAPFE:** My understanding with what we
10 received from Lake County, it's my
11 understanding, and I've checked with the Board
12 of Elections as well as the Election Division
13 with the new lines after re-precincting, and I
14 can say with 99 percent certainty that our
15 council plan does not split precincts in
16 St. John and Winfield Township.

17 **MR. HERO:** I would just ask you to review
18 that.

19 **MR. NIEMEYER:** I think, Mr. Hero, I said
20 in a statement early on that we used the maps
21 that were available, and some of these
22 precincts are probably going to have to be
23 tweaked because more information come in
24 afterwards, on November 7th, I think, there's
25 some things that changed, so we'll be looking

1 at that, absolutely.

2 CHAIRMAN DUMEZICH: To the extent that you
3 kept your communities of interest together, for
4 example, St. John all being in one district,
5 one council district and one commissioner
6 district, movement of those lines wouldn't make
7 any difference, if I understand the process; is
8 that correct?

9 MR. NIEMEYER: It shouldn't.

10 CHAIRMAN DUMEZICH: Mr. Hero, to the
11 extent that St. John is all in one
12 commissioner's district, and all in one council
13 district, movement of precinct lines in there
14 shouldn't make any difference.

15 MR. HERO: No, I was just -- you set rules
16 down, and the state statute has rules that you
17 don't cut precincts, and there was an issue
18 when we tried to obtain the maps, so that's why
19 I think the commission should definitely look
20 to see which precincts were cut because
21 there's --

22 CHAIRMAN DUMEZICH: Can you identify those
23 precincts for us if you believe that there were
24 some?

25 MR. HERO: I was at the election board

1 meeting. I have not been able to obtain a copy
2 of the precinct map I requested on November the
3 4th from the county, but based on the motion
4 that was made on November 5th, I think that
5 there's some variation, and I'd ask the
6 commission to look at that because I don't have
7 the maps, because I've been waiting for two
8 weeks, and I still can't get it.

9 **CHAIRMAN DUMEZICH:** Okay. Mayor
10 McDermott.

11 **MR. McDERMOTT:** Thank you, Mr. Chairman.
12 I want to ask a question why Gary 5-3 and 5-4
13 is split from the rest of Gary in the
14 commissioner's district, and also Griffith 17
15 and 18 is split from the rest of Griffith, and
16 you already acknowledged that you split Crown
17 Point as well. Can you sort of explain why you
18 did such things.

19 **CHAIRMAN DUMEZICH:** We're talking
20 commissioner, or council?

21 **MR. McDERMOTT:** Commissioner for 5-3 and
22 5-4, sir, and also for Griffith 17 and 18.

23 **CHAIRMAN DUMEZICH:** Both of those are
24 commissioner districts. Mr. Zapfe, if you
25 would, or Mr. Niemeyer.

1 **MR. NIEMEYER:** On the Griffith -- on the
2 Griffith one, I think maybe when you got into
3 Unincorporated Calumet Township on the Griffith
4 thing, that might have been the difference in
5 there. It was just like point -- less than --
6 you know, like it was 96 point something.
7 Griffith's the same district, and it was
8 probably when you got into the unincorporated
9 area. And what was your other question?

10 **MR. McDERMOTT:** Griffith, you got Griffith
11 and Gary, Gary 5-3 and 5-4, and you already
12 acknowledged Crown Point is split so...

13 **MR. NIEMEYER:** Right. The Gary one, I'd
14 have to look. Maybe it was demographics again
15 and population. I don't know. I can't answer
16 that question entirely right now.

17 **MR. McDERMOTT:** But they are split.

18 **MR. ZAPFE:** We acknowledge because we
19 place such a priority on population equality
20 and the one person/one vote and not diluting
21 the vote of voters in Lake County, we got our
22 deviation down to as close to zero as possible,
23 and by doing that, it did require some splits
24 in places, the two you mentioned, that and then
25 also our emphasis on making sure the minority

1 voting rights were respected. We wanted to
2 make sure we got -- we saw that you could draw
3 two African-American voting council districts
4 in the plan, so that required some splitting of
5 some municipalities that took place, but that
6 was, you know, the technical side.

7 CHAIRMAN DUMEZICH: So you considered
8 minority representation?

9 MR. ZAPFE: Absolutely.

10 CHAIRMAN DUMEZICH: Okay. Very good.

11 MR. NIEMEYER: Just one comment going into
12 this, the 2000 redistricting, there was five
13 townships that were split, and there were six
14 school districts split in 2000.

15 CHAIRMAN DUMEZICH: That was commissioner?

16 MR. NIEMEYER: That was commissioner seat.
17 Five townships were split in the commissioner's
18 seat in 1990, also, the redistricting.

19 CHAIRMAN DUMEZICH: Any other questions?

20 (No response)

21 CHAIRMAN DUMEZICH: Okay. Thank you,
22 gentlemen.

23 VICE CHAIRMAN LONG: Thank you for your
24 presentation.

25 CHAIRMAN DUMEZICH: Plan 2.

November 18, 2011

Page 26

1 MR. KRIEG: Mr. Chairman, may I use the
2 overhead here?

3 CHAIRMAN DUMEZICH: Sure. Absolutely.

4 MR. KRIEG: My name is Eric Krieg, and I'm
5 the creator of the Fair and Balanced Plan for
6 Redistricting Lake County Council and
7 Commissioners. The fair and balanced
8 redistricting plan --

9 CHAIRMAN DUMEZICH: Excuse me.

10 MR. KRIEG: Yes, sir.

11 VICE CHAIRMAN LONG: Question. Which plan
12 are you submitting to us today?

13 MR. HERO: No, that's just his
14 presentation.

15 MR. KRIEG: This is my presentation. It's
16 the second plan.

17 VICE CHAIRMAN LONG: The second plan.

18 MR. KRIEG: Yes. I'm Eric Krieg, that is
19 Joe Hero, that is the plan, it's Plan No. 2.

20 MR. McDERMOTT: Which Democratic -- you
21 said it's a Democrat plan, also. Which
22 Democrat were you working with on the plan?

23 MR. KRIEG: This is a Republican/Democrat
24 compromise plan. So you are the Democrats.
25 Mr. Dernule is --

Connor Reporting

www.connorreporting.com

(317)236-6022

1 MR. McDERMOTT: You said it's a
2 Republican/Democrat compromise plan.

3 MR. KRIEG: Is Democrat a registered term?

4 COMMISSION MEMBER RIORDAN: Actually,
5 yeah.

6 UNIDENTIFIED SPEAKER: Yeah, but did you
7 have any working with you?

8 MR. KRIEG: I do not have any Democrats
9 working with me, no.

10 CHAIRMAN DUMEZICH: Stop. Okay. This is
11 not a zoo. We had rules. The rules were you
12 ask to be acknowledged. I acknowledge you.
13 You get up, you identify yourself. Anybody
14 that starts talking without following that
15 protocol will be removed. Is that clear?
16 Okay. Now, I acknowledged Mayor McDermott,
17 please continue. I would again insist no one
18 talk at the same time another speaker is
19 talking.

20 MR. McDERMOTT: Thank you, Mr. Chairman.
21 I just wanted to point out that I don't believe
22 the Democratic Party was consulted at all in
23 this plan, and as Democratic Chairman, I wanted
24 to point that out. He's saying it's a
25 Republican/Democrat compromise; that's not

1 actually true.

2 CHAIRMAN DUMEZICH: Frankly, this has not
3 been -- none of these were given to us prior to
4 this, so we didn't look at it.

5 MR. McDERMOTT: I apologize for speaking
6 up.

7 CHAIRMAN DUMEZICH: No, I actually
8 acknowledged you because you -- okay. So with
9 that in mind --

10 VICE CHAIRMAN LONG: I guess the issue is
11 he just handed out something, and is it
12 different than what we've got here?

13 MR. KRIEG: Absolutely not. It's not
14 anything different than what you have in there.
15 I just would like to use some visual aids to
16 explain the philosophy of how the plan was put
17 together.

