Warrick County Council Resolution No. 2005 - 1

Warrick County Commissioners Resolution No. 2005 - 11

TITLE III REQUIREMENT MONIES & STATE MATCHING FUNDS

BE IT RESOLVED AND CERTIFIED BY THE WARRICK COUNTY BOARD OF COMMISSIONERS AND WARRICK COUNTY COUNCIL:

SECTION 1. Subject to the availability of *Title III* requirement monies to the county under the Help America vote Act of 2002, no later than March 31, 2006, the county will make all permanent and temporary improvements to each polling place in order to comply with the polling place accessibility standards set forth in Indiana Code 3-11-8, and to the extent possible, make any additional improvements identified in the HAVA polling place survey that are not specifically required by state or federal law.

SECTION 2. The County will submit a report to the Indiana Election Division no later than December 31, 2005. The report under this SECTION must list the polling place accessibility problems identified in the Survey of polling places and indicate whether these problems have been resolved by temporary or permanent improvements, or whether the polling place has been relocated to an accessible facility. If the report indicates that the problems have not yet been resolved, the report must indicate how the County will resolve the problem no later than march 31, 2006. The County agrees to submit any additional reports required by the Indiana Election Division until the County reports that the polling place accessibility requirements identified in the Survey have been resolved. The report must be certified as accurate by majority vote of the county election board, following review and opportunity for written comments to be added to the report by the local advisory council described in SECTION 4 of this Resolution.

SECTION 3. AS OF December 31, 2005, each polling place will contain at least one (1) voting system to permit a voter who is blind or visually impaired to vote privately and independently.

SECTION 4. The county legislative body will adopt an ordinance to establish a local advisory council comprised of representatives of the disabilities community and elderly voters to provide assistance to the county in choosing polling places. The council may include any number of members, but must include at least two (2) representatives of the disabilities communities or elderly voters. The county executive shall appoint the members and shall encourage county residents with a variety of

backgrounds, partisan affiliations, and perspectives to participate. If county residents are not available to serve on the council, the county executive may partner with the Governor's Planning Council on Disabilities to carry out the functions of the council.

SECTION 5. THE County fiscal body pledges that Title III requirement monies and state matching funds received by the County will be used to pay any outstanding obligations incurred by the County for the voting system purchase subject to the reimbursement.

SECTION 6. The County fiscal body pledges that if the obligations incurred by the County to obtain this voting system have been paid in full or in part as of this date, that the remaining Title III requirement monies and state matching funds will be used to improve the administration of elections for federal office in the County.

SECTION 7. No later than thirty (30) days after adoption of this Resolution, the County will establish a separate non-reverting account in which all Title III requirement monies and state matching funds will be deposited.

SECTION 8. The County agrees to refund to the State of Indiana no later than May 1, 2006, an amount equal to the Title III requirement monies and state matching funds received by the County if the Secretary of State of Indiana and the Co-Directors of the Indiana election Division determine on April 1, 2006 that the County has not (1) provided at least one (1) voting system in each polling place of the county no later than December 31, 2005 to permit a voter who is blind or visually impaired to vote privately and independently in accordance with IC 3-11-15; or (2) honored one or more of the certifications made by the County in this Resolution regarding polling place accessibility or the permitted uses of these funds.

CERTIFIED, THIS 14th DAY OF SEPTEMBER, 2005.

WARRICK COUNTY COMMISSIONERS

Phil Baxter, President

Carl Conner

Don Williams

Attestation by County Auditor

Richard L. Kixmiller Dated 9-14-05

Richard Kixmiller

CERTIFIED THIS 1ST DAY OF SEPTEMBER 2005

WARRICK COUNTY COUNCIL MEMBERS

Gary Meyer, President

Raymond McIntyre

Greg Richmond

David P. Hachmeister

Joe Schitter

Raymond Bracher

Robert Addington

Attestation By County Auditor

Richard L. Kixmiller Dated Sept. 1, 2005

Richard Kixmiller