

RESOLUTION NO. 26
SERIES 1998

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT
WITH THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY,
COLORADO, CONCERNING THE NOVEMBER 3, 1998 COORDINATED
ELECTION

WHEREAS, the Town of Breckenridge is a home rule municipal corporation, organized and existing under the laws of the State of Colorado; and

WHEREAS, the Board of County Commissioners of Summit County is the governing body of Summit County under Colorado state law; and

WHEREAS, governmental entities are authorized by law to cooperate and contract with other governmental entities; and

WHEREAS, the Town of Breckenridge will participate in a coordinated election on November 3, 1998; and

WHEREAS, in connection with the upcoming coordinated election, it is necessary and appropriate under Section 1-7-116(2), C.R.S. for the Town to enter into an intergovernmental agreement with the Board of County Commissioners of Summit County, setting forth the respective duties of the Town and the County Clerk in connection with such election; and

WHEREAS, the Town Council has reviewed the proposed Intergovernmental Agreement between the Town and the Board of County Commissioners of Summit County, a copy of which is marked Exhibit "A", attached hereto and incorporated herein by reference.

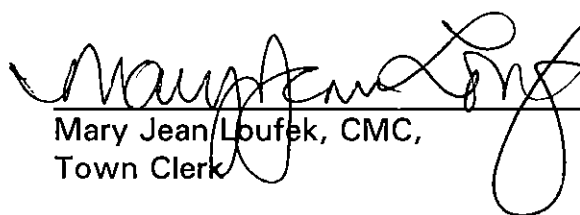
NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO, as follows:

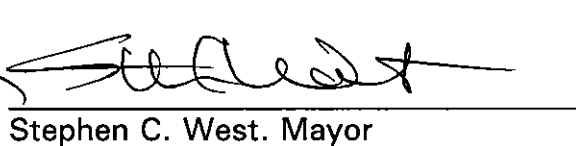
Section 1. The proposed Intergovernmental Agreement between the Town and the Board of County Commissioners of Summit County concerning the duties of the Town and the County Clerk in connection with the November 3, 1998 coordinated election is approved, and the Town Manager and Town Clerk are hereby authorized, empowered and directed to execute such Agreement for and on behalf of the Town.

RESOLUTION ADOPTED AND APPROVED THIS 25th day of August, 1998.

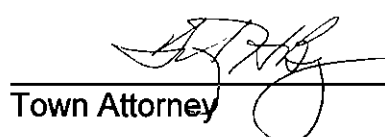
ATTEST:

TOWN OF BRECKENRIDGE


Mary Jean Loufek, CMC,
Town Clerk


Stephen C. West, Mayor

APPROVED IN FORM


Town Attorney

8/25/98
Date

**INTERGOVERNMENTAL AGREEMENT
FOR ELECTION SERVICES**

This Intergovernmental Agreement is entered into as of the 27TH day of AUGUST, 1998, between The Board of County Commissioners of Summit County, Colorado ("County"), and the Town of Breckenridge, a Colorado Municipal Corporation ("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

The Summit County Clerk & Recorder ("County Clerk") will provide the following election duties relating to the conduct of the General Election to be held on November 3, 1998.

1. Polling place locations have been established by the County Clerk. The County Clerk shall post the polling place signs by Thursday, October 22, 1998.
2. Certify the registration list, if ordered by the Town in writing, no later than Thursday, September 24, 1998. The initial list will be provided to the Town no later than Monday, October 5, 1998, and the supplemental list or the complete list will be provided on Wednesday, October 14, 1998.
3. Publish one time, in one newspaper of general circulation, the title and text of each initiated or referred measure to be on the ballot. This publishing will act as a request for public comments.
4. Accept all Colorado Fair Campaign Practices Act filings, including required disclosures and other information from Political Committees supporting or opposing a ballot issue.
5. Publish and post the Notice of Election no later than Monday, October 26, 1998.
6. The County Clerk SHALL NOT ACCEPT written public comments, but shall direct individuals wishing to make such comments to the Town Office.
7. Combine the text of the TABOR Notice for all participating Summit County Jurisdictions and mail the package, addressed as required by law, at least 30 days before the ballot issue election, to registered Summit County voters.
8. Appoint and train Election Judges. At the time of training, the Judges shall receive election ballots, supplies and equipment.
9. Receive requests for absentee/early ballots, and conduct absentee/early voting in the office of the Clerk and Recorder. Absentee voting will commence as soon as ballots are available, but in any event no later than Friday, October 2, 1998.