18 VICE CHAIRMAN LONG: Okay. Now, keep in
19 mind that this is behind us, and that's going
20 to be awfully difficult to look at.

21 MR. KRIEG: And I've given out some --
22 some --

23 MR. HERO: What you've got in your hand is
24 what's up there. It's just his presentation.

25 VICE CHAIRMAN LONG: Okay. Please

1 continue.

2 MR. HERO: So you don't have to look
3 backwards.

4 CHAIRMAN DUMEZICH: I always try to look
5 forward.

6 VICE CHAIRMAN LONG: You're pretty forward
7 looking.

8 MR. KRIEG: The fair and balanced
9 redistricting plan for Lake County has produced
10 county council and county commissioner
11 districts that keep communities together in the
12 districts. The only communities that are split
13 are those that are too large to fit in any one
14 district such as Hammond and Gary.

15 The plan keeps similar communities
16 together. Highland and Munster are similar
17 suburban communities, so they are grouped
18 together. East Chicago and Gary are similar
19 urban communities, so they are grouped
20 together. Similar communities have similar
21 interests, and this builds solidarity within
22 the district and makes it much easier for a
23 representative to actually represent the
24 interests of the citizens in that district.

25 The plan provides balance between north

1 and south counties. North county communities
2 are not used to dilute the votes of south
3 county and vice versa.

4 We provide compact districts wherever
5 possible. Especially with the county council
6 districts, which tend to be a little bit
7 smaller, the districts were made as compact as
8 possible. They do not appear gerrymandered nor
9 do they wiggle their way across Lake County
10 like districts have in the past.

11 For the larger commissioner districts, we
12 ran the districts along lines of transportation
13 to ensure that the commissioner has easy access
14 to all parts of the district.

15 The Fair and Balanced Redistricting Plan
16 for Lake County does not take race into
17 account. We do not purposefully pack
18 minorities into one district, nor do we attempt
19 to dilute the votes of minorities by splitting
20 them into multiple districts. We respect the
21 dignity of minorities by treating them like any
22 other citizen in the redistricting process.

23 There are three minority majority council
24 districts and one minority majority commit --
25 committeeman district -- council-- committeeman

November 18, 2011

Page 31

1 district in the Fair and Balanced Plan which
2 properly reflects the racial balance in Lake
3 County. The plan does not take into account
4 incumbents and where they live. The production
5 of the Fair and Balanced plan did not once look
6 at the addresses of incumbent politicians.
7 Incumbents may or may not be in the same
8 districts; at this point we don't even know.

9 We did not have access to voter records so
10 we did not use party affiliation to draw
11 districts. We don't think our plan benefits
12 one party or another; thus the
13 Republican/Democrat Compromise plan.

14 The Fair and Balanced Redistricting Plan
15 was the only plan made by ordinary citizens,
16 not politicians nor professionals.

17 Finally, we'd like to note the
18 similarities between the Fair and Balanced Plan
19 and the new Indiana House Districts. There's
20 very much overlap. I'm going to show you the
21 individual districts in a second. There's a
22 lot of overlap between the council districts
23 and the house districts, and this was done
24 purposefully. Oh, and these maps here up in
25 the front, those are our maps if anybody wants

Connor Reporting

www.connorreporting.com

(317)236-6022

November 18, 2011

Page 32

1 to afterwards take a closer look. Let's go --

2 **CHAIRMAN DUMEZICH:** All of the maps are
3 available on the Indiana Secretary of State
4 website along with all the submissions, so we
5 have complete transparency with respect to
6 every plan that's here.

7 **VICE CHAIRMAN LONG:** Look under home site,
8 and then there's Lake County Redistricting.

9 **CHAIRMAN DUMEZICH:** Commissioner Scheub,
10 let him finish, and then we're going to ask him
11 questions, and then we'll turn to the floor,
12 sir.

13 **MR. SCHEUB:** I just want to clarify, which
14 maps when you're pointing to these maps as your
15 maps --

16 **MR. KRIEG:** Those are all my maps. There
17 are maps with and without the new precincts on
18 them, so sometimes the precincts make it easier
19 to see, sometimes they don't. I gave you both,
20 therefore you can...

21 Okay. So these are the county council
22 districts. I'm going to go through them very
23 quickly. Okay. District 1 is all of Whiting,
24 Robertsdale, the west and south sides of
25 Hammond including a small amount I had to put

1 with Gary 3-3, that precinct, to make the
2 population balanced.

3 Council District No. 2, all of Munster,
4 all of Dyer, all of Highland, a small amount of
5 St. John Township and St. John Town.

6 District No. 3, the rest of St. John
7 Township, all of Schererville, all of Griffith
8 and a little bit of Cedar Lake.

9 Council District 4, all of West Creek
10 Township, the rest of Cedar Lake, all of Eagle
11 Creek Township, all of Winfield and Winfield
12 Township, all of Crown Point, all of Center
13 Township.

14 District No. 5, all of East Chicago, the
15 west of Hammond and the western half of Gary.
16 And how we tried to break these up, you know,
17 you have Gary 1, Gary 2, Gary 3, Gary 4 is how
18 the precincts are broken up, so this is Gary 2
19 and Gary 3.

20 Council District No. 6, so this is the
21 rest of Gary, so Gary 1, Gary 4, Gary 5, Gary
22 6, Merrillville north of the CN line, so that's
23 a natural boundary, the CN train tracks, and
24 that's District No. 6 -- I'm sorry.
25 Merrillville south of the train tracks. I'm

1 sorry. Merrillville south of the train tracks,
2 all of Lake Station, all of Hobart.

3 And District No. 7, this is Gary 1, Gary
4 4, 5, 6 and Merrillville north of the CN line.

5 **CHAIRMAN DUMEZICH:** Do we have any
6 questions for Mr. Krieg? Yes, sir.

7 **MR. ALLEN:** Yes. I'm Lake County
8 Commissioner Roosevelt Allen. I'm the minority
9 commissioner. And I have the same problem with
10 this proposal as we had with Plan 1. The
11 commissioners, we run in staggered terms. I'm
12 starting my new term, and so I'll be
13 commissioner until 2014, and by then completely
14 renaming the districts --

15 **CHAIRMAN DUMEZICH:** There would be
16 confusion. I understand.

17 **MR. ALLEN:** Yes.

18 **MR. KRIEG:** Commissioner Allen, I
19 apologize for that. You know, I'm an amateur
20 doing this. I did not foresee that being a
21 problem, and that is absolutely something that
22 can be fixed.

23 **CHAIRMAN DUMEZICH:** Simply a number
24 change.

25 **MR. KRIEG:** Yeah, and I apologize.

1 **CHAIRMAN DUMEZICH:** Next question. Mayor.

2 **MR. McDERMOTT:** This is the Woodmar
3 section of Hammond, a beautiful part of the
4 city, and I see that this part of the city has
5 been cut out and included into East Chicago and
6 Gary, and I was wondering what their
7 justification was for it.

8 **MR. KRIEG:** I am following the natural
9 lines of the district, so I'm following things
10 like the Little Calumet River; I'm following
11 rail lines, for example, the rail line there
12 between it's the old Monon line, I believe.
13 That's the cutoff between Commissioner District
14 No. 1 and Commissioner District No. 5, I
15 believe, which is the one that you're
16 complaining about. So we tried to use as much
17 as possible --

18 **MR. McDERMOTT:** Wait a minute. Wait a
19 minute.

20 **MR. KRIEG:** Excuse me?

21 **MR. McDERMOTT:** I'm pointing out that you
22 gerrymandered up here.

23 **MR. KRIEG:** I did not gerrymander up here.
24 It is perfectly acceptable to follow --

25 **MR. McDERMOTT:** This is the largest city

1 in Lake County.

2 MR. KRIEG: Excuse me?

3 MR. McDERMOTT: This is the largest city
4 in Lake County, and you cut it to pieces.

5 MR. KRIEG: Unfortunately, you are the
6 largest city in Lake County, and as a result,
7 you cannot be fit into one district, so you
8 need to cut it somewhere, and that's where we
9 chose to cut them, and we followed natural
10 lines rather than arbitrary lines.

