

**TOWN OF KEYSTONE  
Summit County, Colorado**

**RESOLUTION 2024-54**

**A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO  
APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH SUMMIT COUNTY  
FOR ELECTION SERVICES**

WHEREAS, pursuant to Colorado Constitution art. XIV, § 18(2)(a) and Colorado Revised Statutes § 29-1-203, as amended, the County and the Town may cooperate or contract with each other to provide any function or service lawfully authorized to each, and any such contract may provide for the sharing of costs, the imposition of taxes, and incurring of debt; and

WHEREAS, Town Council is considering submitting two ballot questions to the registered electors in the Town of Keystone at the state general election in November 2024 (“November election”); and

WHEREAS, pursuant to Colorado Revised Statutes § 1-1-111, of the Uniform Election Code, as amended, hereinafter referred to as the “Code”, the Town is authorized to contract with the Clerk and Recorder to perform all or part of the duties associated with conducting elections; and

WHEREAS, the County, the Clerk and Recorder, and the Town have determined that it is in their best interests to conduct the November election as a “coordinated election,” as such term is defined in Colorado Revised Statutes § 1-1-104(6.5), as amended; and

WHEREAS, the County, the Clerk and Recorder, and the Town have determined that it is in the best interests of their respective residents, to cooperate and contract concerning the election upon the terms and conditions contained in the attached Intergovernmental Agreement, hereinafter referred to as “Exhibit A”.

**Now, Therefore, be it Resolved by the Town Council of the Town of Keystone, Colorado, that:**

Section 1. The Town Council approves the Intergovernmental Agreement Between the Town of Keystone and Summit County Regarding Election Services. The Town Council authorizes the Mayor to execute the IGA in substantially the form that is provided in Exhibit A.

Section 2. Effective Date. This Resolution shall take effect upon its approval by the Town Council.

Town of Keystone  
Resolution No. 2024-54  
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**ADOPTED by a vote of 6 in favor and 0 against, this 13<sup>TH</sup> day of August, 2024.**

Signed by:  
By: Kenneth D. Riley  
Kenneth D. Riley, Mayor

ATTEST:

Approved as to Form:

DocuSigned by:  
By: Madeline Sielw  
Town Clerk

Signed by:  
By: Jennifer Madsen  
Town Attorney



Office of the Clerk & Recorder | Elections

**TARYN POWER, CLERK & RECORDER**

**ELECTIONS DIVISION**

208 East Lincoln Ave. | P.O. Box 1538 Breckenridge, CO 80424

(970) 453-3479

[www.SummitCountyCO.gov/VOTE](http://www.SummitCountyCO.gov/VOTE)

[www.GoVoteColorado.gov](http://www.GoVoteColorado.gov)

**INTERGOVERNMENTAL AGREEMENT  
FOR ELECTION SERVICES**

This Intergovernmental Agreement is entered into as of this 23 day of August, 2024, between The Board of County Commissioners of Summit County, Colorado ("County") and the Town of Keystone ("Town"). In consideration of the benefits and obligations contained herein, and subject to the terms and conditions as are hereinafter set forth, the parties agree as follows:

**A. DUTIES OF THE COUNTY CLERK & RECORDER**

The 2024 General Election will be conducted as a Mail Ballot/Voter Service Polling Center ("VSPC") Election in compliance with Federal and State Election Law and Rule. Taryn Power is the Summit County Clerk & Recorder, and can be reached via email at [taryn.power@summitcountyco.gov](mailto:taryn.power@summitcountyco.gov) or by telephone at (970) 453-3471. Stephanie Szmuto is a secondary contact as the Chief Deputy Clerk & Recorder, and can be reached via email at [stephanie.szmuto@summitcountyco.gov](mailto:stephanie.szmuto@summitcountyco.gov) or by telephone at (970) 453-3472. The Summit County Clerk & Recorder ("County Clerk") will provide the following election functions relating to the conduct of the General Election to be held on Tuesday, November 5, 2024:

