RESOLUTION NO. 2631

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH GILA COUNTY FOR CERTAIN SERVICES TO BE PROVIDED BY COUNTY DEPARTMENTS TO THE TOWN OF PAYSON FOR THE MARCH 13, 2012 PRIMARY ELECTION AND THE MAY 15, 2012 GENERAL ELECTION.**

**WHEREAS,** Pursuant to A.R.S. §§ 11-951, 11-952, and 16-205, the Town of Payson is authorized to enter into an agreement with Gila County for certain services for the March 13, 2012 Primary Election ("the Primary Election") and the May 15, 2012 General Election ("the General Election"); and

**WHEREAS,** these services are necessary in the conduct of the Primary Election and the General Election as all-mail ballot elections; and

**WHEREAS,** two contracts for such services (for services to be performed by the County Recorder's Office and the Department of Elections) have been prepared,

**NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY RESOLVE AS FOLLOWS:**

Section 1. That the Agreement with Gila County (County Recorder's Office) for election services, attached hereto as Exhibit A and made a part hereof by this reference, is hereby approved in substantially the form attached.

Section 2. That the Agreement with Gila County Department of Elections for election services, attached hereto as Exhibit B and made a part hereof by this reference, is hereby approved in substantially the form attached.

Section 2. That Kenny J. Evans, Mayor of the Town of Payson, is hereby authorized to execute said Agreements with Gila County in substantially the form as is attached.

Section 3. That the Town of Payson is authorized to take such other and further actions as may be necessary or appropriate to carrying out the terms and intent of said Agreements and this Resolution.

**PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA,** this _____ day of October 2011, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____



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Kenny J. Evans, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Timothy M. Wright, Town Attorney

# Exhibit A to Resolution 2631 (Agreement for Services by the Recorder's Office)

# AGREEMENT FOR ELECTION SERVICES BETWEEN GILA COUNTY AND THE TOWN OF PAYSON

For the purposes of providing election services, for the elections as specified below, the following agreement is between Gila County (hereinafter "County") and the Town of Payson (hereinafter "Town"). The Elections are not to be held in consolidation with any other County election.

Arizona law permits any jurisdiction/district conducting an election to contract with the County for election services, pursuant to A.R.S. § 11-951, 11-952 and 16-205.

| | |
|---|---|
| DATE OF ELECTIONS | March 13, 2012 and May 15, 2012 |
| TYPE OF ELECTIONS | Mayoral/Town Council Primary and General<br>To be conducted as an all Mail Ballot Election |
| TOWN CONTACT | Silvia Smith, Town Clerk<br>928-474-5242 (telephone)<br>928-474-4610 (fax)<br>ssmith@ci.payson.az.us<br>303 North Beeline Highway<br>Payson, Arizona 85541 |
| COUNTY CONTACT | Sadie Tomerlin, Recorder<br>928-402-8735 (telephone)<br>928-425-9279 (fax)<br>stomerlin@gilacountyaz.gov<br>1400 East Ash Street<br>Globe, Arizona 85501 |

This agreement confirms that the Town has requested the County Recorder to provide certain Election Services for the above referenced elections on behalf of the Town. The County will provide each of the services (as shown in Fee Schedule A) that are requested by the Town; a service shall be deemed requested by the Town if the Town Clerk has initialed next to a specific service on Fee Schedule A. The Town agrees to pay for the costs of the Election Services provided by the County as specified in Fee Schedule A; and in the statement of Understanding for Election Services Schedule B, attached hereto.

By accepting this agreement, the Town agrees to indemnify and hold harmless the County for any claims resulting from the County participating in the above referenced election, provided, however this indemnification and hold harmless shall not extend to claims arising from the negligence of the County.

The signing of this document signifies acceptance to the terms specified in this agreement, including the attached Fee Schedule A and Statement of Understanding Schedule B.

This Agreement may be executed in any number of counterparts, each of which shall be an original but all of which shall constitute one and the same instrument.

This Agreement is subject to the cancellation provisions of A.R.S. § 38-511.

IN WITNESS WHEREOF, the Parties have executed this Agreement this _____day of _____, _____.