11 CHAIRMAN DUMEZICH: Okay. Next question.

12 MR. NIEMEYER: On your commissioner maps,
13 you got the green district, I'll call it --

14 MR. KRIEG: Sure.

15 MR. NIEMEYER: -- running from the
16 Kankakee River to Lake Michigan. Tell me how
17 that fairness brings in -- let me finish my
18 question.

19 MR. KRIEG: Sure. Sure.

20 MR. NIEMEYER: You talk about
21 transportation and transportation lines.
22 You're looking at a 40-mile swing there from
23 Kankakee to there. You're talking about
24 dividing townships. You divided probably four
25 or five, maybe six school districts running

1 that line.

2 MR. KRIEG: Yes. Yes.

3 MR. NIEMEYER: So that part of the
4 community of interest things looks like they've
5 not been upheld. And, again, you could have a
6 representative down here at the Kankakee River
7 representing Whiting, or you could have a
8 Whiting representative representing Schneider.

9 MR. KRIEG: Absolutely, and I understand
10 your concern. I understand your concern.
11 And unfortunately there are only three
12 commissioners, and Lake County is a big place,
13 so how do you want to break things up? It
14 would be wonderful if we could have an urban
15 district and a suburban district and a rural
16 district, but I don't think that -- it's really
17 hard to break that up.

18 So my philosophy was, okay, what's the
19 line of transportation? It's Indianapolis
20 Boulevard, Route 41. That's a natural line,
21 and that's how I drew that up. If you look at
22 the other district, the other southern, let's
23 say southeastern district, it's sort of along
24 I-65, right? And the northern district, that's
25 along the tollway and the Borman so -- I

1 understand exactly what you're saying.

2 MR. NIEMEYER: Where the line is, and,
3 again, I'm from the south, and I'm going to say
4 about what I feel. You could have three county
5 commissioners elected north of 30 again,
6 because you're going to dissect all those
7 districts. In fairness to the equalization and
8 voting in fairness of the population, and we
9 know the populations have shifted south, I
10 don't agree with that issue.

11 MR. KRIEG: Can we talk about townships
12 and school districts, as Board Member Long, I
13 believe, said, having school districts be a
14 community of interest doesn't make a lot of
15 sense, right, county doesn't really have much
16 to do with school districts. In my
17 personal opinion on townships is that they
18 should be abolished.

19 VICE CHAIRMAN LONG: I don't think I said
20 that.

21 CHAIRMAN DUMEZICH: Mr. Krieg, I think
22 you've misrepresented Commissioner Long's
23 comments.

24 VICE CHAIRMAN LONG: That was a question,
25 not a comment. I was uncertain as to the

1 role of --

2 MR. KRIEG: Oh, okay. Perhaps I apologize
3 for reading into your -- I apologize.

4 VICE CHAIRMAN LONG: In Vanderburgh County
5 the city has a far bigger role in the school
6 operation than I think it does -- than Lake
7 County does. And I was uncertain beyond
8 community of interest if it had a legitimate
9 economic or financial basis.

10 MR. KRIEG: I thought it was more
11 important to keep towns and cities together
12 than to keep townships and school districts.
13 That's my opinion.

14 MR. McDERMOTT: You've cut the largest
15 two.

16 MR. KRIEG: The largest two that cannot
17 fit in one district, Mayor.

18 CHAIRMAN DUMEZICH: Councilman Repay.

19 MR. REPAY: Mr. Krieg, you used the
20 description of the major arteries for the
21 commissioner's districts, and, again, I have to
22 echo what the mayor said. You know, it seems
23 with the City of Hammond, you know, you're
24 using very, very, you know, residential streets
25 as opposed to the main arteries that could have

1 been used. Why is that, I guess? And then
2 again for that little pocket here in the
3 center, it seems there's very little that those
4 that live in the Robertsdale neighborhood by
5 the lake have to do with those individuals that
6 are over here, and I think if you want to go
7 like kind and/or use either method, using like
8 kind, or you're using methods that you
9 described for the commissioners, that you do
10 something a little bit more contiguous.

11 **MR. KRIEG:** I would disagree that
12 Robertsdale is much different than Hessville.

13 **CHAIRMAN DUMEZICH:** Let's talk deviation
14 for a second. Can you tell me what the
15 deviation is on both the commissioner's
16 districts and the council districts.

17 **MR. KRIEG:** Yes, let's talk about that.
18 Okay. So we've got the county council
19 districts here. My largest district is 2.23
20 percent larger than, you know, the bogey. The
21 bogey is you take the population of Lake
22 County, 496,005 and divide it by 7. That's
23 where you get 70,858. So my largest is 2.23
24 percent larger. My smallest is 2.59 percent
25 larger, and the redistricting --

1 CHAIRMAN DUMEZICH: Less.

2 MR. KRIEG: Yes, less. I'm sorry.

3 CHAIRMAN DUMEZICH: Yeah. Can't have them
4 both larger.

5 MR. KRIEG: You're right. In the
6 redistricting community, okay, plus or minus
7 5 percent is the general bogey that you're
8 allowed. I know that the Dernule, Niemeyer,
9 Holcomb plan did an amazing job, quite frankly,
10 in hitting the population dead on, but as a
11 result, they had to cut up towns perhaps more
12 than they needed to, and the lines are
13 certainly not as straight as some of these
14 lines are on my plan.

15 CHAIRMAN DUMEZICH: Okay. The second
16 question, council, what was your deviation on
17 council?

18 MR. KRIEG: Okay. That was county
19 council. County commissioners, which is the
20 last sheet in your handout --

21 CHAIRMAN DUMEZICH: That was county
22 council?

23 MR. KRIEG: That was county council. I'm
24 sorry if I didn't make that clear. County
25 commissioner, my largest is .57 percent greater

1 than the bogey, and my lowest is negative .16
2 percent.

3 CHAIRMAN DUMEZICH: Okay. You know one of
4 the mandates when we look at this stuff, one of
5 the things that we have to consider is the
6 existing case law. One of the key concepts is
7 compactness, and because of pulling the
8 district long as the way you do, it actually
9 works out to be that this is the least compact
10 a district could possibly be.

11 MR. KRIEG: Commissioner.

12 CHAIRMAN DUMEZICH: And commissioner, yes.

13 MR. KRIEG: I would say my county council
14 districts are the most compact.

15 CHAIRMAN DUMEZICH: Okay. Any other
16 questions?

17 (No response)

18 CHAIRMAN DUMEZICH: Okay. Plan 3.

19 MR. McDERMOTT: Hi, everybody. Mayor Tom
20 McDermott. I'm Lake County Democratic
21 Chairman. I brought along with me County
22 Councilman Mike Repay, Commissioner Gerry
23 Scheub and County Recorder Michelle Fajman and
24 also Kevin Smith, the attorney for the party.

25 I want to speak real quick about what we

November 18, 2011

Page 43

1 were shooting for, but I first want to start
2 off and talk about when we turned in these
3 maps. I walked in, I talked to the person I
4 turned the maps in to, and I said, "You guys
5 must be pretty busy, a lot of people turning
6 the maps in." And he said, "Actually, no, it's
7 just Lake County that's turning in their maps.
8 You're the only one in the state that has to go
9 through this process."

10 And that got me to thinking, you know, how
11 do we draw state rep and state senate? You
12 know, the state house, the general assembly
13 draws the state rep maps and draws the state
14 senate maps. How do we draw them in cities and
15 towns? The local legislative branch draws them
16 in cities and towns. How do we draw them in
17 Lake County? We have a state appointed -- and
18 with all due respect to the members, I
19 appreciate you coming to Hammond, and I
20 appreciate you coming right down the street
21 from my house. All due respect, I don't think
22 Mayor McDermott, as Democratic Chairman, has a
23 role in this process nor do I think you all
24 have a role in this process. I think that it
25 should be done by the county council and the

Connor Reporting

www.connorreporting.com

(317)236-6022

1 county commissioners at that level. I feel
2 uncomfortable as the Lake County Chairman
3 drawing maps that I run in the City of Hammond,
4 and those maps don't change. As far as I'm
5 concerned, this is special legislation, and
6 this should be handled locally by the county
7 council and the county commissioners.

