

RESOLUTION VI 2004

BE IT RESOLVED AND CERTIFIED BY THE WABASH COUNTY BOARD OF COMMISSIONERS AND WABASH 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 December 31, 2005, the county will make all permanent and temporary improvements to each polling place not later than December 31, 2005 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 November 2004 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, 2004 [or no later than December 31, 2005 for reimbursement approved after 2003]. The report under this SECTION must list the polling place accessibility problems identified in the November 2004 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 November 2004 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 5 of this Resolution.

SECTION 3. The County acknowledges that the Secretary of State and Co-Directors of the Indiana Election Division may extend the October 1, 2004 deadline until March 31, 2006, for a specific polling place, if it is impossible or impractical for the County to ensure the polling place's compliance by October 1, 2004.

SECTION 4. 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 5. No later than September 1, 2004, 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 6. The County fiscal body pledges that Section 101 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.

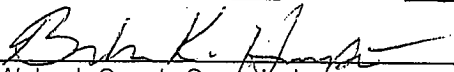
SECTION 7. The County fiscal body pledges that if the obligations incurred by the County to obtain this voting system have been paid in full or in part as of this date, that the remaining Section 101 funds will be used to improve the administration of elections for

federal office in the County.

SECTION 8. No later than thirty (30) days after adoption of this Resolution, the County will establish a separate non-reverting account in which all Section 101 funds will be deposited.

SECTION 9. The County agrees to refund to the State of Indiana no later than May 1, 2006 an amount equal to the Section 101 funds received by the County if the Secretary of State of Indiana and the Co-Directors of the Indiana Election Division determine on March 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 Public Law 209-2003; 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 13 DAY OF September, 2004.


Wabash County Commissioner


Wabash County Councilman


Wabash County Commissioner


Wabash County Councilman

Wabash County Commissioner

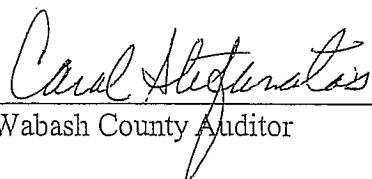

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Attestation: 
Wabash County Auditor