

**SPECIAL COUNTY BOARD MEETING**  
**November 3, 2003**

County Board Chairman Ray Kloeckner called the meeting to order.

At the October 20<sup>th</sup> meeting the County Board selected BPI Industries Inc to be the company to lease and represent the County for the mineral rights that the County owns.

States Attorney Stan Brandmeyer gave a report on the agreement with BPI. He said the agreement has gotten better since last months meeting. The County will be paid \$66,000 on the signing of the lease agreement.

The Coal marketing is secondary and the County shall have the right to veto any offer it so chooses.

Stan Brandmeyer recommended that County accept the contract as read.

**MOTION** for a roll call vote to accept the contract from BPI Industries Inc. by Holtgrave second by Hitpas. 12 members voting yes. 2 absent.

**MOTION** for a roll call vote for the HAVA Resolution Help America Vote Act by Foppe second by Fix. 12 members voting yes. 2 absent.

**MOTION** to adjourn by Robbins second by Craig Taylor. **MOTION CARRIED.**

**#11-03-02SM**

**RESOLVED** that the Clinton County Board hereby takes the following actions:

1. The "Board" Agrees to apply for and accept funds being held by the IL Sate Board of Elections, which funds were furnished by the US government under the provisions of the Help America Vote Act ("HAVA") for the purchase/reimbursement for new voting systems and equipment in compliance with HAVA requirements.

2. The "Board" agrees to take such action as may be necessary to comply with the requirements of the State Board of Elections for the release of such HAVA funds by supplying the State Board of Elections detailed descriptions of equipment to be purchased providing full information about payments amounts and other cost information for such equipment, and upon receipt of such HAVA funds, the Board agrees to forward payment to its vendor no later than 30 days following receipt of assistance payment from the State Board of Elections, as required by law.

3. The "Board" agrees to take such action as necessary to be certain that the new voting does not use punch card or lever machines, and it fully consistent and in compliance with the requirements of the laws described in Section 906 of the Help America Vot Act (Attachment A), will meet the voting system's standards adopted by the Federal Election Commission in May 2002, and will meet the requirements of Title III Section 301 (Attachment B) by January 1, 2006.

4. The "Board" understands and agrees that equipment purchased by the said jurisdiction from HAVA funds shall become the property of the jurisdiction, not the State of Illinois. It understands and agrees that all property control and custody responsibilities will be assumed by the Board.

5. The Board further agrees that future costs related to equipment and/or upgrades now being furnished with HAVA assistance (for example: maintenance, repairs, software, upgrades, etc.) Are and shall be the sole responsibility of the Board and understands that the State of Illinois assumes no liability for HAVA-mandated upgrades of the local jurisdictions.

6. The Board agrees to indemnify and hold the State Board of Elections harmless against claims brought against it by the Federal Election Commission, or other agency of the state or federal government, for reimbursement

of any monies advanced under the HAVA to this Board in the event the Board is found guilty of misapplication, misuse or misappropriation of HAVA funds received from the State Board of Elections. The Board specifically agrees that in the event of any claim of misapplication, misuse or misappropriation of the funds and demand for reimbursement against this Board, this Board agrees that the State Board of Elections may conduct an audit of the application of funds received from the State Board of Elections in order to determine whether such funds have actually been misapplied or misappropriated.

7. The Board authorizes Thomas LaCaze, County Clerk or other designated official, to act as the agent for the Board in preparing and executing all applications and other documents required by the State Board of Elections for the purchase/reimbursement of HAVA approved voting systems, and the Board authorizes him to take such action as may be necessary or desirable as requested by the State Board of Elections to effectuate the full purposes of this Resolution, including but not limited to the indemnities provided in this Resolution. He is further authorized to provide a certified copy of this Resolution to any agency of government which may request it, certifying that this resolution was presented and approved according to law at a duly constituted meeting of this Board.

The vote was: Ayes-12, Nays - 0, Absent - 2.

Attested: S/ Thomas LaCaze, County Clerk    Approved by: S. Ray Kloeckner, Board Chairman