

INTERGOVERNMENTAL AGREEMENT

ACKNOWLEDGEMENTS

The County would like to encourage municipalities within Outagamie County to obtain updated and consistent voting machines that will enhance accuracy, timely reporting of results and create an auditable trail of the tabulations.

The County Clerk is undergoing a procurement exercise that includes municipal officials to determine the voting machine that would best suit the needs of municipalities at the most reasonable price.

This intergovernmental agreement sets forth the terms and conditions for a 50-50 cost sharing arrangement between the county and individual municipalities.

As pricing is highly dependent upon the number of units purchased, it is necessary to obtain commitments from municipalities well ahead of any purchase in order to determine an accurate cost estimate.

The Outagamie County Board of Supervisors has adopted a resolution that enables the County Clerk to gauge the degree of interest municipalities have in purchasing new and uniform voting machines on a 50-50 cost share basis. The County Board has not yet appropriated funding for such a purpose until final cost estimates are established. At that time, the board will consider the amount of the county's share as well as the number of municipal participants when it votes on the appropriation.

AGREEMENT

Outagamie County and City of Appleton, Municipality, for good and valuable consideration agree as follows:

1. Outagamie County will purchase the voting machines through a competitive procurement process consistent with Outagamie County purchasing policies. Further guidelines for the procurement are set forth in County Board Resolution No. 4--2017-2018, a copy of which is attached for reference.
2. Municipality agrees to reimburse Outagamie County for 50 percent of the purchase cost by the Municipality. The Municipality shall check one of the following options to reimburse Outagamie County and will be bound by the terms of the chosen payment option:

____ No Financing. Municipality will pay its 50 percent share of the purchase price to Outagamie County in full on July 1, 2018.

____ Five-Year Financing. Municipality will pay its 50 percent share of the purchase price to Outagamie County based upon a five year amortization of the principle amount, plus interest. Interest shall be the same rate of interest the county pays on its debt. Payments will be made annually, commencing on July 1, 2018, and annually thereafter until paid in full.

____ Ten Year Financing. Municipality will pay its 50 percent share of the purchase price to Outagamie County based upon a ten year amortization of the principle amount, plus interest. Interest shall be the same rate of interest the county pays on its debt. Payments will be made annually, commencing on July 1, 2018, and annually thereafter until paid in full.

Failure to pay by above listed July 1 due dates will result in an additional .5% per month charge until such principal and interest amounts due are paid in full.

3. Outagamie County will not participate in this cost sharing arrangement beyond the initial procurement. Municipalities that may decide to purchase voting equipment beyond the initial procurement shall pay 100 percent of the purchase price of those voting machines.

4. Municipalities shall be 100 percent responsible for any equipment and software maintenance, programming and replacement of voting machines procured through this agreement.

5. The number of voting machines that may be purchased through the terms of this agreement shall be determined by the chosen vendor based upon the number of residents in the Municipality or precincts within the Municipality who voted in the 2016 presidential election.

A. If the Municipality wishes to purchase a machine(s) in excess of the number determined by the vendor, the Municipality shall pay 100 percent of the cost of such excess machine(s).

B. Municipalities with multi-county polling locations shall fund 100 percent of machines purchased through this agreement for machines utilized in locations with a majority of non-Outagamie County residents.

6. The County will fund 100 percent of two back-up machines which will be available to municipalities in the event of equipment failure.

7. The terms and conditions of this agreement are contingent upon the Outagamie County Board of Supervisors' appropriation of funds for the purchase of the voting machines. Upon adoption of the appropriating resolution, both parties to this agreement are bound by the terms and conditions contained herein.

Dated this ____ day of _____, 2017.

CITY OF APPLETON

OUTAGAMIE COUNTY

Lori J. O'Bright, County Clerk

Approved to Form: _____
Outagamie County Corporation Counsel

Date

RESOLUTION NO.: 4—2017-18

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 The voting machines at various municipalities within Outagamie County are outdated and
2 lack consistency in how votes are tabulated and reported. With the increasingly rigid
3 federal and state election reporting requirements, along with intense scrutiny given to the
4 election process and results, it is desirable for the county's municipalities to have modern
5 and standardized voting machines that can both automatically tabulate votes, and create
6 an audit trail for canvassing purposes. Although the purchase of voting equipment is
7 generally within the purview of individual municipalities, all results are then reported to
8 the County Clerk's office and then becomes a county function to report the outcomes as
9 well as to canvass the results. Given this partnership and the need for accurate, auditable
10 and timely tabulations and results, this resolution seeks authority to commence the
11 procurement process for county-wide voting equipment to determine the cost for such
12 equipment.

13
14 This resolution also authorizes the county clerk to enter into an intergovernmental
15 agreement with municipalities to gauge interest regarding the purchase of such equipment
16 based on a fifty-fifty (50/50) cost share between the municipality and the county. Such
17 agreements would be contingent upon a further county board resolution to fund the
18 county's share once final costs and municipal participation are known. It would be
19 administration's recommendation to bond for the outlay.