**1. Compilation and distribution of mail ballot packets.** Duties include: combination and proofing of Federal, State and Local certified candidates/questions, layout design, printing, and mailing of mail ballot packets in compliance with Federal and State Election Rule and Law. Mail ballot packets include instructions, a secrecy sleeve, return envelope, and the eligible ballot style for the voter. Test and sample ballots will be produced to test equipment and inform voters ahead of Election Day. Paper in-person ballots by Direct Recording Electronic Device ("DRE") or hand-marked paper ballots will be produced and provided to all VSPC locations. Military and Overseas ("UOCAVA") ballots will be sent by voter-indicated transmission method no later than Saturday, September 21, 2024. The first day mail ballots to all other active registered voters can and will be sent is Friday, October 11, 2024. The last day the County Clerk can mail ballots is Monday, October 28, 2024 by United States Postal Service ("USPS").

**2. Establishment and administration of VSPC and mail ballot drop off locations.** VSPC locations will be the responsibility of the County Clerk.

One Early Voting VSPC (walk-in) location will be open during the following dates:

Monday, October 21, 2024 through Friday, October 25, 2024

Monday, October 28, 2024 through Friday, November 2, 2024

Saturday, November 3, 2024

Monday, November 4, 2024

All 3 VSPC (walk-in) locations will be open on Election Day, Tuesday, November 5, 2024.

The County Clerk posts statutory polling place signs by Wednesday, October 16, 2024. The County Clerk manages all aspects of the five 24-hour drop box locations including: signage, surveillance, secure

gathering of ballots and correspondence, and custody of keys. The County Clerk manages all aspects of the five 24-hour drop box locations including: signage, surveillance, secure gathering of ballots and correspondence, and custody of keys.

3. **Publish and post the Notice of Election** no later than Wednesday, October 16, 2024.
4. **Recruitment, appointment, scheduling and training of Pollworkers/Election Judges.**
5. **Testing/auditing State-certified voting and tabulating equipment** before and after Election Day. The County Clerk will publicly perform the mandatory Logic and Accuracy Test (LAT), Risk-Limiting Audit (RLA) and Canvass events. The Town is required and expected to participate in all three events (see section "B" of this Agreement below titled "Duties of the Town").
6. **Manage Central Count functions and proceedings.** The County Clerk directs Pollworkers in the central location where ballots undergo signature verification, separation and tabulation in accordance with Federal and State Election Law and Rule. The Town may have a maximum of two watchers present in Central Count and must provide advanced notice of Watchers to the County Clerk.
7. **Provide an UNOFFICIAL Abstract of Votes to the Town** upon completion of the counting of all ballots. The Abstract is not made official until the County Clerk performs the Canvass after the Election.
8. **Provisional ballot administration** including: provision, receipt, verification, tabulation, and reporting. Verification begins Wednesday, November 6, 2024 and finishing no later than Friday, November 15, 2024. The Town may have a maximum of two watchers present in Central Count and must provide advanced notice of Watchers to the County Clerk.
9. **Creation and distribution of Taxpayer Bill of Rights (TABOR) Notice** using certified content from the Town. Duties include: Template compilation, inclusion of Town-certified text and financial information (in addition to any other coordinating entities with TABOR content), and mailing of TABOR notice package to "All Registered Voters" in Summit County no later than Friday, October 4, 2024.
10. **Canvass:** Appoint the members of the Board of Canvassers, prepare the Abstract of Votes, perform the Canvass, and submit the Abstract of Votes to the Colorado Secretary of State, no later than Wednesday, November 27, 2024. The Canvass cannot be performed until the Risk-Limiting Audit is deemed complete by the Colorado Secretary of State.
11. **Create and transmit a Certificate of Election to the Town** containing the votes cast for each candidate and/or question, after the Official Abstract of Votes is certified at Canvass, no later than Wednesday, November 27, 2024.
12. **Preserve election records** for the required statutory retention period.