8 Nonetheless, we turned in maps to comply
9 with your orders, and we appreciate you all
10 coming up here. I want to say, and I want to
11 ask that you approve the Democrat maps that we
12 turned in because they have been reviewed by
13 the county commissioners. They have been
14 reviewed by the county council. The maps are
15 fair; they're compact; they keep together
16 communities of interest; they're balanced; they
17 don't cross precinct boundaries as they
18 currently exist. And why should every county
19 be treated differently than Lake County? It's
20 not fair.

21 Our plan submitted made a conscious choice
22 to choose cities and towns over exact
23 population. Communities of interest, cities
24 and towns are more important to keep together
25 than getting an exact population split. Even

November 18, 2011

Page 45

1 so, the commissioner maps are within 1 percent,
2 and the county council maps differ, at most, by
3 under 6,000 persons from the even split number.

4 When dealing with fixed population numbers
5 of cities and towns, there are only so many
6 mathematical variations you could have.
7 Townships were not as important as cities and
8 towns. We all know that townships is a pretty
9 sensitive topic right now, especially in Lake
10 County with what's going on with Griffith and
11 Calumet Township. Townships are not as
12 important as cities and towns, we felt. Lake
13 County is unique. Township government is in a
14 flux, and Griffith even wants out of Calumet
15 Township, and that's no secret.

16 The commissioner's maps are more compact
17 than the Republican version maps by two miles
18 of internal boundaries. The Lake County
19 Republican maps, as I pointed out earlier,
20 split cities and city councilmanic districts
21 when they split cities and towns. For example,
22 as I pointed out earlier, Gary 5-3 and 5-4 is
23 split from the rest of Gary in the
24 commissioner's district. Similarly, Griffith
25 17 and 18 have been split from the rest of

Connor Reporting

www.connorreporting.com

(317)236-6022

1 Griffith, and Crown Point is also split.

2 They have mis-numbered the commissioner
3 districts, as was pointed out a number of times
4 which has created confusion as to what they are
5 trying to accomplish. They admit that the
6 council maps they have submitted treat cities,
7 towns, townships and school districts in a
8 basically identical way, so why change the maps
9 submitted by our party that have improved upon
10 the current districts by keeping communities of
11 interest together. They have split 14 times in
12 the council maps, including Gary and Hammond,
13 where they have split city council districts.
14 We have split only 5 times.

15 I want to point out this was a process. I
16 worked with the county commissioners. All
17 three approved the maps that we turned in. I
18 worked with the county council, and our maps
19 are pretty identical to the way they have been
20 in Lake County for a long time. Of course, we
21 had to take into effect that a lot of people
22 are moving south, and our maps reflect that as
23 well.

24 CHAIRMAN DUMEZICH: You mentioned the
25 deviation of 1 percent with the commissioners

1 district. What's your deviation on the council
2 districts?

3 MR. McDERMOTT: Kevin, do you have that
4 number?

5 MR. SMITH: Sure. Mr. Chairman, Kevin
6 Smith, member of the Lake County Election Board
7 as well as attorney for the Central Committee.
8 In our submission, I believe we laid that out.
9 I believe the biggest one is approximately --
10 let me just get my notes here. I'm sorry. The
11 lowest is 1.02 percent, and I think it goes up
12 to 8 percent in District 3.

13 And I just want to point out that it's one
14 of those things where you have to choose. You
15 have to choose between we're going to be real
16 close in the numbers, or we're going to respect
17 communities of interest and say, okay, cities
18 and towns belong together versus making sure
19 we're a hundred people apart. And I think we
20 could argue all day what's more important, but
21 our plan that was submitted by the party says
22 cities and towns are more important than the
23 numbers. And so that's why, for example, in
24 the Democratic plan, you don't have precincts
25 like Gary -- or the two precincts in Gary

1 sitting out there. All of Gary is in the
2 commissioner's district, and the Gary City
3 Council districts are respected within the
4 council districts that were submitted. So they
5 are a little more on the deviation side, but
6 it's not just for no reason; it's for a
7 purpose.

8 **CHAIRMAN DUMEZICH:** Thank you.

9 **MR. McDERMOTT:** Just to summarize, and
10 then I'm going to turn it over to the elected
11 officials that are actually impacted by the
12 decisions that you're all going to make, I
13 don't think I have a role in this. I don't
14 think Kim Krull, the Republican chairwoman has
15 a role in this, nor do I, with all due respect
16 to the chairman, I don't think we all have a
17 role in this. Mr. Dumezich, I acknowledge the
18 fact you live in Lake County, and I respect
19 that very much. Okay. This should be done by
20 the county council that's 5 to 2 Democrats, and
21 the county commissioners that are 3 to 0
22 Democrats. This is a Democratic county.
23 Democrats should be drawing these maps.

24 **MR. SCHEUB:** Commissioner Gerry Scheub.
25 Thank you for coming to Lake County. We

November 18, 2011

Page 49

1 appreciate that. But when we did our map, we
2 really took into account communities of
3 interest, and we did that very seriously. And
4 I've lived here for 76 years, so I kind of know
5 Lake County. And the district, this one, No.
6 2, really, communities of interest is really a
7 lot to be desired there. And the first map
8 takes about 95 percent of the minority out of
9 my district. And I don't have the exact
10 figures, but I had -- I lost Lake Station, New
11 Chicago, Hobart and Merrillville, and that's 95
12 percent of the minorities that is being taken
13 away from my district, so I think that is not a
14 good thing. And putting Munster into the
15 southern district is a real stretch because
16 they have nothing in common with south county.
17 So I think the map that we presented is the
18 best map for every race in Lake County and
19 every community, and it keeps us all,
20 communities of interest, as close as possible.
21 And I really truly think that the county
22 commissioners should in Lake County redistrict
23 Lake County. Thank you.

24 MR. REPAY: Lake County Councilman Mike
25 Repay. I'd just like to point out there's

1 two -- two main things I'd like to point out
2 with respect to the maps. And I again agree,
3 you know, with Mayor McDermott when he says
4 it's not your fault that you're put in this
5 position, but I want to stress in a public
6 setting that I think that it's inappropriate
7 that the elected bodies in the county do not
8 get to choose their districts, and I think
9 that's appropriate, and you could take it from
10 local level all the way up to the federal
11 level, and that's what happens, and that's the
12 way it should happen.

13 The second thing with regard to the
14 districts and communities, as a freshman county
15 councilman and one who had to describe his
16 district very frequently to constituents, I
17 think that that's not an issue that you should
18 forget in looking at the way the maps are drawn
19 and people talk about natural boundaries and
20 communities of interest. Well, if you have to
21 describe some of these districts, if I had to
22 describe that last district to a constituent
23 and say I'm the 1st District County Council
24 person, oh, where do you represent, I don't
25 even know if I could do it. And I've lived in

1 Hammond for 35 years -- 36 years. And so I
2 think that's a very important thing, and that's
3 an issue that I think would -- should be
4 considered by the commission. And I hope that
5 you consider our maps to be the most similar to
6 what's existing, and as was stated, they take
7 the tweaks into consideration for population
8 and whatnot, but they don't turn the whole
9 county on its head, and I think we need to
10 consider that moving forward. And I appreciate
11 the time, and I appreciate you guys coming up
12 to Purdue Cal.

13 **CHAIRMAN DUMEZICH:** Okay. Any commission
14 members have any questions for the Plan 3
15 participants?

16 (No response)

17 **CHAIRMAN DUMEZICH:** Okay. Audience?
18 Mr. Zapfe.

19 **MR. ZAPFE:** I have a handful of questions.

20 **CHAIRMAN DUMEZICH:** Identify yourself for
21 the record.