20
21 Municipalities would be presented with the following financing options:

- 22
23 1) No financing. The municipality will pay its full share in 2018.
24
25 2) Five-year (5) financing. The municipality will pay its full share over a five-year (5)
26 period, with interest, equivalent to the rate of the county's bond.
27
28 3) Ten-year (10) financing. The municipality pays its full share over a ten-year period
29 (10), with interest, equivalent to the rate of the county's bond.
30

31 These options are a one-time offer. Municipalities that do not to participate from the out-
32 set will not receive county funding should they purchase voting equipment in the future.
33 It is anticipated that the total hardware cost will be in the range of \$500,000 to \$750,000.
34

35 NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption
36 of the following resolution.

1 BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize the county
2 clerk to commence the procurement process to determine the cost of the proposed county-wide election
3 equipment purchase, and

4 BE IT FURTHER RESOLVED, a procurement team will be formed consisting of seven (7)
5 members to include three (3) Outagamie County representatives, one (1) City of Appleton
6 representative, one (1) Fox West area representative, one (1) Heart of the Valley representative, and one
7 (1) representative from the rural municipalities, and

8 BE IT STILL FURTHER RESOLVED, that the Outagamie County Board conceptually approves
9 of a fifty-fifty (50/50) cost share arrangement between Outagamie County and each municipality subject
10 to the following:

- 11 1) Municipalities are responsible for 100% of ongoing equipment/software maintenance costs.
- 12 2) The number of voting machines will be determined by the chosen vendor based on the number
13 of residents in each municipality or precincts within a municipality who voted in the 2016
14 presidential election.
- 15 3) The county will fully fund 100% of two (2) back-up machines which will be available to
16 municipalities in the event of equipment failure.
- 17 4) Municipalities who wish to purchase voting machines in excess of the number recommended
18 by the vendor will be responsible for 100% of the machine cost.
- 19 5) Municipalities with multi-county polling locations will fund 100% of machines utilized in
20 locations with a majority of non-Outagamie County voters, and

21 BE IT STILL FURTHER RESOLVED, that the Outagamie County Board of Supervisors does
22 authorize the county clerk and corporation counsel to draft an Inter-Governmental Agreement,
23 consistent with the terms of this resolution, for presentation to municipalities to gauge interest level and
24 contingent upon adoption of a subsequent resolution appropriating funds, and

1 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
2 of this resolution to the Outagamie County Executive, and the Outagamie County Finance Director.

3 Dated this 18th day of April 2017

4 Respectfully Submitted,

5 FINANCE COMMITTEE

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10 Kevin Sturn
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12 Kevin Sturn

Peter Stueck
Peter Stueck

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16 James Pleuss
17 James Pleuss

Nadine Miller
Nadine Miller

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20 Chris Croatt
21 Chris Croatt

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24 Duly and officially adopted by the County Board on: April 18, 2017

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26 Signed: [Signature]
27 Board Chairperson

[Signature]
County Clerk

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29 Approved: 4.20.17
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31 Signed: [Signature]
32 County Executive

Vetoed: _____

ELECTION EQUIPMENT COST SHARE OPTIONS

Municipalities	50/50 Cost Share		County covers 1st unit, then 50/50 cost share		67/40 Cost Share		40/60 Cost Share	
	County Cost	Municipal Cost	County Cost	Municipal Cost	County Cost	Municipal Cost	County Cost	Municipal Cost
30 - 1 unit units	150,000	150,000 (5,000/munit)	300,000	0	180,000	120,000 (4,000/munit)	120,000	180,000 (6,000/munit)
Appleton - 14 units	70,000	70,000	75,000	65,000	84,000	56,000	56,000	84,000
Grand Chute - 4 units	20,000	20,000	25,000	15,000	24,000	16,000	16,000	24,000
Greenville - 3 units	15,000	15,000	20,000	10,000	18,000	12,000	12,000	18,000
Kaukauna - 2 units	10,000	10,000	15,000	5,000	12,000	8,000	8,000	12,000
Little Chute - 3 units	15,000	15,000	20,000	10,000	18,000	12,000	12,000	18,000
*Addtl county costs	100,000		100,000		100,000		100,000	
TOTALS	56	380,000	280,000	105,000	435,000	274,000	324,000	336,000

*Assumes a per unit cost of \$10,000. This considers only the cost of the election units, not additional costs to the county for procurement/programming, etc. or municipal costs for annual maintenance (estimated to be roughly \$650/unit/year). The additional county implementation costs are estimated to be anywhere from \$75,000 - \$150,000, depending on the vendor selected and in-house programming vs. external programming. The annual county costs are estimated to be between \$15,000 - \$50,000.