## B. DUTIES OF THE TOWN OF KEYSTONE

The Town has appointed Madeleine Sielu to serve as the Designated Election Official (“DEO”). The direct contact phone number for the Town’s DEO is: 970-450-3500x1. The email address for the Town’s DEO is: msielu@keystoneco.gov.

All communication regarding the 2024 General Election will take place exclusively between County Clerk Taryn Power and the Town’s appointed DEO as listed above. Should the DEO be unable to communicate at any time with the County Clerk, a designee is required to be appointed and must proactively communicate the change in writing to the County Clerk within 24 hours upon designation. The Town will be responsible for the following election duties relating to the 2024 General Election to be held on November 5, 2024:

- 1. Certify the Town’s Official 2024 General Election ballot content to the County Clerk** in its exact and final form no later than 5:00 p.m. Friday, September 6, 2024. Ballot content must be provided via email as attachments to Summit County Clerk & Recorder Taryn Power in both of the following two methods:
  - a. Microsoft Word document using the Ballot Certification Template (“Exhibit B”).
  - b. Portable Document Format (“PDF”) of the signed/sealed, certified ballot content. Can be in the form of a resolution or other formal action from the Town.
- 2. Timely review, communication, and approval of ballot layout.** The County Clerk will send the Town the proposed layout of the ballot after content is certified to the County Clerk. The Town is required to review and either submit changes, or approve in writing, the layout for the Town’s portion of the ballot content within two hours. This duty of review and follow-up communication is time-sensitive and must take place in writing (email is acceptable), the same business day after the County Clerk transmits the proposed layout to the Town. The DEO must be available by email and telephone during and after regular business hours during the ballot certification time period. The ballot certification time period ranges from Friday, September 6, 2024 at 8:00 am through Sunday, September 15, 2024 at 5:00 pm or until the Ballot content has been proofed and approved through 1 round between the County Clerk and the DEO of the Town. Only 1 round of proofing and approval will be permitted. Once the ballot content is approved by the Town during the ballot certification time period, no changes can be made to the ballot.
- 3. Participate in pre- and post-Election events.** The Town will provide a representative for the LAT, RLA and Canvass Boards in Summit County.
- 4. The Town will pay the County Clerk for the Town’s portion of the actual costs of services and supplies.** An estimate of the Town’s proportional share of these services and supplies is set forth in Exhibit A. Such payment(s) will be made either to the County Clerk or directly to such third-party vendors or contractors as requested by the County Clerk in their sole discretion. Payment(s) will be made within thirty days from receipt of the itemized statement(s). In the eventuality that it is determined that election materials must be in multiple languages, the Town will pay their proportional share of such expense.
- 5. In the event that the Town resolves not to hold the election, such notice will be immediately made to the County Clerk.** The Town will pay its prorated costs for the duties performed and costs incurred by the County Clerk relating to the election both before and after the County Clerk's receipt of such notice. The Town will also be responsible for communicating the cancellation of their election by: publishing the

notice of cancellation in the news publication of record in the County, and posting the notice at the following locations: the three designated polling places, in the office of the County Clerk, and in Town DEO's office.

6. **Accept, organize, summarize and transmit TABOR Pro/Con comments** pertaining to the Town's TABOR issues by Noon Friday, September 20, 2024. Transmission to County Clerk is required to be Pro/Con comments that are already summarized by the Town to be a maximum of 500 words each. The Town must verify the submitter of the Pro/Con statements are eligible electors of the Town. Transmission to the County Clerk is to be via email no later than Monday, September 23, 2024 along with any information required under Article X, Section 20 of the Colorado Constitution or any other law.
7. **TABOR Notice review and approval.** The County Clerk will send the Town the proposed layout of the TABOR notice via email. The Town is required to review and either submit changes in writing, or approve in writing, the layout and content for the Town's portion of the TABOR notice via email. This duty of review and follow-up communication is time-sensitive and must take place the same business day after the County Clerk transmits the proposed layout to the Town.