22 **MR. ZAPFE:** Matt Zapfe with the Indiana
23 Republican Party. I have just a few questions,
24 and I can ask them all at once, or
25 individually. What do you prefer?

1 **CHAIRMAN DUMEZICH:** Well, just start
2 asking questions, and I'll let you know when
3 you've got to be quiet.

4 **MR. ZAPFE:** All right. One is a quick
5 clarification question. From looking at your
6 numbers in the council plan, I'm showing a
7 total deviation for the plan at 15.4 percent.
8 Is that -- I see you have both sides, 8.3
9 percent on one end, and 7.1 on the other. So
10 15.4 percent?

11 **CHAIRMAN DUMEZICH:** So it's 15.4 percent?

12 **MR. SMITH:** One's at 8.3 on our 1.7 on
13 top.

14 **MR. ZAPFE:** But the total deviation is
15 15.4 percent?

16 **CHAIRMAN DUMEZICH:** You understand that --

17 **MR. SMITH:** I understand total deviations.

18 **CHAIRMAN DUMEZICH:** No, no, no, no. I'm
19 saying in terms of prior case law that
20 districts should not exceed 10 percent.

21 **MR. SMITH:** I understand that.

22 **CHAIRMAN DUMEZICH:** Okay. And so we're at
23 15 percent with this plan.

24 **MR. SMITH:** There's two precincts that
25 could be switched to get the deviation down

1 pretty quickly.

2 MR. McDERMOTT: But you would break up
3 communities of interest. That's the pickle.

4 CHAIRMAN DUMEZICH: I understand, but
5 you've got -- the way I understand the case law
6 in this area, the very most important thing
7 right off the bat is one person/one vote, okay,
8 and then you have these other things that come
9 after it. So the reason the 10 percent
10 deviation was -- was -- has been in case law,
11 accepted in case law is because of that initial
12 premise, so that's like the overriding premise
13 on this, and then we go to these other
14 considerations. For example, minority
15 districts, you know, one of the things that
16 troubled me when I looked at the plans was it
17 said we didn't consider minorities when we did
18 this. And, frankly, that, to me, is troubling.
19 It's in the write-up. And one of the things
20 that I had expressly asked is that people
21 consider minority districts so we didn't
22 disenfranchise any minorities. And I'm not
23 saying you did. I'm just saying that that has
24 to be a consideration. So out of the two
25 most -- the two most -- one of the -- I would

November 18, 2011

Page 54

1 say in the top five, two of the top five
2 things, I don't see that impact in your plan,
3 and I have -- I'm concerned about that.

4 MR. SMITH: Mr. Chairman, just one thing
5 about the deviation numbers.

6 CHAIRMAN DUMEZICH: And I cut off
7 Mr. Zapfe, and I apologize.

8 MR. SMITH: And it does respond to his
9 question along with your comment. The two
10 biggest deviation districts in the council plan
11 submitted, 3 and 6, or District 3 and District
12 6, by changing the Merrillville precincts
13 between the districts, I believe you can get
14 within that deviation number of 10 percent. It
15 was just this is the way it was submitted. I
16 believe that if the commission, the
17 Redistricting Commission took a look at that, I
18 believe that would correct that issue.

19 VICE CHAIRMAN LONG: Explain what you just
20 said to me.

21 MR. SMITH: I'm sorry, Mr. Long.

22 CHAIRMAN DUMEZICH: He wants us to move
23 some precincts from --

24 VICE CHAIRMAN LONG: Are you talking about
25 taking Merrillville 12-24 and 33 --

November 18, 2011

Page 55

1 MR. SMITH: That's correct.

2 CHAIRMAN DUMEZICH: Yeah.

3 VICE CHAIRMAN LONG: -- and putting them
4 where?

5 MR. SMITH: Into 3, I believe. I'm sorry.
6 It's 6, moving some out of 6.

7 VICE CHAIRMAN LONG: 6 is over 7.1.

8 MR. SMITH: That's correct. Moving them
9 over to 3, I believe, would help.

10 VICE CHAIRMAN LONG: That's what I'm
11 trying to look at the maps to see. Okay.
12 Okay. Takes me longer to look at the maps.
13 You all know where they are.

14 CHAIRMAN DUMEZICH: Mr. Zapfe. You can
15 hunt deer in parts of Lake County.

16 VICE CHAIRMAN LONG: I saw one that was
17 laying just dead on the side of the road. I
18 felt right at home.

19 CHAIRMAN DUMEZICH: Mr. Zapfe, please
20 continue with your questions if you have any.

21 MR. ZAPFE: I guess at that point, you're
22 moving those three precincts with -- do we know
23 for sure? It sounded like you were pretty sure
24 it gets you under the 10 percent deviation,
25 but --

1 **CHAIRMAN DUMEZICH:** Well, it is what it
2 is. I'm just saying that it's a concern. Do
3 you have any other questions?

4 **MR. ZAPFE:** I do. The other one is
5 whether the commissioner and council districts
6 are all contiguous.

7 **MR. McDERMOTT:** Yeah, they are.

8 **CHAIRMAN DUMEZICH:** Mr. Zapfe, you look
9 puzzled by his answer.

10 **MR. ZAPFE:** Well, in looking at the maps
11 that were submitted to the Election Division
12 online, it was hard to tell in a couple cases.
13 I'll bring up three instances, and if you could
14 clarify and just confirm. Looking at Center
15 Township Precinct 6 in your proposed District
16 7, it appears to have some noncontiguous
17 portions of that precinct within your proposed
18 Council District 6.

19 **MR. SMITH:** Mr. Chairman, I may be able to
20 answer that. The way we look at it is that
21 it's contiguous with Winfield Township 6, and
22 therefore it is contiguous. I mean Center
23 Township 6, you have to remember, it's a weird
24 precinct. It's split between three different
25 areas because it's an unincorporated area.

1 You'll notice it actually sits to the south of
2 Crown Point 19, to the east of Crown Point 19,
3 and also to the east of Crown Point 31.

4 **CHAIRMAN DUMEZICH:** Any other districts,
5 any other questions, Mr. Zapfe?

6 **MR. ZAPFE:** Yes. In Center Township
7 Precinct 4 in your proposed District 7, it
8 appeared, too, from your map that it has
9 noncontiguous portions within your proposed
10 Council District 6.

11 **MR. SMITH:** Again, Mr. Chairman, I guess I
12 would comment that Center Township 4 is another
13 one of those strange precincts in Lake County
14 that actually are split because it's
15 unincorporated versus incorporated areas. It's
16 split by Crown Point 23, and we believe it is
17 contiguous with Center Township 3.

18 **CHAIRMAN DUMEZICH:** Okay.

19 **MR. ZAPFE:** I just have one more. St.
20 John 1 in your proposed Council District 7
21 appears to have noncontiguous portions within
22 Dyer 3 in your proposed Council District 4.

23 **MR. SMITH:** Mr. Chairman, my map of
24 St. John Township 1 actually is contiguous with
25 St. John Township 2. It doesn't appear to

1 me -- Dyer 3, likewise, with St. John Township
2 1, and therefore I believe it's contiguous in
3 this proposed Council District 7.

4 CHAIRMAN DUMEZICH: Okay.

5 MR. ZAPFE: I have examples from what I
6 saw, and if I'm wrong then --

7 CHAIRMAN DUMEZICH: It has to do with the
8 information provided by the county, right, if
9 you're wrong?

10 MR. ZAPFE: Yes, yes. I have examples. I
11 don't know --

12 CHAIRMAN DUMEZICH: Do you want to put
13 them in the record? Bring them up.

14 MR. ZAPFE: Yes.

15 CHAIRMAN DUMEZICH: Any other questions?

16 MR. HERO: I have a question.

17 CHAIRMAN DUMEZICH: Yes.

18 MR. HERO: Joe Hero, St. John, Precinct
19 Committeeman. The way the Lake County
20 precincts, the new map that's been adapted, the
21 variations in population are so significant
22 that it's not one person/one vote when it comes
23 down to replacement of people who resign from
24 office or die or whatever. How does this plan
25 account for the rapid or the vast deviation in

1 population per precinct? Because there's
2 reduced machines and everything else, how does
3 this -- how does this map account for that?

