

MEMORANDUM OF AGREEMENT

RECEIVED  
DEPARTMENT OF STATE  
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CIVIL RIGHTS  
TALLAHASSEE

This agreement, effective as of 29<sup>th</sup> day of July, 2002, is by and between the State of Florida, Department of State, Division of Elections ("Department"), the address of which is The Collins Building, Room 100, 107 West Gaines Street, Tallahassee, Florida 32399-0250 and Nassau County Board of County Commissioners ("County") the address of which is Post Office Box 1010, Fernandina Beach, Florida 32035-1010.

WHEREAS, section 76, of Chapter 2001-40, Laws of Florida, provides for the disbursement of funds to be used for voting systems assistance.

**I. Governing Law**

Funds appropriated to the Division of Elections of the Department of State in the 2001-2002 General Appropriations Act for Voting Systems Assistance shall be distributed to the counties in the following manner:

1. Counties having a population of 75,000 or fewer based on the 2000 census shall receive a total of \$7,500 per precinct based on the number of precincts as certified by the Department of State for the 2000 General Election, to be distributed in two equal installments.

2. All other counties shall receive a total of \$3,750 per precinct based on the number of precincts as certified by the Department of State for the 2000 General Election, to be distributed in two equal installments.

**II. Disbursement**

Each county shall receive a sum certain as provided above and outlined in Appendix A. The second installment shall be paid as soon as possible after the execution of this agreement.

**III. Audits**

The administration of funds awarded by the Department of State to the County may be subject to audits and monitoring by the Department of State, as described in this section.

1. In the event that the County expends a total amount of State awards (i.e., State financial assistance provided to the County to carry out a State project) equal to or in excess of \$300,000 in any fiscal year in accordance with Section 216.3491, Florida Statutes, applicable rules of the Executive Office of the Governor and the Comptroller, and Chapter 10.600, Rules of the Auditor General, shall apply. Appendix A to this agreement indicates State funds awarded through the Department of State by this agreement. In determining the State awards expended in this fiscal year, the County shall

consider all sources of State awards, including State funds received from the Department of State, except that State awards received by a non-state entity for Federal program matching requirements shall be excluded from consideration.

2. In connection with the audit requirements addressed above, the County shall ensure that the audit complies with the requirements of Section 216.3491(7), Florida Statutes. This includes submission of a reporting package as defined by Section 216.3491(2)(d), Florida Statutes, and Chapter 10.600, Rules of the Auditor General.

3. If the county expends less than \$300,000 in State awards in its fiscal year, an audit conducted in accordance with the provisions of Section 216.3491, Florida Statutes, is not required. In the event that the County expends less than \$300,000 in State awards in its fiscal year and elects to have an audit conducted in accordance with the provisions of Section 216.3491, Florida Statutes, the cost of the audit must be paid from non-State funds (i.e., the cost of such an audit must be paid from County funds obtained from other than State entities).

4. The Internet web addresses listed below will assist the County in locating documents referenced in the text of this agreement and the interpretation of compliance issues.

State of Florida Department of Banking and Finance (Comptroller)  
<http://www.dbf.state.fl.us>

State of Florida Office of the Auditor General Rules Index  
<http://www.state.fl.us/audgen/pages/rulepage.htm>

State of Florida Legislature (Statutes, Legislation relating to the Florida Single Audit Act) <http://www.leg.state.fl.us>

#### **IV. Report Submissions**

Copies of reporting packages required by PART III of this agreement shall be submitted by or on behalf of the County directly to each of the following:

1. The Department of State at the following address:

Department of State  
Division of Elections  
The Collins Building, Room 100  
107 West Gaines Street  
Tallahassee, Florida 32399-0250

2. The Auditor General's Office at the following address:

State of Florida Auditor General  
Room 574, Claude Pepper Building  
111 West Madison Street  
Tallahassee, Florida 32302-1450

**V. Record Retention**

The County shall retain sufficient records demonstrating its compliance with the terms of the agreement for a period of five (5) years from the date the audit report is issued, and shall allow the Department of State, or its designee, access to such records upon request. The County shall ensure that audit working papers are made available to the Department of state, or its designee, upon request for a period of five (5) years from the date the audit report is issued, unless extended in writing by the Department of State.

