

**SPECIAL CALLED MEETING OF THE HOWARD COUNTY COUNCIL AND THE  
HOWARD COUNTY BOARD OF COMMISSIONERS MARCH 3, 2016**

The Howard County Council and the Howard County Board of Commissioners met in Special Session on Thursday, March 3, 2016, in Hearing Room 338 of the Administration Center. Those in attendance included County Council Members Richard Miller, James Papacek, Stan Ortman, Les Ellison, Jeff Stout, John Roberts, and Dwight Singer; Board of Commissioner Members Paul Wyman, Tyler Moore, and Brad Bray. Also in attendance were County Attorney Larry Murrell and Auditor Martha Lake.

These meetings were part of a Global Meeting as follows:

“Notice of Special Meetings of the Howard County Election Board, the Howard County Council, and the Howard County Board of Commissioners to consider a draft plan for the administration of Vote Centers in Howard County and the purchase of voting equipment.

The Howard County Election Board did approve an amendment to their Howard County Vote Center Draft Plan. They also approved vote centers beginning with the General Election, 2016.

The Howard County Council meeting was called to order by President Richard Miller at 5:12 p.m. This meeting is to consider Resolution No. 2016-HCCR-5 and Auditor Lake read the resolution through one time as follows:

“A Resolution of the Howard County Council designating Howard County as a Vote Center County.

**WHEREAS**, on this date, and acting pursuant to IC 3-11-18.1-3(f), the Howard County Election Board has adopted an order approving a certain Vote Center Plan for Howard County, which is incorporated herein by reference (“Plan”); and

**WHEREAS**, pursuant to IC 3-11-18.1-3(h) the Plan must be filed with the Election Division of the Office of the Indiana Secretary of State; and

**WHEREAS**, the filing with the Election Division must be accompanied by resolutions adopted by the County executive and County fiscal body approving the designation of the County as a vote center county.

**NOW, THEREFORE, BE IT RESOLVED** that this Council hereby approves the designation of Howard County as a vote center county.

**Adopted this 3<sup>rd</sup> day of March, 2016.  
Howard County Council**

A motion was made by Mr. Papacek to approve Resolution No. 2016-HCCR-5 as submitted. The motion was seconded by Mr. Roberts and carried.

***There being no further business to come before the Council at this time, the meeting was adjourned  
at 5:16 p.m. on a motion made by Mr. Ortman, seconded by Mr. Stout and carried.***

At 5:18 President Paul Wyman called the Board of Commissioners meeting to order. This meeting is to consider Resolution No. 2016-BCCR-6 and Resolution No. 2016-BCCR-7. Vice President Tyler Moore read Resolution No. 2016-BCCR-6 into the record as follows:

“A resolution of the Howard County Board of Commissioners designating Howard County as a vote center county.”

**WHEREAS**, on this date, and acting pursuant to IC 3-11-18.1-3(f), the Howard County Election Board has adopted an order approving a certain Vote Center Plan for Howard County, which is incorporated herein by reference (“Plan”); and

**WHEREAS**, pursuant to IC 3-11-18.1-3(h) the Plan must be filed with the Election Division of the Office of the Indiana Secretary of State; and

**WHEREAS**, the filing with the Election Division must be accompanied by resolutions adopted by the County executive and County fiscal body approving the designation of the County as a vote center county.

**NOW, THEREFOR, BE IT RESOLVED** that this Board hereby approves the designation of Howard County as a Vote Center County.

**Adopted this 3<sup>rd</sup> day of March, 2016.  
Howard County Board of Commissioners**

Mr. Wyman opened the floor to comment by the Commissioners first, then by the public. There being no public comment, a motion was made by Mr. Moore to approve Resolution No. 2016-BCCR-6. The motion was seconded by Mr. Bray and carried.

Mr. Wyman commented on this two-year process and thanked all those involved.  
Mr. Moore also expressed appreciation to our Information Systems Department and Terry Tribby.

