

Proposed Change:

Change the governance structure of Warren County from a Board of Supervisors to a Legislature.

Premise for Change: #1

“The current Warren County Board of Supervisors violates the 14th Amendment of the United States Constitution “one person, one vote” principle.”

“Warren County Legislature Paper 1: Idea whose time has come”/ by Mark Westcott 12/15/15

Premise for Change: #2

“The current Board of Supervisors with 20 members is really a hybrid form of government. For this reason it is not a balanced and fair government...”

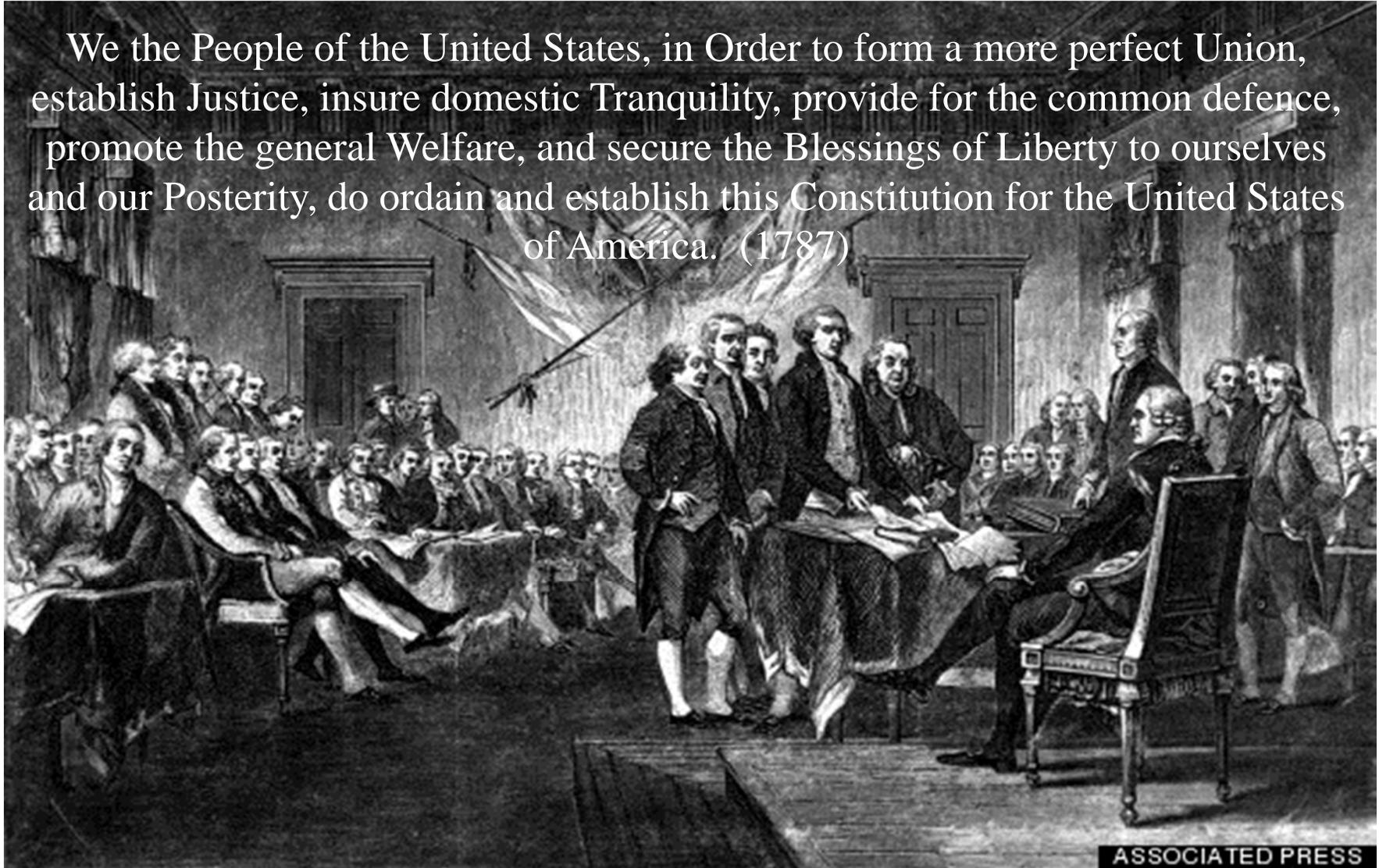
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A Long Fight For Fair Representation



