

**FLOYD COUNTY RESOLUTION 2005- XXVI**  
**A RESOLUTION DETERMINING THE APPLICATION OF SPECIAL**  
**PURCHASING METHODS PURSUANT TO IC 5-22-10, ET SEQ**

**WHEREAS**, during calendar year 2000, The Board of Commissioners of the County of Floyd (Board), pursuant to the provisions of IC 5-22-9, *et seq.*, requested proposals for electronic voting machines, software, and appurtenances; and

**WHEREAS**, the proposal of Election Systems and Software (ES&S), 200 N. LaSalle Street, Suite 600, Chicago, Illinois, was accepted by the Board, and the Optech III-P Eagle optical scan tabulation system, as proposed, was purchased for use by the voters of Floyd County; and

**WHEREAS**, the State of Indiana has mandated that Floyd County purchase, for each voting precinct, a voting machine that will permit certain handicapped individuals to cast their ballot without assistance; and

**WHEREAS**, ES&S has submitted to the Board a proposal to provide the necessary hardware and software to enable Floyd County to comply with this mandate, which equipment and software has been certified by the State of Indiana for use by Floyd County; and, which hardware is found to be compatible with that previously acquired from ES&S by Floyd County; and

**WHEREAS**, the Board has determined that the compatibility of the new hardware, to include accessories, replacement parts, and maintenance, with the Optech III-P Eagle system is a substantial consideration in this purchase, and that ES&S remains the sole source for meeting Floyd County's reasonable requirements, all as provided by the provisions of IC 5-22-10-8; and

**WHEREAS**, pursuant to the provisions of IC 5-22-10-7, the purchase of software programs is deemed eligible for consideration as a special purchase, and the Board finds that ES&S remains the sole source of supply for the software to be used with the new voting machines; and

**WHEREAS**, the Board of Commissioners of the County of Floyd has further determined and confirmed that the contemplated purchase qualifies for a special purchasing method under the provisions of IC 5-22-10-1, *et seq.*; and

**WHEREAS**, the Board is desirous of causing to be recorded in its minutes the matters heretofore set forth.

**NOW THEREFORE:**

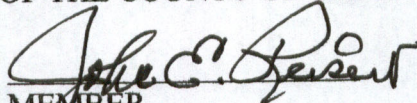


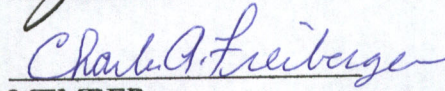
**BE IT RESOLVED**, that the recitals heretofore set forth are expressly incorporated herein and made a part hereof, and that the contemplated purchase of voting machines for use by certain handicapped persons is expressly determined to be a permissible Special Purchase pursuant to IC 5-22-10, *et seq.*, including, but not limited to, IC 5-22-10-7 and IC 5-22-10-8.

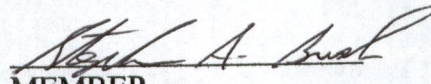
**BE IT FURTHER RESOLVED**, that this resolution shall be deemed that written determination required by the provisions of IC 5-22-10-3 (b), and that the Floyd County Auditor shall comply with the provisions of IC 5-22-10-3(c).

**SO RESOLVED**, this 20th day of December, 2005.

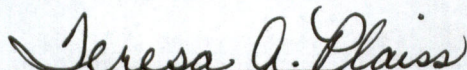
BOARD OF COMMISSIONERS  
OF THE COUNTY OF FLOYD

  
MEMBER

  
MEMBER

  
MEMBER

ATTEST:

  
FLOYD COUNTY AUDITOR