IN WITNESS THEREOF, the parties have caused this Agreement to be executed by their undersigned officials as duly authorized

Department of State, Division of Elections:

By: [Signature]  
Division Director

[Signature]  
Witness

July 29, 2002  
Date

County Commission:

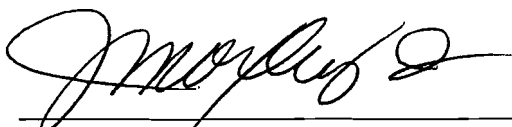
By: [Signature]

Nick D. Deonas, Chairman  
Nassau County Board of County Commissioners  
Typed Name and Title

[Signature]  
Witness

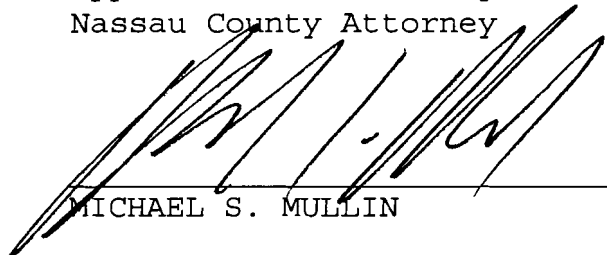
July 22, 2002  
Date

ATTEST:



J. M. "CHIP" OXLEY, JR.  
Its: Ex-Officio Clerk

Approved as to Form by the  
Nassau County Attorney



MICHAEL S. MULLIN

**DIVISIONS OF FLORIDA DEPARTMENT OF STATE**

Office of the Secretary  
Office of International Relations  
Division of Elections  
Division of Corporations  
Division of Cultural Affairs  
Division of Historical Resources  
Division of Library and Information Services  
Division of Licensing  
Division of Administrative Services



**FLORIDA DEPARTMENT OF STATE**  
**Katherine Harris**  
Secretary of State  
DIVISION OF ELECTIONS

**MEMBER OF THE FLORIDA CABINET**

State Board of Education  
Trustees of the Internal Improvement Trust Fund  
Administration Commission  
Florida Land and Water Adjudicatory Commission  
Siting Board  
Division of Bond Finance  
Department of Revenue  
Department of Law Enforcement  
Department of Highway Safety and Motor Vehicles  
Department of Veterans' Affairs

July 31, 2002

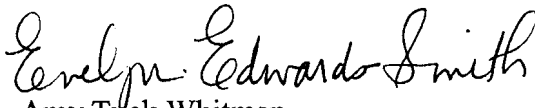
Mr. Nick D. Deonas, Chairman  
Nassau County Board of County Commissioners  
Post Office Box 1010  
Fernandina Beach, Florida 32035-1010

Dear Mr. Deonas:

Enclosed is your copy of the signed Memorandum of Agreement for voting systems assistance. I have also forwarded a copy to your county Supervisor of Elections.

If you have any questions, please do not hesitate to contact me.

Sincerely,

  
for Amy Tuck Whitman  
Assistant General Counsel

ATW/ees

Enclosure

RECEIVED  
COUNTY COORDINATOR'S  
OFFICE

02 AUG -5 PM 12: 32



**NASSAU COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
P. O. Box 1010  
Fernandina Beach, Florida 32035-1010

Nick Deonas  
David C. Howard  
Vickie Samus  
Floyd L. Vanzant  
Marianne Marshall

Dist. No. 1 Fernandina Beach  
Dist. No. 2 Fernandina Beach  
Dist. No. 3 Yulee  
Dist. No. 4 Hilliard  
Dist. No. 5 Callahan

July 24, 2002

JOSEPH M. "Chip" OXLEY, JR.  
Ex-Officio Clerk

MICHAEL S. MULLIN  
County Attorney

WALTER D. GOSSETT  
County Coordinator

Amy Tucker Whitman  
Assistant General Counsel  
Florida Department of State  
Division of Elections  
The Collins Building, Room 100  
107 West Gaines Street  
Tallahassee, FL 32399-0250

RE: Contract for State Funding for Voting Equipment

Dear Ms. Whitman:

At a regular session of the Nassau County Board of County Commissioners held July 22, 2002 the Board approved and authorized the Chairman to sign the referenced agreement. The original document is enclosed for signature and processing. Please return a copy of the executed agreement in the return envelope for our records.

Should you have any questions, please call Joyce Bradley at 904.321.5703.