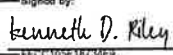
**C. GENERAL PROVISIONS**


1. This Agreement may be amended only in writing, following the same formality as the execution of the initial Agreement.
2. If any provision of this Agreement is held to be invalid, illegal, or unenforceable by a court of competent jurisdiction, such holdings will not affect the validity, legality, or enforceability of the remaining provisions.
3. In the event of any challenge or other legal action contesting the election or the conduct of the election, the Town and the County will bear their own costs of defending such challenge or other legal action, and of any liability resulting therefrom. If a new election or other procedure must be conducted as a result of such challenge or legal action, the County and Town will each pay their proportional share of actual costs of the new election or other procedure. Notwithstanding the foregoing, if a court determines that an act or omission of only the County or of only the Town made necessary the new election or other procedure, the responsible party will pay the entire cost of any liability resulting therefrom and of any new election or other procedure ordered by a Court.

**IN WITNESS WHEREOF**, the Parties hereto have executed this Agreement to be effective the day and year first set forth above.

TOWN OF KEYSTONE

BOARD OF COUNTY COMMISSIONERS  
SUMMIT COUNTY, COLORADO

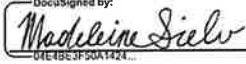
By:  \_\_\_\_\_  
Signed by: Kenneth D. Riley  
FFCC105F1B734F2...  
 Kenneth D. Riley  
 \_\_\_\_\_  
 Mayor  
 \_\_\_\_\_  
PRINT FULL NAME & TITLE

By:  \_\_\_\_\_  
 David Rossi, Summit County Manager

ATTEST:

ATTEST:

SUMMIT COUNTY CLERK & RECORDER

By:  \_\_\_\_\_  
DocuSigned by: Madeleine Sielu  
04C15E3F50A1A24...  
 Madeleine Sielu  
 \_\_\_\_\_  
 Town Clerk & Designated Election official  
 \_\_\_\_\_  
PRINT FULL NAME & TITLE

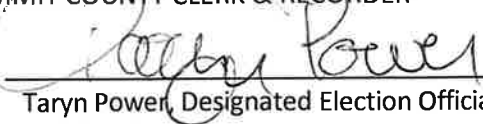
By:  \_\_\_\_\_  
 Taryn Power, Designated Election Official

Exhibit A - 2024 General Election Cost Estimate Breakdown  
SUMMIT COUNTY CLERK & RECORDER  
SUMMIT COUNTY, COLORADO  
TOWN: TOWN OF KEYSTONE

Active Registered Voters within Town as of July 24, 2024:	<u>922</u>
Ballot Printing/Programming/Preparation/Mailing	\$700.00
Postage	\$ 50.00
Envelopes/Instructions/Secrecy Sleeves	\$600.00
Notice of Election	\$ 50.00
Election Judges	\$500.00
Request for comments	\$250.00
TABOR Notice	\$500.00
TOTAL	\$2,650.00

Note: This is only an estimate. Final costs will be determined once invoices from vendors have been received, and the number of political subdivisions participating in the election is confirmed.



Exhibit B – 2024 Ballot Certification Template & Worksheet  
FILL OUT FORM ENTIRELY, RESPOND WITH N/A TO QUESTIONS IF NOT APPLICABLE

Full Legal Name of Coordinating Entity: \_\_\_\_\_

State the number of separate candidate races the District DEO will certify for the 2024 General Election Ballot: \_\_\_\_\_

State the number of separate ballot measures, including TABOR and non-TABOR ballot questions the District DEO will certify for the 2024 General Election Ballot: \_\_\_\_\_

How many ballot measures qualify as TABOR?: \_\_\_\_\_

Actual races language: positions, jurisdictions, candidate names, **remember write-in spaces where applicable!** List offices and candidate names in the exact order and spelling how they are to appear on the ballot.

Actual measure/issue language: **\*Do not assign a number/letter** to the measure – the controlling County Clerk & Recorder will determine by Election Rule after content is certified to their office\*