



Illinois State Board of Elections
Acceptance Agreement
Requirements Monies – Phase III
August 2010



You are receiving a grant from the Illinois State Board of Elections' pursuant to federal monies received under Title II, Section 251 of the Help America Vote Act of 2002, 42 U.S.C. §§ 15301-15545 ("HAVA") (CFDA # 90.401). Generally stated, the purpose of this grant is to improve the administration of federal elections in Illinois under the requirements of Title III of the Help America Vote Act of 2002. Your election jurisdiction, Lake County ("Election Authority"), will receive the amount of \$747,907.00 (*seven hundred forty-seven thousand, nine hundred seven dollars and 00/100 cents*), which will be distributed in a lump sum payment unless you submit an addendum to request in smaller portions. We calculated this amount based on the proportion of your jurisdiction's voting age population to that of the entire State.

Specifically, this grant is to be used to carry out one or more of the following activities:

1. Educate citizens concerning voting procedures, voting rights, and voting systems;
2. Train election officials, poll workers, and election volunteers;
3. Improve, acquire, lease, modify, or replace voting systems and technology and methods for casting and counting votes to comply with the requirements of Section 301(a)(3) (accessibility); preventative maintenance or annual maintenance on voting equipment;
4. Provide polling place accessibility;
5. Improve the administration of elections for Federal office, including but not limited to, increasing voter participation by facilitating absentee voting procedures for military and overseas voters, and facilitating and making more accessible the general voter registration process for Illinois citizens.

The State Board of Elections and you, the Election authority, have responsibilities under HAVA as to proper procurement, spending, and tracking of grant expenditures in accordance with all applicable State and Federal regulations. These regulations include, but are not limited to, Federal regulations A-87, A-102 and A-133. By accepting this grant, you agree to document all expenditures for audit purposes in accordance with generally accepted auditing standards, Federal Single Audit requirements, and any specific additional provisions contained in HAVA (42 U.S.C. § 15542). You must keep all expenditure documentation and receipts in your records until you are notified by the State Board of Elections or an authorized representative to either supply them to us or dispose of them. Furthermore, you agree to provide all Election Authority documentation applicable to activity under this grant program to the State Board of Elections or its authorized representative upon request.

Under no circumstances is this grant money to be supplanted into the county's election budget by the County Board or the Board of Election Commissioners. These grant funds must be kept separate and segregated. If using these funds for polling place accessibility, the funds may not be used in any way in a private residence. For example, they may not be used to make permanent improvements to the building(s) or property of a private residence. These grant funds may be used only to make improvements to publicly owned buildings and/or property. Furthermore, purchases made with this grant shall become the responsibility and property of the Election Authority, not the State Board of Elections. All property control and custody responsibilities will be assumed by the Election Authority. The Election Authority must follow the federal equipment management requirements included in 41 CFR 105-71.132 and maintain adequate records of equipment purchased with HAVA funds. Likewise, the Election Authority agrees that all future costs related to maintenance, repairs, and upgrades to equipment or property purchased with these grant funds shall be the sole responsibility of the Election Authority, not the State Board of Elections.

There are certain federal financial controls applicable to this grant. According to the regulations of the U.S. Treasury, recipients of Federal monies (State governments) that pass the funds on to sub-recipients in advance (Local governments) must ensure that only those monies determined necessary for immediate cash needs are advanced (34 CFR 80.20). The State Auditor General has interpreted 'immediate cash needs' as receiving advance funds **30 days or less from the expected date of paying the sub-recipient's vendors.** Please submit **only when you are ready to pay your vendors for qualifying expenses under this Program within the timelines given above.** Therefore, the grant may be applied toward any purchase or lease meeting the above criteria made **between July 1, 2009 and November 6, 2012.** The Election Authority agrees to indemnify and hold the State Board of Elections harmless against any claims brought against it by the Comptroller General or other agency of the federal government, for reimbursement of the grant funds in the event that the Election Authority is found liable for misapplication, misuse, or misappropriation of funds.

The Election Authority agrees that it will not purchase goods/services with HAVA funds with any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549. These can be found on the Excluded Parties List System located at www.gsa.gov (http://www.gsa.gov/Portal/gsa/ep/contentView.do?contentType=GSA_BASIC&contentId=19944&noc=T)

The Election Authority will follow the Lobbying certification as required by Section 1352, Title 31 of the U.S. Code. The recipient certifies that: (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement; and (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form – LLL, "Disclosure of Lobbying Activities."

THIS GRANT IS SUBJECT TO THE ILLINOIS GRANT FUNDS RECOVERY ACT (30 ILCS 705/1, et seq.). THEREFORE, ANY UNSPENT PORTION OF THE GRANT THAT REMAINS AFTER 30 DAYS MUST BE RETURNED WITH INTEREST TO THE STATE BOARD OF ELECTIONS IMMEDIATELY. ANY MISSPENT OR IMPROPERLY HELD GRANT FUNDS ARE SUBJECT TO RECOVERY BY THE STATE BOARD OF ELECTIONS.

Election authorities that fail to pay their vendors for qualifying expenses within the 30-day time period as specified by the terms of this Agreement and underlying federal rule shall become liable to the State Board of Elections for interest penalties for failing to meet the 30-day interval (unless the applicable grant amount, or any unused portion thereof, is returned to the State before the 30-day period has elapsed). An election authority failing to meet this 30-day requirement will be liable for interest at the rate applicable to the State's payments to its vendors under the terms of the State Prompt Payment Act (30ILCS 540). The interest calculation for this mandatory reimbursement is based on the historical interest rates earned by the State HAVA fund and paid by the State Treasurer during the specific time periods the money was improperly held by the local jurisdiction. The election authority assessed this interest penalty must remit the penalty amount to the State Board of Elections within 30 days of receipt of notice from SBE. Such interest payment shall be identified separately from any grant returns or other refunds.

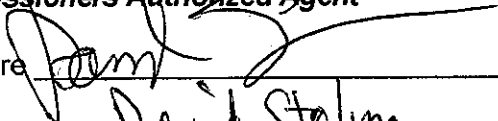
By signing this document, you certify that you agree to use the grant funds provided for the purposes articulated above and certify that you understand and agree to the record keeping and documentation requirements set forth above.

Further, you certify that you will return to the SBE any of the unspent funds remaining within thirty days after receipt of such funds as noted above. For purposes of this paragraph, the unspent funds shall be considered timely returned if it is actually received in either of the SBE offices (Chicago or Springfield) within 30 days of receipt or, if received beyond such 30-day period, the envelope containing the unspent funds is postmarked within such 30-day period. If the postmark on the envelope containing the unspent funds is missing or illegible, the return of the unspent funds will be considered timely if such envelope is received by the SBE no later than 5 business days following the end of such 30-day period.


In addition, you understand and accept that no additional HAVA related funds will be forthcoming, or in the alternative, that additional grant funds may be reduced by the amount of any outstanding funds owed to the State Board of Elections, until the terms of those agreements are satisfied and any unspent or unaccounted for funds are returned with interest as indicated above.

Any violations of this agreement may be reported to appropriate legal authorities for review and appropriate action.

**Chairman of County Board or Board of Election
Commissioners Authorized Agent**

Signature 
Printed Name David Stolman
Date 2/17/2011

Election Authority Authorized Agent

Signature 
Printed Name Willard R. Helander
Date 2-17-2011

Illinois State Board of Elections

Signature _____
Printed Name Rupert T. Borgsmiller, Executive Director
Date _____