Sincerely,

A handwritten signature in black ink, appearing to read "J.M. Oxley, Jr.", written over a horizontal line.

J.M. "Chip" Oxley, Jr.  
Ex-Officio Clerk

xc: Vicki P. Cannon, Supervisor of Elections w/copy  
File

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VICKI PETERSON CANNON

Supervisor of Elections  
Nassau County, Florida

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HONOR A VETERAN  
WITH YOUR VOTE!

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RECEIVED  
COUNTY COORDINATORS  
OFFICE  
JUL 16 PM 4:43

MEMORANDUM

TO: HONORABLE NICK DEONAS, CHAIR  
HONORABLE VICKIE SAMUS, VICE CHAIR  
HONORABLE DAVE HOWARD, COMMISSIONER  
HONORABLE MARIANNE MARSHALL, COMMISSIONER  
HONORABLE FLOYD VANZANT, COMMISSIONER

FROM: *Vicki P. Cannon*  
VICKI P. CANNON, SUPERVISOR OF ELECTIONS

DATE: JULY 16, 2002

SUBJECT: CONTRACT FOR STATE FUNDING FOR VOTING EQUIPMENT;  
PRECINCT MAPS FOR NASSAU COUNTY; FEDERAL FUNDING

I have requested to be placed on the Board of County Commissioners for its next regular meeting of July 22, 2002 for the following items:

- 1) Consideration of approval of Memorandum of Agreement between the Division of Elections and the Nassau County Board of County Commissioners for the remainder of the state funding allocated for voting equipment. This Agreement will provide for the final payment on the \$157,500 allocation for funding assistance for the purchase of a new voting system. Last year the County received \$78,750, the first of two equal installments, and the subject Agreement provides for the remaining \$78,750. According to the Division, once the Agreement is received it will take approximately two weeks to receive the funds.
- 2) New Precinct Maps for Nassau County: As the redistricting process has been pre-cleared through the Department of Justice and the appropriate courts, I will now be presenting the new precincts and polling places to the County Commission in accordance with Section 101.001, Florida Statutes. As our office is still finalizing this process, the maps and descriptions will be forwarded as soon as they become available.
- 3) Federal Funding: In keeping with our traditional discussion of federal funding proposals, I will have the latest information to share with the County Commission at the meeting.

Should you have questions, or if we can be of assistance, please do not hesitate to contact us.

cc: Honorable Chip Oxley, County Clerk  
Walt Gossett, County Coordinator  
Mike Mullin, County Attorney

DIVISIONS OF FLORIDA DEPARTMENT OF STATE

Office of the Secretary  
Office of International Relations  
Division of Elections  
Division of Corporations  
Division of Cultural Affairs  
Division of Historical Resources  
Division of Library and Information Services  
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MEMBER OF THE FLORIDA CABINET

State Board of Education  
Trustees of the Internal Improvement Trust Fund  
Administration Commission  
Florida Land and Water Adjudicatory Commission  
Siting Board  
Division of Bond Finance  
Department of Revenue  
Department of Law Enforcement  
Department of Highway Safety and Motor Vehicles  
Department of Veterans' Affairs

FLORIDA DEPARTMENT OF STATE  
**Katherine Harris**  
Secretary of State  
DIVISION OF ELECTIONS

June 24, 2002

RECEIVED

JUN 26 2002

SUPERVISOR OF ELECTIONS  
NASSAU COUNTY, FL

The Honorable Vicki P. Cannon  
Supervisor of Elections  
Nassau County  
11 North 14<sup>th</sup> Street, Box 11  
Fernandina Beach, Florida 32034

Dear Ms. <sup>Vicki</sup>~~Cannon~~:

Enclosed is your county's voting systems assistance agreement that must be signed by your Board of County Commissioners and returned to the Division of Elections. We will forward your agreement to the Comptroller's office for immediate payment. The payment will take approximately two weeks from when the Comptroller receives the request to when the counties receive the funds.

As in the last fiscal year, the division will be notified when the money is transferred and when the warrants are paid. We will forward this information, and/or the warrant, to you upon receipt in our office.

Thank you for your attention to this matter. As always, if you have any further questions, please do not hesitate to contact me.

Sincerely,

Amy Tuck Whitman  
Assistant General Counsel

ATW/ees

Enclosure

*Original document*