**IN THE MATTER OF RESOLUTION NO. 2016-BCCR-7:**

Mr. Wyman submitted Resolution No. 2016-BCCR-7, a written determination of basis for a Special purchase of voting equipment and approval of purchase. A lease-purchase agreement has been negotiated with Election Systems Software and Nationwide Capital for election software and equipment specific to the vote centers, in the amount of \$505,000.00. This agreement provides for payment over five years at a 0% interest rate and will require no raise in taxes. A motion was made by Mr. Moore to approve Resolution No. 2016-BCCR-7 and the resolution was read into public record as follows:

“A written determination of basis for a special purchase of voting equipment and approval of purchase.”

**WHEREAS**, it is necessary for the County to replace certain of its end of life voting equipment; and, at the same time, to purchase certain voting equipment necessary to implement a Vote Center Plan adopted by the Howard County Election Board; and

**WHEREAS**, the Howard County election Board and Howard County Clerk have over a period of months researched and physically inspected available voting equipment certified by the State of Indiana; and

**WHEREAS**, the clerk, with supporting facts and documentation, recommends that only Election Systems & Software (“ES&S”) is the only state-approved vendor who can provide equipment compatible with voting equipment that the County will retain.

**BASED ON THE FOREGOING RECITALS, THE BOARD DETERMINES:**

1. Howard County will be retaining 18 of its HAVA AutoMARK units and it’s ES&S Unity Software (Election Reporting Manager) which it currently owns.
2. As verified by the February 3, 2016 letter from the ES&S Associate General Counsel attached at Exhibit A1, only ES&S can provide the County with voting system scanners which are compatible with the AutoMARK units and Unity software.
3. Accordingly, the Board determines that a special purchase from ES&S is authorized and appropriate under IC 5-22-1-08.
4. Based on the attached letter, and as an additional basis for a special purchase, the Board further determines that a purchase from ES&S presents a unique opportunity to obtain voting equipment at a substantial savings to the County within the terms of IC 5-22-10-5.

**BE IT THEREFORE RESOLVED BY THE BOARD** that the lease-purchase agreement with ES&S, facilitated through Nationwide Capital, LLC and summarized at Exhibit B, is hereby approved as a special purchase; and the President is hereby authorized and directed to execute this agreement and lease and any other related documentation necessary to finalize this purchase.

**Adopted this 3<sup>rd</sup> day of March, 2016.  
Howard County Board of Commissioners.**

A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve Resolution No. 2016-BCCR-7, and to authorize President Wyman to sign any documents necessary to complete the leasing agreement, on behalf of the Board of Commissioners.

County Attorney Murrell commented on the privilege of working with the county officials, especially in this project. Special appreciation was given to Commissioner Wyman, Clerk Kim Wilson, and Chief Deputy Deb Stewart.

Comments were also given by Auditor Martha Lake and Commissioner Moore.

*There being no further business to come before the Board of Commissioners at this time,  
the meeting was adjourned at 5:30 p.m. on a motion made by Mr. Moore,  
seconded by Mr. Bray and carried.*

**HOWARD COUNTY BOARD OF COMMISSIONERS:**

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PAUL G. WYMAN, PRESIDENT

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TYLER O. MOORE, VICE PRESIDENT

ATTEST:

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ROBERT B. BRAY, MEMBER

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MARTHA J. LAKE, AUDITOR

**HOWARD COUNTY COUNCIL:**

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RICHARD H. MILLER, PRESIDENT

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JAMES T. PAPACEK, VICE PRESIDENT

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STANLEY E. ORTMAN, MEMBER

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LESLIE W. ELLISON, MEMBER

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JEFFREY A. STOUT, MEMBER

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JOHN J. ROBERTS, MEMBER

ATTEST:

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DWIGHT V. SINGER, MEMBER

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MARTHA J. LAKE, AUDITOR  
Special Session Howard Co. Council & Howard Co.  
Commissioner, March 3, 2016