An Effort to Secure Liberty and Justice

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America. (1787)



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...and Equality: 14th Amendment



The **Equal Protection Clause** is part of the **Fourteenth Amendment** to the United States Constitution (1868).

A primary motivation for this clause was to validate the equality provisions contained in the **Civil Rights Act of 1866**, which guaranteed that all people would have rights equal to those of all citizens.

https://en.wikipedia.org/wiki/Equal_Protection_Clause

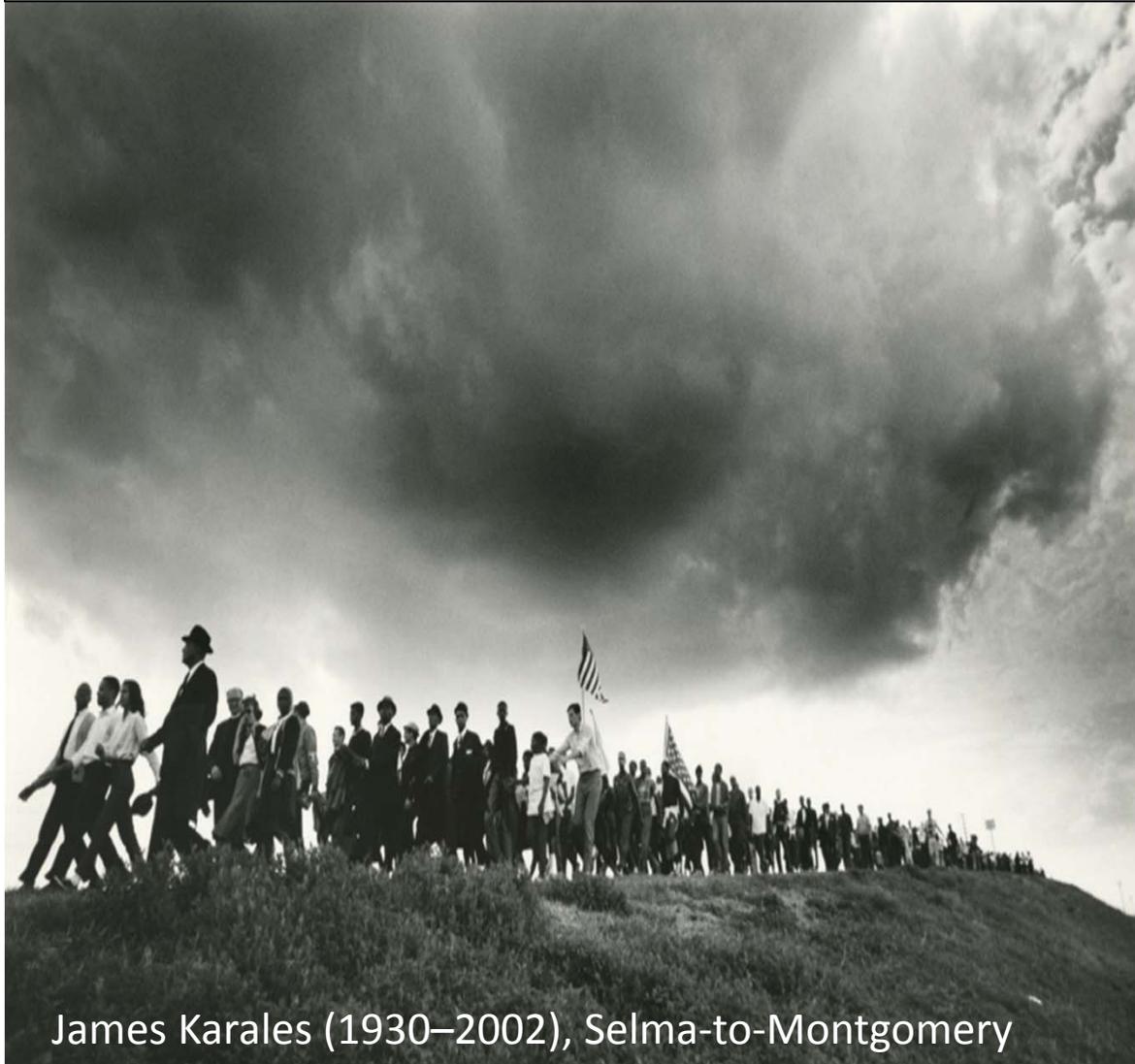
...and more Equality: 19th Amendment



The **Nineteenth Amendment** to the United States Constitution prohibits any United States citizen from being denied **the right to vote on the basis of sex.** (1920).

https://en.wikipedia.org/wiki/Nineteenth_Amendment_to_the_United_States_Constitution

...and still more Equality



James Karales (1930–2002), Selma-to-Montgomery

The **Civil Rights Act of 1964** (Pub.L. 88–352, 78 Stat. 241, enacted July 2, 1964) is a landmark piece of civil rights legislation in the United States that **outlawed discrimination** based on race, color, religion, sex, or national origin.^[6] It **ended unequal application of voter registration requirements** and racial segregation in schools, at the workplace and by facilities that served the general public (known as "public accommodations").
https://en.wikipedia.org/wiki/Civil_Rights_Act_of_1964

The Final Word:

Baker v. Carr (1962) & *Reynolds v. Sims* (1964)



The "One Person, One Vote" doctrine which requires electoral districts to be apportioned according to population...

[https://en.wikipedia.org/wiki/One man, one vote](https://en.wikipedia.org/wiki/One_man,_one_vote)

(...or maybe not the final word...yet?)



