

## City of Foley, AL

407 E. Laurel Avenue  
Foley, AL 36535

### Signature Copy

Resolution: 19-1263-RES

File Number: 19-0437

Enactment Number: 19-1263-RES

A Resolution Establishing The Use Of Electronic Vote Counting Devices

WHEREAS, Chapter 7 of Title 17 of the Alabama Code of 1975, and the regulations adopted pursuant thereto by the Alabama Electronic Voting Committee, provide for the use of Electronic Vote Counting System; and

WHEREAS, Section 17-7-21 of the Code of Alabama 1975 provides that a municipality may, in its discretion, by adoption of an appropriate resolution, authorize, adopt, and direct the use of electronic vote counting systems for use in all elections held in such municipality, and

WHEREAS, Resolution 16-1062-RES was not filed with the Alabama Secretary of State and therefore must be rescinded.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Foley, Alabama, as follows:

SECTION 1: Hereby rescinds Resolution 16-1062-RES.

SECTION 2: That for all elections held subsequent to the passage of this resolution, the use of the DS 200 Electronic Vote Counting System (machines) and AutoMARK Voter Assist Terminal (machine) electronic voting devices, a system which complies with Section 17-7-21 of the Code of Alabama and any regulations adopted pursuant thereto, is hereby authorized for the reporting, counting, and tabulating of any and all 2019 election results.

SECTION 3: That for all election held subsequent of the 2019 municipal election further authorizes the use of the same electronic vote counting machines and/or devices, that the Baldwin County Commission uses and approves the Baldwin County Municipalities to use which complies with Section 17-7-21 of the Code of Alabama and any regulations adopted pursuant thereto, is hereby authorized for the reporting, counting, and tabulating of any and all election results.

SECTION 4: That the Mayor of the City of Foley is hereby directed to file a copy of this resolution with the Secretary of State as provided in Section 17-7-21 of the Code of Alabama 1975.

SECTION 5: This Resolution shall become effective immediately upon its adoption as required by law.

PASSED, APPROVED AND ADOPTED this 3rd day of September 2019.

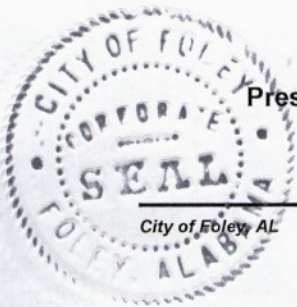
President's Signature

Date

9-3-19

1786472

BALDWIN COUNTY, ALABAMA  
HARRY D'OLIVE, JR. PROBATE JUDGE  
Filed/cert. 9/27/2019 2:17 PM  
TOTAL \$ 28.00  
6 Pages



Attest by City Clerk Kathryn Taylor

Date 9-3-19

Mayor's Signature [Signature]

Date 9/5/19

I certify that the foregoing Resolution was published in the Onlooker, a newspaper of general circulation in the City of Foley, in its issue of Wednesday, September 11, 2019

Kathryn Taylor  
Kathryn Taylor, CMC  
City Clerk

THIS INSTRUMENT  
PREPARED BY  
City of Foley  
Kathryn Taylor  
City Clerk  
407 E. Laurel Ave  
Foley, AL 36535





## City of Foley, AL

### Signature Copy

Resolution: 16-1062-RES

BALDWIN COUNTY, ALABAMA  
TIM RUSSELL PROBATE JUDGE  
Filed/cert. 3/31/2016 2:04 PM  
TOTAL \$ 18.00  
4 Pages

1563155



File Number: 16-0103

Enactment Number: 16-1062-RES

(Second Reading) A Resolution Establishing The Use Of Electronic Vote Counting Devices

WHEREAS, Chapter 7 of Title 17 of the Alabama Code of 1975, and the regulations adopted pursuant thereto by the Alabama Electronic Voting Committee, provide for the use of Electronic Vote Counting System; and

WHEREAS, Section 17-7-21 of the Code of Alabama 1975 provides that a municipality may, in its discretion, by adoption of an appropriate resolution, authorize, adopt, and direct the use of electronic vote counting systems for use in all elections held in such municipality.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Foley, Alabama, as follows:

SECTION 1: Hereby rescinds Resolution No. 3393-08.

SECTION 2: That for all elections held subsequent to the passage of this resolution, the use of the DS 200 Electronic Vote Counting System (machines) and AutoMARK Voter Assist Terminal (machine) electronic voting devices, a system which complies with Section 17-7-21 of the Code of Alabama and any regulations adopted pursuant thereto, is hereby authorized for the reporting, counting, and tabulating of any and all 2016 election results.

SECTION 3: That for all election held subsequent of the 2016 municipal election further authorizes the use of the same electronic vote counting machines and/or devices, that the Baldwin County Commission uses and approves the Baldwin County Municipalities to use which complies with Section 17-7-21 of the Code of Alabama and any regulations adopted pursuant thereto, is hereby authorized for the reporting, counting, and tabulating of any and all election results.

SECTION 4: That the Mayor of the City of Foley is hereby directed to file a copy of this resolution with the Secretary of State as provided in Section 17-7-21 of the Code of Alabama 1975.

SECTION 5: This Resolution shall become effective immediately upon its adoption as required by law.

PASSED, APPROVED AND ADOPTED this 21st day of March, 2016.



