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Washington wins District 2 council dispute

By Corey Arwood
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The election contest between District Two Council Member Percy Gill and his opponent Lewis Washington Sr. has come to a close with the judge's decision issued today after Monday's trial.

The final judgment of Circuit Judge Sibley Reynolds on the results of the evidence presented in the trial deemed Washington the winner based on absentee ballot votes.

According to Reynold's findings, eight absentee ballot votes were presented up for scrutiny by Washington's legal team, and found among them were a mixture of procedural elements that rendered them illegally cast.

Washington responded to the judgment in a written statement.

"This morning Judge Sibley Reynolds, declared what I have been saying for exactly one year: that I am the legally elected councilman for District Two for the City of Wetumpka. I filed suit one year ago to challenge the results due to obvious legal issues surrounding absentee ballots and other

voting issues. Today, Judge Reynolds agreed with my challenge. I look forward to working with mayor Jerry Willis and the rest of the council to make Wetumpka all that it can become. I thank God for this victory and I thank my supporters who have remained staunchly in my corner.”

One by one Gill’s votes were picked apart and disqualified based on voter testimony and findings of the document examiner.

The results reduced Gill to 160 votes, and Washington 165, from the original tally of 168-165.

The large percentage of the disqualifying details were presented from the findings of a forensic document examiner Washington employed for the case and, who with varying degrees of certainty, said at least three of the of eight voters appeared to have not signed their own name on the ballot.

Some of the votes along with the questioned signatures were allegedly not signed while in the presence of two witnesses or a notary which is required by state law according to Reynolds.

In one vote, a mother testified that she signed the name of her son, while in at least three votes the voters reportedly testified that one or both of the witnesses whose names appeared on the ballot were not present at the time of its signing.

One voter was stated as having authorized his grandfather to sign the ballot for him, while at least two of the votes were found with “confidence” by the examiner to be signed by the same woman signing on behalf of other people.

Only one vote, though, had accusations of fraudulent voting, which Reynolds said carried with it wrote entailed a hard labor sentence or fine.

The testimony taken from the woman who voted stated she did not recall bubbling in Gill on the ballot, thought that her signature was the vote and that the witnesses included her son, and Gill's mother who was a polling official.

Outgoing District Two Council Member Percy Gill reacted to the final judgment, and wished the returning councilman well.

"I'm at peace with it. At the end of the day I wish it would've went a different direction but unfortunately again there were a lot of technical things that I thought were very interesting but the law is the law and at the end of the day Judge Reynolds did what he felt like. Well he followed the law I guess to the letter," said Gill. "The citizens spoke of what direction they want to go in and actually I respect that we'll continue to move on. Not the end of the world for me I'll continue to stay engaged, still passionate as ever about the young people in our community and about the overall quality of life of all the citizens of Wetumpka."

Gill was serving his second term as city councilor, and since its beginning was skeptical of the contest.

An outspoken critic of several policies adopted by the council and Mayor Jerry Willis, he and his attorney have long called the case a "fishing expedition" on the city's behalf.

He said he feels ultimately it was an ignorance of the absentee ballot voting process which undermined "It's really a lot of ignorance on behalf of the voters ... I hope that it's a lesson to everybody," Gill said. "The majority of those people, they had valid reasons they couldn't make it to the polls."

He said the rest was up to the residents, his constituents and those who had attended council sessions.

"I think anybody who's been involved they understand this process. People are smart. They're smart enough to kind of get the big picture and you can make it as technical as you want to make it, but I think people understand the big picture here," Gill said. "And we'll keep moving. But at the end of the day like I said I'm going to continue to try to do the best I can do to try to help my constituents. As long as I'm a citizen in this community I'm certainly going to try to continue to make it the best city that we can possibly make it."

Mayor Jerry Willis could not be reached for comment.