The basic question in the case, *Evenwel v. Abbott*, No. 14-940, is **who must be counted in creating voting districts**: all residents or just eligible voters? Right now, all states and most localities count everyone. <http://www.nytimes.com/2015/12/09/us/politics/supreme-court-to-hear-arguments-on-one-person-one-vote.html? r=0>

And Here We Are Today: Equalized



(but maybe not)



“Decisions at the county are made in committee (and some would argue behind closed doors)...

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Do We Need To Throw Out the BOS?



First: Let's Check the Facts



Premise for Change: #1

Point:

“The current Warren County Board of Supervisors violates the 14th Amendment of the United States Constitution “one person, one vote” principle.

(because)

“There have been court cases across New York that have determined similar weighted-voting systems used by Board of Supervisors are unconstitutional and violate the principle of one person-one vote¹.”

Warren County Legislature Paper 1: Idea whose time has come”/ by Mark Westcott 12/15/15

Premise #1 Counter-point: N/A

The decision was a victory for the New York Civil Liberties Union, which filed the suit in October 1991, contending that the weighted-voting system used by **the six-member board violated the Constitution**. Under the voting structure, representatives from **large towns and cities have more votes than those from smaller communities**.

Opponents of the weighted-voting system say **it discriminates against the county's longtime have-nots** -- Democrats and minority groups. In a county where 17 percent of the residents are members of minority groups and a third of the registered voters are Democrats, **almost every elected and appointed official is a white Republican**.