10. Test the program board in the ballot counting machine for correctness by running TEST BALLOTS received from the Town. This counting shall be conducted by the County Clerk's trained staff.
11. Direct all proceedings conducted at the counting center. The Town may have one or two watchers present.
12. Appoint the members of the board of canvassers and prepare the Abstract of Votes on or before Friday, November 13, 1998.
13. Deliver a Certificate of Election of the votes cast for and against each ballot issue, after the Abstract of Votes is prepared.
14. Preserve the election records for the required statutory time.

B. DUTIES OF THE TOWN

The Town shall be responsible for the following election duties relating to such General Election to be held on November 3, 1998.

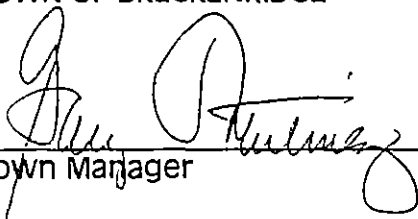
1. Certify the ballot content to the County Clerk in its exact and final form no later than 5:00 p.m. Tuesday, September 8, 1998.
2. Proof the Town portion(s) of the ballot layout the day it receives the layout.
3. Accept written public comments, both pro and con, pursuant to Art. X, Sec. 20. Comments shall be received up until 5:00 p.m. Friday, September 18, 1998.
4. Prepare and deliver to the County Clerk the full text of any required ballot issue notices no later than Tuesday, September 22, 1998.
5. Request in writing, registration lists, no later than Thursday, September 24, 1998. After reviewing the initial registration list, the Town shall notify the County Clerk of all address corrections by Friday, October 2, 1998.
6. Accept 50 TEST BALLOTS on Friday, October 9, 1998. Secretly vote the TEST BALLOTS and retain a record of the tally of TEST votes. Return voted TEST BALLOTS to the County Clerk no later than Monday, October 19, 1998.
7. The Town shall 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 on Exhibit A. Such payment(s) shall be made either to the County Clerk or directly to such third party vendors or contractors as requested by the County Clerk in her sole discretion. Payment(s) shall be made within thirty days from receipt of the itemized statement(s).
8. In the event that the Town resolves not to hold the election, such notice shall be immediately provided to the County Clerk. The Town shall 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 shall publish the notice of such cancellation and post it at the polling places, in the office of the County Clerk and in the office of the designated election official for the Town.

C. GENERAL PROVISIONS

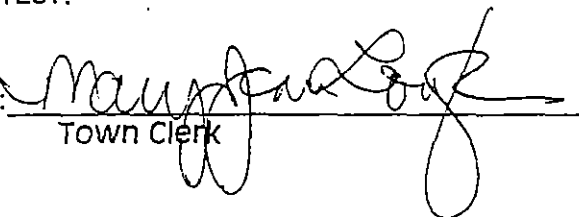
1. This Agreement may be amended only in writing, and following the same formality as the execution of the initial Agreement.
2. If any provision of this Agreement is held to be invalid, illegal, or unenforceable by a court of competent jurisdiction, such holdings shall not affect the validity, legality, or enforceability of the remaining provisions.

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

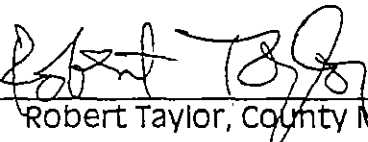
TOWN OF BRECKENRIDGE

BY: 
Town Manager

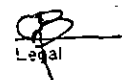
ATTEST:

BY: 
Town Clerk

BOARD OF COUNTY COMMISSIONERS OF
SUMMIT COUNTY, COLORADO

BY: 
Robert Taylor, County Manager

Approved as
to form


Legal

SUMMIT COUNTY CLERK AND RECORDER


BY: 
Cheri Brunvand

EXHIBIT A

ELECTION COSTS ESTIMATE

Estimate based on total number of registered voters:
As of 8-4-98 the total is **2,047** I am using **1,750**.

Test Ballots
Sample Ballots
Ballots @.75 \$ 1,312.50

FORMS:

AV ballot applications
Absentee Lists / Book
Judges Expense Form
AV Envelopes
Change Forms
Affidavit of Voter
Affidavit of Error
Challenge Form
AV Instruction Cards
Polling Place, 100 Ft,
Instructions and
No Smoking Signs
Precinct Polling place Supplies \$150.00

Counting Center Supplies \$ 25.00

Registration List \$ 25.00

Signature Cards @ .05 \$ 87.50

Program Board \$250.00

5 Judges of Election (1 per precinct) \$500.00

County Clerk Staff Time \$300.00

Public Notice and Request For Comments \$200.00

Cost of Tabor Notice Printing @.50 \$875.00

Cost of Tabor Notice Mailing @.32 \$560.00

TOTAL \$ 4,285.00