4 **CHAIRMAN DUMEZICH:** I don't think that's a
5 consideration in drawing the districts, but
6 I'll let the gentlemen and lady speak for it.

7 **MR. HERO:** The only reason I bring that up
8 is the precinct maps are the foundation for
9 this map and as it is the others. If the
10 precincts map are discriminatory, then the
11 plans that are sitting on those foundations are
12 discriminatory. So I would just ask how do you
13 address that because you've got a county
14 chairman who has people on the Election Board,
15 you've got a Republican, and what I'm saying is
16 if the precincts are discriminatory because of
17 population, that makes the maps discriminatory.

18 **CHAIRMAN DUMEZICH:** Okay. Thank you for
19 your comment.

20 **MR. McDERMOTT:** Thanks, Mr. Hero. We did
21 a recommended reduction in precincts, we sent
22 it to this committee, and because of the census
23 data that was still waiting to come out, I
24 think that's still pending before your
25 committee, if I'm correct.

1 MR. SMITH: Yes, that's true, I believe.

2 MR. McDERMOTT: I mean I -- we would like
3 to see precinct reductions in Lake County as
4 well, and I acknowledge that in some precincts
5 there are disparities. There's a lot more
6 voters in some precincts compared to the others
7 and --

8 CHAIRMAN DUMEZICH: Hopefully where
9 there's smaller -- where there's smaller
10 numbers, we've just aggregated the precincts.

11 MR. McDERMOTT: Yes, sir.

12 CHAIRMAN DUMEZICH: Yeah.

13 MR. McDERMOTT: Absolutely.

14 CHAIRMAN DUMEZICH: Yeah, that's what I
15 would think.

16 MR. SMITH: And just to further comment,
17 Mr. Chairman, that's exactly right. It wasn't
18 based on pre -- Mr. Hero's, I think, incorrect
19 in his comment that it was precinct based. It
20 was city and town based, just as you say.

21 CHAIRMAN DUMEZICH: Okay.

22 MR. HERO: But it impacts the results of
23 the elections, because if a councilman resigns
24 and the committeemen elect a replacement and --

25 CHAIRMAN DUMEZICH: Yes, I understand what

1 you're saying.

2 MR. HERO: -- and some precincts have 2100
3 people, you get one vote for that councilman --

4 CHAIRMAN DUMEZICH: Those -- one vote,
5 this committee takes, you know, very, very --

6 MR. HERO: The Constitution says equal and
7 fair elections, and if we build on a corrupt
8 system, then our maps are corrupt.

9 CHAIRMAN DUMEZICH: I understand the point
10 you're making; however, today's charge is to --
11 for us to gather information to make sure that
12 we have commissioner and council districts that
13 comply with existing law, and the issues you're
14 bringing up are something different, and it's
15 not our charge today.

16 MR. McDERMOTT: Mr. Chairman, in response
17 to both of these, I share Mr. Hero's
18 frustrations with the current precincts, and I
19 think that's something that needs to be worked
20 out in the future, but at this point the
21 precincts are what they are, and we've done our
22 best to keep communities of interest together,
23 and we've done our best to work with the local
24 elected officials who are impacted and keep the
25 boundaries as close to how they have been for

1 the last three or four decades.

2 CHAIRMAN DUMEZICH: But the precinct -- I
3 mean I don't want to let this digress into a
4 discussion of precincts, but the precincts are
5 well within the control of Lake County, right?
6 I mean that's not something -- you prepare a
7 plan, you send it up to us, we approve it just
8 like the other 91 counties. So the fact that
9 there are problems there seem to be something
10 that should be worked out locally, not by this
11 commission. And then we would look at those
12 maps, and if it was within our statutory
13 ability, we would criticize them, or if they
14 get them within the statute, we don't have
15 anything to say about it. And that's the way
16 it works, so...

17 MR. McDERMOTT: Okay. Thank you.

18 MR. HERO: Well, I think it's important
19 for everybody to understand that that is a flaw
20 in all these plans.

21 CHAIRMAN DUMEZICH: Okay. Mr. Krieg.

22 MR. KRIEG: Sure. Actually, I have a
23 question for you, Mr. Chairman, and perhaps
24 your counsel.

25 CHAIRMAN DUMEZICH: We're not here to give

1 testimony, so let's move on.

2 MR. KRIEG: It has to do with -- with how
3 things -- it seems to me that this plan, the
4 makers of this plan are asking you to rewrite
5 their maps. They're asking you to take
6 population away from one district and putting
7 it in another. Is that appropriate? I mean
8 you've already nullified a plan because it was
9 submitted late, so it seems to me like that's
10 kind of what's happening here, right? We know
11 that they've submitted a plan that the
12 variation in the district is too much. So is
13 it that that they can make changes, or is it
14 that that plan is thrown out?

15 CHAIRMAN DUMEZICH: It's going to be a
16 discussion that we will have at the meeting
17 when we go to adopt plans.

18 MR. McDERMOTT: Mr. Chairman, can I
19 respond to that?

20 CHAIRMAN DUMEZICH: Certainly.

21 MR. McDERMOTT: In all due respect, I mean
22 our opinion is this is the type of thing that
23 should be worked out locally. I mean this
24 quite frankly should be the county council and
25 the county commissioners that work through

November 18, 2011

Page 64

1 these issues, not Mr. Krieg, Mayor McDermott
2 and Mr. Dumezich, with all due respect to all
3 of them. So this should be done by the county
4 commissioners and the county councilmen.

5 **CHAIRMAN DUMEZICH:** We are a country of
6 laws, and we do our best to follow them as you
7 do. Okay. Councilman Niemeyer, sir, I'll come
8 back to you.

9 **MR. NIEMEYER:** Just a couple things. On
10 your commissioner map, Mayor, it seems that
11 East Chicago is divided with another district;
12 is that correct?

13 **MR. McDERMOTT:** Yes, sir. Good point,
14 Councilman. But it's a split that's been there
15 forever, and I acknowledge that.

16 **MR. NIEMEYER:** No, you made a point,
17 though, when you were talking about the two
18 Gary precincts that were --

19 **MR. McDERMOTT:** Yes, sir, that's true. In
20 fact, I believe Munster is split as well -- no,
21 no, no, that's the councilman, and that's
22 always been there.

23 **MR. NIEMEYER:** So I just wanted to point
24 that out.

25 **MR. McDERMOTT:** Yes, sir. You're right.

Connor Reporting

www.connorreporting.com

(317)236-6022

1 And I apologize, Councilman.

2 MR. NIEMEYER: And the other comment is,
3 and just a quick comment, you know, in '90 and
4 2000, we didn't have much say in this
5 redistricting in this county, also, and there
6 was another party involved. And so I
7 understand your concern. I'm not saying I
8 disagree with you, okay, but the rules are
9 there the way they are now, and they've been
10 there for a long time.

11 And the other issue is that you said that
12 we reviewed this to county council. Did not.
13 Okay. You didn't see mine either, in all
14 fairness. But don't throw me and Dan
15 underneath the bus here. You went over with
16 your Democratic side and your council, which is
17 fine, no problem with that. But don't say that
18 the council reviewed this.

19 MR. McDERMOTT: I apologize.

20 MR. NIEMEYER: It was not reviewed at a
21 public meeting; we did not look at it before.

22 MR. McDERMOTT: Could I respond, Mr.
23 Chairman?

24 CHAIRMAN DUMEZICH: Certainly.

25 MR. McDERMOTT: I apologize. You're

1 right. I apologize. I talked to the
2 Democratic members of the county council as
3 Democratic chairman, and you're absolutely
4 right, Mr. Niemeyer. And in all due respect to
5 the two Republicans on the county council, we
6 tried to leave your districts as much as -- as
7 similar as they are now. We didn't try to
8 gerrymander out a councilman that we think, you
9 know --

10 **MR. NIEMEYER:** So did we.