Nassau Board Is Overturned By U.S. Judge /By JOHN T. McQUISTON, Published: April 15, 1993

Voters Registered as of April 1, 2012

COUNTY	STATUS	DEM	REP	CON	WOR	IND	GRE	OTH	BLANK	TOTAL
Warren	Active	10,272	19,984	533	144	2,359	116	5	7,885	41,298
Warren	Inactive	1,024	1,218	54	19	289	23	0	926	3,553
Warren	Total	11,296	21,202	587	163	2,648	139	5	8,811	44,851

Premise #1 Counter-point: N/A

10 wealthiest communities in New York State Median household income

1. Plandome village (**Nassau County**): **250,000***
2. Hewlett Bay Park village (Nassau County): 250,000*
3. Old Field village (Suffolk County) \$249,250
4. Scarsdale village (Westchester County): 241,453
5. Scarsdale town (Westchester County): 241,453
6. Brookville village (**Nassau County**): \$236,786
7. Muttontown village (**Nassau County**): **\$230,865**
8. Roslyn Estates village (**Nassau County**): **\$220,000**
9. Flower Hill village (**Nassau County**): **\$214,239**
10. Oyster Bay Cove village (**Nassau County**): **\$208,750**

*** The ACS doesn't report median incomes above \$250,000.**

10 poorest communities in New York State Median household income

1. **Pottersville (Warren County) \$14,280**
2. Fowlerville (Livingston County) \$17,778
3. Cattaraugus Reservation (Erie County) \$18,438
4. Durhamville (Oneida County) \$20,083
5. Alfred village (Allegany County) \$20,227
6. Kaser village (Rockland County) \$20,634
7. Yorkshire (Cattaraugus County) \$21,438
8. Monticello village (Sullivan County) \$21,881
9. Fishers Landing (Jefferson County) \$22,426
10. Henderson (Jefferson County) \$23,750

Not All Counties Are Created Equal

Nassau County: Has 7 of the Top Ten Richest Communities in NYS

Warren County: Has the #1 of the Top Ten Poorest Communities in NYS

Premise #1 Counter-point: N/A

Counter-point:

- This is **allegation** and **not fact**.
- The current Warren County governance structure **does not violate** the 14th amendment.
- 16 counties in NYS are governed by a Board of Supervisors: Because **one county** is found to be in violation of the one person-one vote principle **does not automatically deem another** county is **unconstitutional**.
- Not all Counties suffer from the same problems: Each county **needs to be assessed by its own merits**.

Note: Not all Towns in the County
are created Equal



Premise for Change: #2

“The current Board of Supervisors with 20 members is really a hybrid form of government. For this reason it is not a balanced and fair government...”

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Premise for Change: #2

Point:

“Decisions at the county are **made in committee** (and some would argue behind closed doors)...

“It also means when you are a town supervisor you **better get in line** or the money for your bridge project or train station may dry up. ...**the screws are applied.**

“This of course is just **good ‘ole boy politics** not unique to Warren County. We all know it happens everywhere, but with this system at Warren County, I contend it **is even more profound**”.

Premise for Change: #2

(because):

“This was evident by the latest **confidence vote*** in the county administrator. Only 2 out of 11 town supervisors voted no confidence versus 5 out of 9 legislator supervisors who voted no confidence.”

“**If it were up to just the legislator supervisors** on the board the no confidence/apology resolution gets narrowly **defeated versus** easily being **approved.**”

“Warren County Legislature Paper 1: Idea whose time has come”/ by Mark Westcott 12/15/15

