REQUEST FOR BOARD ACTION

ITEM NO. 9.

DATE OF MEETING: July 23, 2012

REQUESTED BY: Dennis Boyles, Director; Pender County Board of Elections

SHORT TITLE: Resolution Requesting Approval of Purchase Orders to Elections Systems & Software (ES&S) for Voting Equipment Licensing and Support in the Amount of $38,249.48 Per Fiscal Year 2012-2013 and 2013-2014.

BACKGROUND: Pender County was required to purchase state certified voting equipment from ES&S in March 2006. Then, Commissioner Chairman, Steve Holland signed a contract obligating the county to annual licensing and support fees for the life of this equipment as required by *G. S. § 163-165.9(b2)*. These funds are due and payable by July 1st of each year. Funding has been included in the Board of Elections budget each fiscal year since the onset of this contract. With the State Board of Elections paying these fees using Federal HAVA funding for the past several years, the County Board of Elections has been able to return these budgeted funds back to Pender County's General Fund each year since the onset of the contract.

Since the State of North Carolina did not include the $600,000.00 in funding needed to qualify for these Grants in their 2012-2013 budget, the State Board of Elections lost $4,800,000.00 in HAVA Grant monies they were using to pay all 100 counties annual licensing and support fees. Pender County is now obligated by contract to pay these licensing and support fees.

Payment of the licensing and support fees was included in the Board of Elections budget for the 2011-2012 fiscal year for payment of the 2012-2013 fees. Since the final approval of the state's budget didn't occur until July 3rd, with it including appropriate funding for the State Board of Elections to qualify for the Federal HAVA Grants, the ES&S invoice was not paid in June.

The County Manager and Finance Director chose not to carry over these funds into the 2012-2013 fiscal year and have instead placed them in the 999 Contingency Fund.

SPECIFIC ACTION REQUESTED: To consider a resolution authorizing Purchase Orders to ES&S for voting equipment licensing and support fees in the amount of $38,249.48 per fiscal year 2012-2013 and 2013-2014 (payable in June 2013).

COUNTY MANAGER'S RECOMMENDATION

Respectfully recommend approval.

Initial

RESOLUTION

NOW, THEREFORE BE IT RESOLVED by the Pender County Board of Commissioners that:

the Board hereby authorizes a purchase order in the amount of $38,249.48 to ES&S for voting equipment licensing and support fees for fiscal year 2012-2013 and 2013-2014 (payable in June 2013). The Chairman/County Manager is authorized to execute any/all documents necessary to implement this resolution.

999-499-400 Contingency Fund (ES&S 2012-2013 fiscal) $38,249.48
430-404-500 Contracted Services (ES&S 2013-2014 fiscal) $38,249.48

AMENDMENTS:

MOVED_____ SECONDED_____

APPROVED_____ DENIED_____UNANIMOUS

YEA VOTES: Brown___ Tate ___ Rivenbark ___ Ward___ Williams ___

_____ _____
George R. Brown, Chairman Date

_____ _____
ATTEST Date