

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2010 – 89

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ENTER INTO A SECOND AMENDMENT AGREEMENT WITH THE SECRETARY OF STATE OF THE STATE OF GEORGIA, ON BEHALF OF THE CLAYTON COUNTY ELECTIONS AND VOTER REGISTRATION DEPARTMENT, WHICH PROVIDES FOR THE TERMS AND CONDITIONS UNDER WHICH VOTING EQUIPMENT IS PROVIDED TO CLAYTON COUNTY; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE AGREEMENT AND OTHERWISE PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THE RESOLUTION; TO AUTHORIZE THE FINANCE DIRECTOR TO AMEND THE BUDGET WHERE NECESSARY TO REFLECT THE APPROPRIATIONS AND EXPENDITURES RELATING THERETO; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the Secretary of State, as authorized by the General Assembly, provided a uniform Voting System to Clayton County (the "County") for the casting and counting of electoral votes in the County, State and Federal elections in the State of Georgia; and

WHEREAS, the County and the Secretary of State entered into a certain Intergovernmental Agreement for the loan and use of the Voting System by the County for the November 2, 2002 General Election, and each subsequent election thereafter; and

WHEREAS, the Voting System and components are subject to the care, maintenance, and use provisions of the Intergovernmental Agreement, the Georgia Election Code, and any rules and regulations promulgated thereto; and

WHEREAS, the life-cycle of individual Voting Systems or components are not the same.

WHEREAS, at the time a Voting System or component does not pass acceptance testing and cannot reasonably be repaired, the County shall dispose of the Voting System or component in a secure manner, pursuant to the terms of this Second Amendment.

WHEREAS, the Board of Commissioners deems it in the best interest of Clayton County, and the County will best be served by entering into the Second Amendment for the stated purpose.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS
OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

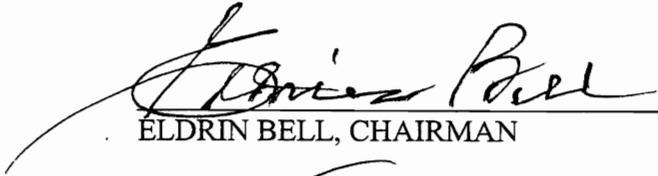
Section 1. The Board of Commissioners hereby authorizes the County to enter into a Second Amendment with the Secretary of State of the State of Georgia, on behalf of the Clayton County Elections and Voter Registration Department, to dispose of the Voting System or component in a secure manner, pursuant to the terms of this Second Amendment. The Board of Commissioners hereby authorizes the Chairman to execute the Agreement and otherwise perform all other acts necessary to accomplish the intent of this Resolution. Further, the Board of Commissioners hereby authorizes the Director of Finance to amend the budget where necessary to reflect the appropriations and expenditures relating thereto. The Agreement is attached hereto.

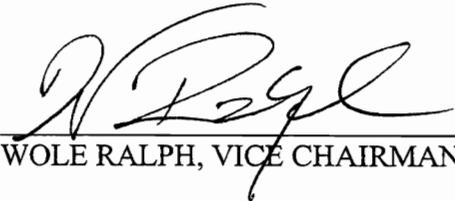
Section 2. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

{SIGNATURES NEXT PAGE}

SO RESOLVED, this the 6 day of April, 2010.

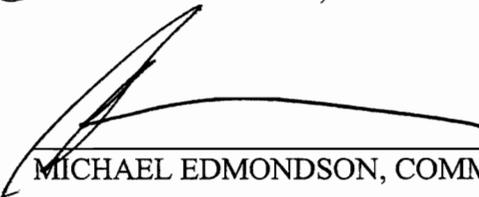
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN


WOLE RALPH, VICE CHAIRMAN


GAIL B. HAMBRICK, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


JAMIE CARLINGTON, ACTING CLERK