* Which was not in committee but by the full Board

Premise #1 Counter-point: N/A

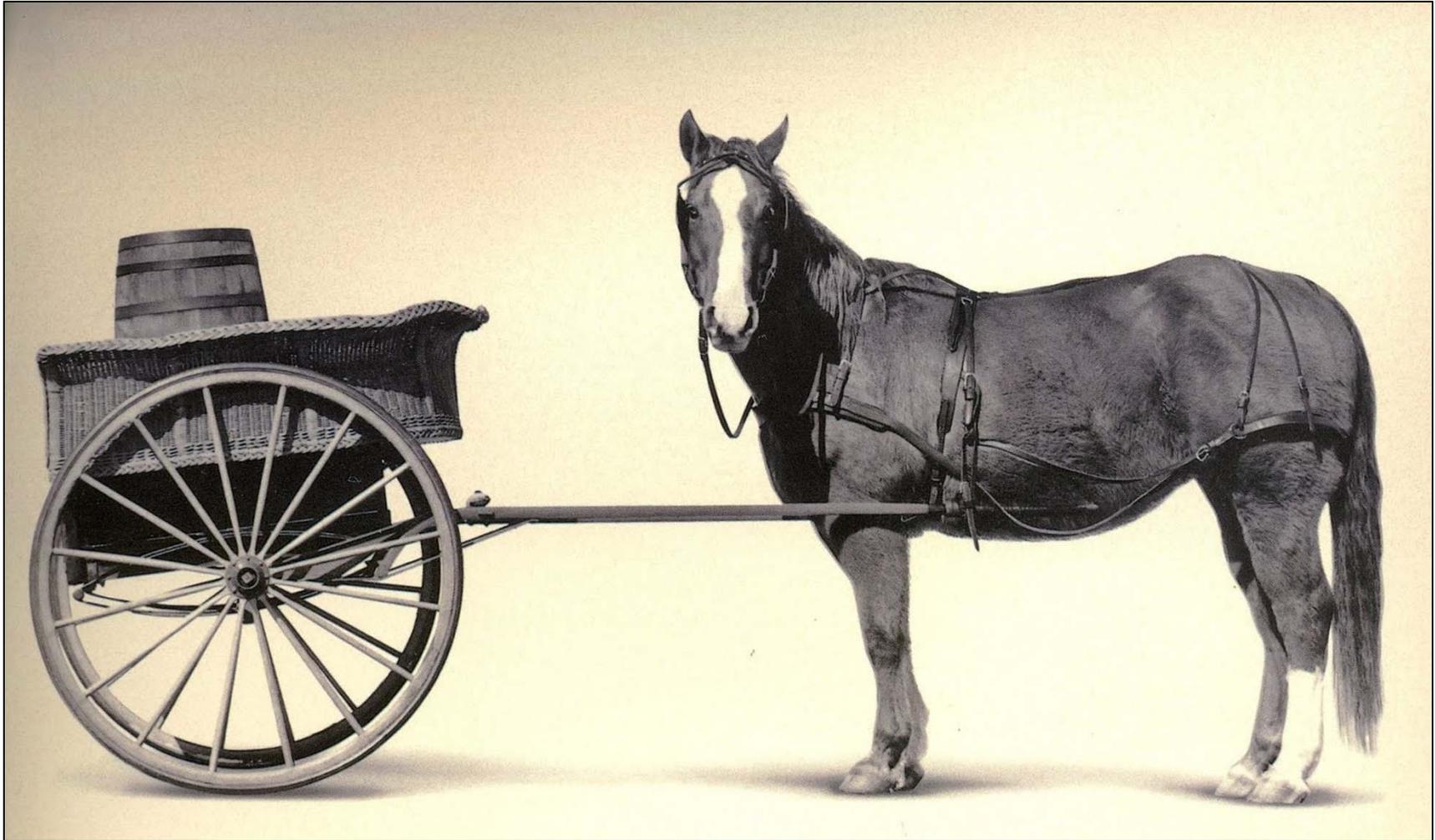
By Definition:

A **pluralist democracy** describes a political system where there is more than one center of power.

Democracies are by definition pluralist as democracies allow freedom of association.

[https://en.wikipedia.org/wiki/Pluralist democracy](https://en.wikipedia.org/wiki/Pluralist_democracy) Wikipedia

How Can We Get This Right?



First things First

- 1. Define** a Goal big enough to guide the process
- 2. Assess** the Problems/Needs in relation to the big Goal
- 3. Develop** alternative solutions/options (with monitoring and evaluation programs) - in relation to achieving the big Goal
- 4. Vote** – based on a robust scoring system

To B(oS) or Not To B(oS)...?



...that is the question:

Whether 'tis Nobler in
the mind to suffer
The Slings and Arrows
of outrageous Fortune,
Or to take Arms
against a Sea of troubles,
And by opposing end
them:

William Shakespeare / *Hamlet*