President's Signature

*[Handwritten Signature]*

Date 3-22-16

Attest by City Clerk

*[Handwritten Signature]*

Date 3-22-2016

Mayor's Signature

*[Handwritten Signature]*

Date 3/22/2016

1124546

RESOLUTION NO. 3393-08



ESTABLISHING THE USE OF ELECTRONIC VOTE COUNTING DEVICES

BE IT ORDAINED BY the City Council of Foley, Alabama as follows:

WHEREAS, Chapter 7 of Title 17 of the Alabama Code of 1975, and the regulations adopted pursuant thereto by the Alabama Electronic Voting Committee, provide for the use of Electronic Vote Counting Systems; and

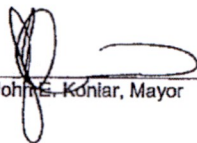
WHEREAS, Section 17-7-21 of the Code of Alabama 1975 provides that a municipality may, in its discretion, by adoption of an appropriate resolution, authorize, adopt, and direct the use of electronic vote counting systems for use in all elections held in such municipality;

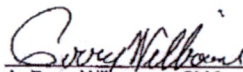
NOW, THEREFORE, BE IT RESOLVED by the City Council of Foley, Alabama that for all elections held subsequent to the passage of this resolution, the use of the OPTECH #3 PEagle Electronic Vote County System (machines) and AutoMARK Voter Assist Terminal (machine) electronic voting devices, a system which complies with Section 17-7-21 of the Code of Alabama and any regulations adopted pursuant thereto, is hereby authorized for the reporting, counting, and tabulating of any and all election results.

BE IT FURTHER RESOLVED, that the Mayor of the City of Foley is hereby directed to file a copy of this resolution with the Secretary of State as provided in Section 17-7-21 of the Code of Alabama 1975.

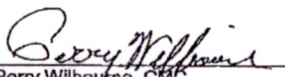
ADOPTED AND APPROVED this 16th day of June, 2008.



  
John E. Koniar, Mayor

  
A. Perry Wilbourne, CMC  
City Clerk/Administrator

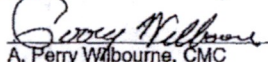
"I certify that the foregoing Resolution was published in the Foley Onlooker, a newspaper of general circulation in the City of Foley, in its issue of Saturday, June 21, 2008"

  
A. Perry Wilbourne, CMC  
City Administrator/Clerk

The foregoing Resolution having been read and discussed, motion was made by Council member Trawick to suspend the rules, for its immediate consideration, which motion was seconded by Council member Heard and on being put to vote, voting "Aye" Mayor Konlar, Council members Trawick, Heard, Hellmich, Schreiber and Ebert. Motion passed by a unanimous vote.

The City Clerk thereupon announced the rules suspended for the immediate consideration of the Resolution. Council member Trawick then presented the Resolution for adoption, which motion was seconded by Council member Hellmich. Then put to a vote, the following voting "Aye", Mayor Konlar, Council members Trawick, Heard, Hellmich, Schreiber, and Ebert. Motion passed by a unanimous vote.

Attest:

  
A. Perry Wilbourne, CMC  
City Clerk/Administrator

YELIOW YTES  
02YI ANWANTLOS  
CCTI-6838 JA YELIOW



# GULF COAST MEDIA

A DIVISION OF OPC NEWS, LLC  
PO BOX 1677 • SUMTER, SC 29150

FOLEY 251.943.2151  
The Courier – The Islander  
The Onlooker  
The Baldwin Times

LEGAL REP -  
251-345-6805

## PROOF OF PUBLICATION STATE OF ALABAMA • BALDWIN COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared April M. Perry who, by me duly sworn, deposes and says that: she is the Legal Representative of the following newspaper listed below, a newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Baldwin County, Alabama, and that there was published in The Courier, The Islander, The Onlooker, & or The Baldwin Times in the issue/s of:

09/11/2019

a legal notice, a copy of which is hereto attached. The sum charged by the Newspaper for said publication does not exceed the lowest classified rate paid by commercial customers for an advertisement of similar size and frequency in the same newspaper(s) in which the public notice appeared.

There are no agreements between the Newspaper and the officer or attorney charged with the duty of placing the attached legal advertising notices whereby any advantage, gain or profit accrued to said officer or attorney.

X April M. Perry  
April M. Perry, Legal Ad Representative

X Amber Kimbler  
Amber Kimbler, Notary Public  
Baldwin County, Alabama  
My commission expires April 10, 2022



AMBER KIMBLER  
My Commission Expires  
April 10, 2022

Sworn and subscribed to on 09/11/2019.

CITY OF FOLEY, LEGAL ACCOUNT

Acct#: 983511

Ad#: 303508

19-1263-RES

Amount of Ad: \$106.50

Legal File# 19-1263-RES

### 19-1263-RES

A Resolution Establishing The Use Of Electronic Vote Counting Devices

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SECTION 4: That the Mayor of the City of Foley is hereby directed to file a copy of this resolution with the Secretary of State as provided in Section 17-7-21 of the Code of Alabama 1975.

SECTION 5: This Resolution shall become effective immediately upon its adoption as required by law.

PASSED, APPROVED AND ADOPTED this 5th day of August, 2019.

J. Wayne Trawick,  
President  
Kathryn Taylor, CMC  
City Clerk  
John E. Koniar, Mayor  
September 11, 2019