

112456

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;

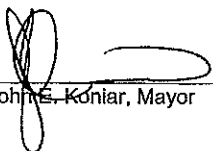
NOW, THEREFORE, BE IT RESOLVED by the City Council of Foley, Alabama that for all elections held subsequent to the passage of this resolution, the use of the OPTECH #3 PEagle Electronic Vote County System (machines) and AutoMARK Voter Assist Terminal (machine) electronic voting devices, a system which 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.

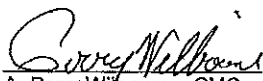
BE IT FURTHER RESOLVED, that the Mayor of the City of Foley is hereby directed to file a copy of this resolution with the Secretary of State as provided in Section 17-7-21 of the Code of Alabama 1975.

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

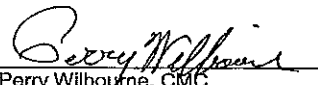


ATTEST:


John E. Kohlar, Mayor


A. Perry Wilbourne, CMC
City Clerk/Administrator

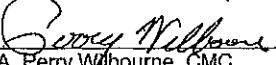
"I certify that the foregoing Resolution was published in the Foley Onlooker, a newspaper of general circulation in the City of Foley, in its issue of Saturday, June 21, 2008"


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 Koniar, 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 Koniar, Council members Trawick, Heard, Hellmich, Schreiber, and Ebert. Motion passed by a unanimous vote.

Attest:


A. Perry Wilbourne, CMC
City Clerk/Administrator

YALOTHO YTCO
CITY OF IOWA
CITY CLERK