_____ _____

Tommie Cline Martin, Chairman
Gila County Board of Supervisors

Date

_____ _____

Sadie Tomerlin,
Gila County Recorder

Date

_____ _____

Kenny Evans, Mayor
Town of Payson

Date

Approved as to form:

_____ _____

Daisy Flores, Gila County Attorney

Date

_____ _____

Timothy Wright
Town of Payson Attorney

Date

# FEE SCHEDULE A

Gila County Voter Registration/Early Voting Charges:

| | | |
|---|---|---|
| Early Ballot processing | $3.50 per voter | _____ |
| Early Ballot/Petition Signature Verification | $0.50 per name | _____ |

(A.R.S. § 19-121.05)

| | | |
|---|---|---|
| Provisional Ballots | $3.00 each | _____ |
| Early Voting List | $10.00 per report | _____ |
| LIST: | | |
| • Printed | $0.01 per name | _____ |
| • Electronic | $0.10 per name | _____ |
| • Diskette | $1.00 per disk | _____ |
| • CD | $3.00 per CD | _____ |
| • Labels | $0.10 per label | _____ |
| Register/Rosters | $0.01 per name | _____ |
| Roster Paper | $0.20 per page | _____ |
| Registers (3)/Rosters Covers (1) | $6.00 per set | _____ |
| Labor | $10.00 per hour | _____ |
| Labor overtime | $15.00 after pm | _____ |
| Special Reports/Special Request/Computer Programming Actual Cost | | _____ |

# SCHEDULE B

## STATEMENT OF UNDERSTANDING FOR ELECTION SERVICES

The purpose of this statement of Understanding is to insure that each party understands and agrees with the delegation of duties in preparation and conduct of the election.

The Town shall:

1) Conduct all tasks associated with the election, except those specifically listed below which shall be the responsibility of the County.

2) Be responsible for ensuring that all signature affidavits or digital copies thereof arrive at the County Recorder's Office at the County courthouse at 1400 East Ash Street in Globe, AZ in a format wherein the signature affidavit bar code can be read by the County Recorder's bar code scanner and the signatures on the affidavit are clear enough to be compared with voter registration card signatures on file with the County Recorder's Office.

The County shall:

1) Provide the Town with the Registered Voter List.

2) Provide the Town with a Voter Signature Roster.

3) Provide the Town with a Precinct Register.

4) Verify the voter signature on each and every mail ballot and provide ballot verification reports for all mail ballots verified.

# Exhibit B to Resolution 2631 (Agreement for Services by the Department of Elections)

**INTERGOVERNMENTAL AGREEMENT FOR ELECTION SERVICES BETWEEN GILA COUNTY DEPARTMENT OF ELECTIONS AND THE TOWN OF PAYSON**

Pursuant to A.R.S. §§ 11-951, 11-952, and 16-205, the Gila County Department of Elections, by and through the Gila County Board of Supervisors (hereinafter Gila County) and the Town of Payson (hereinafter Town), enter into this agreement for election operational services.

| | |
|---|---|
| Date of Election: | March 13, 2012 and May 15, 2012 (if needed) |
| Type of Election | Vote by Mail Mayor and Council Election<br>Not held in consolidation with a County election |
| Town Contact | Silvia Smith, Town Clerk |
| Mailing Address | 303 N Beeline Hwy, Payson, AZ 85541 |
| Telephone Number | (928) 474-5242 Ext. 240 |
| Fax Number | (928) 474-4610 |
| Email Address | ssmith@paysonaz.gov |
| County Contact: | Linda Eastlick, Gila County Department of Elections |
| Mailing Address: | 5515 S Apache Ave., Ste. 900, Globe, AZ 85501 |
| Telephone: | (928) 402-8708 |
| Fax: | (928) 402-4319 |
| Email: | leastlick@co.gila.az.us |

This agreement confirms that the Town has requested to utilize two of the County's Accu-Vote Ballot Scanners and two of the County's Memory Cards during the above referenced election. The Governing Board of the Town has called this election. The County agrees to provide such Scanners and Cards to the Town; and the Town agrees to pay the County $25.00 per Scanner and $25.00 per Card for the use of such Scanners and Cards for a total amount of $100.00.

Each party agrees that from its own funds it is responsible to finance and maintain a budget for its respective responsibilities and obligations under this agreement. Each party will use its personnel, property, and resources for accomplishing its respective obligations under this agreement. Each party will maintain its respective property after termination of this agreement and will eventually dispose of any elections materials used under this agreement in a manner provided for by state and federal law.

The parties agree that this agreement is subject to the cancellation provisions of A.R.S. § 38-511 which are incorporated into this agreement by this reference.

The parties further agree that they will comply with all federal and state laws in carrying out their obligations under this agreement.

By signing this agreement the Town agrees to indemnify and hold harmless the County from any claims resulting from the County participating in the election and agrees to the terms specified in the agreement.

_____ _____

Chairman, Gila County Board of Supervisors Date

Approved as to form:

_____ _____

Gila County Attorney Date

_____ _____

Kenny J. Evans, Mayor Date
Town of Payson

Approved as to form:

_____ _____

Tim Wright, Town Attorney Date
Town of Payson