11 **MR. McDERMOTT:** Yeah, we actually
12 literally respected the Republican members of
13 the county council thinking let's leave their
14 districts as close to where they are currently
15 out of respect.

16 **VICE CHAIRMAN LONG:** Could I ask a
17 question? Why don't you guys go sit down -- it
18 sounds to me like since you all are taking care
19 of each other so much, that maybe you --

20 **CHAIRMAN DUMEZICH:** When you say "taking
21 care of" somebody in Lake County, that has --
22 that has significant connotations.

23 **VICE CHAIRMAN LONG:** And I appreciate the
24 camaraderie and the great respect you obviously
25 have with each other, at least I don't perceive

1 it to be feigned at all --

2 CHAIRMAN DUMEZICH: No.

3 VICE CHAIRMAN LONG: -- that nothing would
4 make me happier than you all come tip-toeing
5 down here through the tulips and saying here's
6 a plan that is a Democrat/Republican plan for
7 the whole area, and I'd be awful happy about
8 that.

9 CHAIRMAN DUMEZICH: Yeah, I agree with
10 Tony on this. I mean we have three plans that
11 have been submitted. Any sort of comment and
12 any joint submissions that you want to make
13 would be gladly received by this commission,
14 gladly received.

15 MR. McDERMOTT: So they can turn in -- I
16 mean what if the county council members got
17 together, all seven of them, and they said this
18 is something that's fair to all seven of us?

19 CHAIRMAN DUMEZICH: We would certainly
20 consider that.

21 MR. McDERMOTT: I would step out of the
22 process totally. I don't believe it's right
23 for the Mayor of Hammond to be in this
24 position. I think Mr. Niemeyer has way more in
25 this than I do, so does Mr. Dernule, so does

1 Mr. Repay. They should sit down and draw up
2 their own maps. That's the way it should be.
3 In all due respect, I honestly feel that way.

4 **CHAIRMAN DUMEZICH:** I think this
5 commission has the authority to discard all the
6 maps and come up with one of our own, so with
7 that in mind, I would prefer that you all sit
8 down and work through it and come up with a
9 potential joint submit submission. That would
10 be wonderful. In fact --

11 **MR. McDERMOTT:** Like a resolution?

12 **MR. HERO:** A compromise plan.

13 **VICE CHAIRMAN LONG:** Whatever you all call
14 it, you know, it could be submitted -- if it
15 was submitted to me and I believed it to be a
16 plan that both political parties at the
17 organizational level and at the elected
18 official level could live with, I would present
19 it as my compromise plan in our deliberation
20 and suggest it be passed.

21 **MR. McDERMOTT:** That's the way it should
22 be.

23 **VICE CHAIRMAN LONG:** Because that's -- I
24 mean just like in the other meeting, you know,
25 we'll bend over backwards to help the clerks

November 18, 2011

Page 69

1 and the voters and the election boards and all
2 board members. I mean this is not the partisan
3 issue. And when we have re-precincting, I
4 mean, the plans that get submitted over the
5 years the last time, it was a requirement that
6 both sides, they didn't necessarily have to
7 agree, but they had to weigh in on them and be
8 considered. And that would be very important
9 to me because I believe the best plan for Lake
10 County will come out of Lake County, not out of
11 Boonville, Indiana, I'll guarantee you. I mean
12 you all know a whole heck of a lot more about
13 your community, and I'm just -- as a point of
14 personal privilege, as I said before, I love
15 coming up here. Just from the East Chicago
16 re-primary of years gone by, you know, that
17 I've just fallen in love with Lake County. And
18 as a Democrat, I always fell in love with your
19 voter tallies, but to come here and enjoy your
20 city and cities and -- and there was,
21 unfortunately, a deer laying on the side of the
22 road in Lake County, and it was a buck. That
23 was the sad thing about it.

24 CHAIRMAN DUMEZICH: You love Lake County,
25 and I'm fat and I love donuts.

Connor Reporting

www.connorreporting.com

(317)236-6022

1 **VICE CHAIRMAN LONG:** And Italian food,
2 I've found.

3 **MR. NIEMEYER:** I just wanted to make one
4 other comment real quick. That's an excellent
5 plan, and we've never done that before
6 because -- and I'm not knocking that we haven't
7 been invited because we are the minority part
8 in this county for 50-some years, so -- and
9 it's probably that way in some Republican
10 counties.

11 **VICE CHAIRMAN LONG:** Rest assured.

12 **MR. NIEMEYER:** Rest assured. So that
13 sounds like a real good idea to sit down and
14 maybe see if we can come to some kind of
15 compromise.

16 **MR. McDERMOTT:** As county chairman, I
17 think it's a wonderful idea. I talked to
18 county commissioner and county councilman
19 behind me, and they think it's a wonderful
20 idea.

21 **CHAIRMAN DUMEZICH:** I think we should make
22 it similar to the current standard. And what
23 I'd like to see is something that comes
24 together that has both a commissioner plan and
25 a council plan that's based on input from the

1 commissioner and the council, and everybody
2 should channel up through those elected
3 officials.

4 MR. McDERMOTT: Thank you.

5 CHAIRMAN DUMEZICH: And then you come to
6 us with something that we can take. But it
7 should come through the elected officials to us
8 then.

9 MR. McDERMOTT: Yes, sir, totally agree.

10 CHAIRMAN DUMEZICH: And make it as close
11 as we can to conform to...

12 MR. McDERMOTT: Thank you, Mr. Dumezich.

13 CHAIRMAN DUMEZICH: Sure.

14 MR. McDERMOTT: What's the deadline for
15 the submission, Mr. Dumezich?

16 CHAIRMAN DUMEZICH: Tomorrow. No.

17 REPRESENTATIVE HARRIS: Mr. Chairman, if I
18 might.

19 CHAIRMAN DUMEZICH: Certainly, sir.

20 REPRESENTATIVE HARRIS: As an advisor,
21 that is about the only thing that I think as an
22 advisor that we could advise. And, you know,
23 to be very honest with you, I'd like to applaud
24 the chairman for conducting this meeting in
25 that way. I think that this is the first step

1 toward getting where the rest of the state is
2 and I think where we should eventually be where
3 we're doing our own thing, but since it's not
4 law, this is the closest we can get with the
5 chairman recommending that we come together and
6 put a plan together that it would still be a
7 Lake County plan. So I just want to applaud
8 the chairman for accepting that suggestion, and
9 I think it's a good idea, first step forward.

10 **SENATOR ROGERS:** We, as legislators, would
11 be more than happy to referee. Right, Sue?

12 **SENATOR LANDSKE:** Right.

13 **CHAIRMAN DUMEZICH:** I was going to say,
14 let's see what the ladies have to say.

15 **MR. McDERMOTT:** Thank you, Mr. Dumezich.

16 **MR. HERO:** I'd like to make one quick
17 comment. I'd like to thank the commission and
18 all their staff, because as we worked on these
19 plans, the staff was excellent, nonpartisan,
20 and they do a great job. And the fact you
21 brought the hearing here, I think you all
22 should be commended. It makes no difference if
23 you're a D or an R. The process that you
24 created here today is excellent and something
25 that should be repeated in the future. And we

1 thank you for all your efforts.

2 CHAIRMAN DUMEZICH: Okay. Great.

3 VICE CHAIRMAN LONG: Thank you all for
4 coming.

5 CHAIRMAN DUMEZICH: Wait a minute. Excuse
6 me. Senator Sue has a comment to make, Senator
7 Sue Landske.

8 SENATOR LANDSKE: We wouldn't have come to
9 this decision if it hadn't been for all of you
10 being here today, so I want to thank all of you
11 for participating in what really has become an
12 open process, because you've all had an
13 opportunity for input and will continue to do
14 so. So I want to thank all of you perhaps on
15 behalf of my other advisors for being with us
16 today and being so willing to work together and
17 help us. Thank you.

18 CHAIRMAN DUMEZICH: Okay. I declare the
19 public hearing closed and thank all of you who
20 participated.

21 VICE CHAIRMAN LONG: Wait a minute.

22 UNIDENTIFIED SPEAKER: Didn't you say at
23 the start that you were going to have something
24 on each plan, and then you were going to have a
25 general comment?

1 **CHAIRMAN DUMEZICH:** Oh, you know what,
2 you're absolutely correct. I'm sorry. Back in
3 session. Actually, we didn't get that far.
4 Okay. Do we have any general comments with
5 respect to the plans? Sure. Yes.

6 **MR. JANIEC:** George T. Janiec, Executive
7 Committee Member of the Lake County Republican
8 Central Committee, filling in on the behalf of
9 Chairwoman Kim Krull, Lake County Republican
10 Central Committee. I'd like to enter some
11 comments that she had prepared to present to
12 the commission today.

13 "Dear Commission Members: I would like to
14 thank everyone for their time on developing new
15 Lake County commissioner and council maps. The
16 Lake County Republican Central Committee
17 consulted with Councilman Niemeyer and Dernule
18 on the maps submitted by Indiana Republican
19 Chairman, Eric Holcomb. It is crucial that the
20 maps selected by you fully represent the
21 residents of Lake County unlike the maps that
22 are currently in effect.

23 I would like to see maps approved that are
24 fair to all and give residents a chance to have
25 a two-party system of government in Lake

1 County, not where the lines are gerrymandered
2 around precincts that have historically voting
3 records to assure a Democratic win.

4 Therefore, the Lake County Republican
5 Party fully endorses the maps that were
6 submitted by the Republican Party Chairman Eric
7 Holcomb. Maps submitted by Chairman Holcomb
8 were drawn to fulfill the criteria set forth by
9 the commission while not gerrymandering. The
10 good citizens of Lake County deserve fair and
11 balanced maps just like they deserve fair and
12 balanced representation.

13 I would also like to add that I hope in
14 the near future that legislation is introduced
15 to change the way Lake County performs
16 redistricting of county maps. I feel that the
17 state should be removed from the initial
18 process and perhaps a bipartisan commission
19 comprised of each major party chairman along
20 with the appointment of one or more members to
21 complete this task would be appropriate. If an
22 agreement could not be reached, then an appeal
23 to the Indiana Election Commission would be
24 appropriate. The commission's efforts and
25 diligence are duly noted in appreciation.

November 18, 2011

Page 76

1 Sincerely, Kim Krull, Chairwoman, Lake County
2 Republican Central Committee."

3 **CHAIRMAN DUMEZICH:** Thank you for your
4 submission. Yes, sir. I'm sorry.

5 **MR. NORDYKE:** My name is Bill, Bill
6 Nordyke. I live in Schererville.

7 **VICE CHAIRMAN LONG:** I'm sorry. I didn't
8 catch your last name.

9 **MR. NORDYKE:** Nordyke, N-o-r-d-y-k-e. I
10 live in Schererville, and I must say that this
11 has been an education for me because I was
12 never aware of what all went into this, but it
13 has disturbed me for many years. And if you
14 think back and take that map and wipe
15 everything clean and start out from scratch,
16 when I first moved to this area, basically the
17 population split with Interstate 80. 50
18 percent of it was north of it, 50 percent of it
19 was south of it. Now that has moved down. And
20 basically when I see all this redistricting and
21 I keep hearing the words, Republican and
22 Democrat, that seems to be the criteria on how
23 it's divided up.

24 Again, I fail to see what somebody in
25 Schneider has in common with somebody in

Connor Reporting

www.connorreporting.com

(317)236-6022

November 18, 2011

Page 77

1 Whiting. So their needs and their concerns are
2 not going to be the same. And I've always
3 felt, and I am really happy to hear the words,
4 one man/one vote, but that's been my thing all
5 along. I think that if you -- you know, you've
6 got to go by precinct line, and you've got to
7 do some adjustments, but basically if you took
8 Interstate 80 east and west, Highway 30 east
9 and west, and you divided your commissioners 1,
10 2 and 3 with certain adjustments for population
11 in precinct line, that would be the
12 one man/one vote, and that's the only way.

13 You let the county commissioners come in
14 and divide it up, they're going to divide it up
15 guaranteed that they get reelected. That's
16 politics, not what the citizens of the county
17 want and what the citizens of the county need.

18 CHAIRMAN DUMEZICH: Thank you for your
19 comment, sir.

20 VICE CHAIRMAN LONG: Thank you, sir.

21 CHAIRMAN DUMEZICH: Anyone else?

22 VICE CHAIRMAN LONG: I'd like before we
23 leave --

24 CHAIRMAN DUMEZICH: Oh, no, I've got to do
25 one more thing.

Connor Reporting

www.connorreporting.com

(317)236-6022

November 18, 2011

Page 78

1 **VICE CHAIRMAN LONG:** I just want to -- I
2 love meetings where we get a lot of people
3 coming. That's what government's about, when
4 we hear people sitting out here, like you're a
5 citizen, you don't have an agenda, and I
6 appreciate your comments. I mean I've done
7 this a long time, and sometimes I get a
8 little -- I'm getting older, a little harsher,
9 a little blunt in what I say. You know,
10 frustration maybe sets in a little quicker,
11 particularly on those vendors who sell voting
12 machines, but it doesn't on people who come and
13 share their thoughts about what we ought to be
14 doing with elections, and I thank you all for
15 coming.

16 **CHAIRMAN DUMEZICH:** One thing that I'd
17 like to do is there is a publication that's
18 done by the National Conference of State
19 Legislators, and it is redistricting law, and
20 it has all the law in there. And this is no
21 small packet; it's about this (indicating)
22 thick. I would ask that anybody that's going
23 to comment and work on this be familiar with
24 that because it doesn't matter what we do, how
25 we draw them up, if we don't comply with

1 existing law; for example, the 10 percent
2 deviation, that sort of thing. So I mean we
3 could not approve a map, I don't believe Tony
4 would or I would, that we knew was outside of
5 what the judiciary has told us to be the
6 guidelines that we should be following in
7 establishing a district. That, to us, is
8 critical. Follow the law. Follow the law and
9 make sure that minorities are treated with
10 one man/one vote. It's very important to us.
11 We're big believers in making sure we do
12 everything we possibly can to adhere to the
13 law.

14 Yes, sir.

15 Put that in the record, please.

16 **MR. WHITE:** My name is Kenneth White.
17 What is the projected conclusion of this
18 matter?

19 **CHAIRMAN DUMEZICH:** It's got to be by year
20 end, and I'm spending the last ten days in
21 Florida.

22 **VICE CHAIRMAN LONG:** We'll have our last
23 meeting -- you know where the last meeting is.
24 That's great.

25 **CHAIRMAN DUMEZICH:** We currently have a

November 18, 2011

Page 80

1 meeting scheduled on December 5th. We thought
2 that we would finish up and take the votes
3 there. This is to gather information.

4 **MR. WHITE:** Now, would this take effect
5 election year next year?

6 **CHAIRMAN DUMEZICH:** Yes, sir.

7 **VICE CHAIRMAN LONG:** That's why we've got
8 to do it by the end of the year and certainly
9 before the start of filing so people know where
10 to file.

11 **CHAIRMAN DUMEZICH:** I declare the public
12 hearing closed and thank all that participated.

13 (Time noted: 12:51 p.m.)

14
15
16
17
18
19
20
21
22
23
24
25

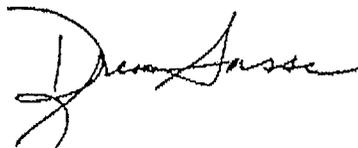
C E R T I F I C A T E

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I, DREA SASSE, CSR, RPR, and Notary Public within and for the County of Porter, State of Indiana, do hereby certify that I did report in machine shorthand the foregoing proceedings and that my shorthand notes so taken at said time and place were thereafter transcribed under my personal direction;

I further certify that the foregoing transcript constitutes a complete record of the said proceeding taken at said time and place so ordered to be transcribed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 21st day of November, 2011.



DREA SASSE
CSR# 084-002379
My Commission Expires: 3/14/17
County of Residence: Porter