



## TOWN OF ELIZABETH

OFFICE OF THE TOWN CLERK / ADMINISTRATIVE SERVICES DIRECTOR

**TO:** Honorable Mayor and Board of Trustees  
**FROM:** Michelle M. Oeser, Town Clerk  
**DATE:** April 23, 2024  
**SUBJECT:** Resolutions approving the proposed IGA between the Town and the Elbert County Clerk and Recorder Regarding

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### **SUMMARY –**

The proposed IGA is between the Town of Elizabeth and the Elbert County Clerk and Recorder. This type of IGA agreement has been put into place in past years to provide a polling place for Elbert County Elections. The conduct and administration of the Voter Service and Polling Center (VSPC) is proposed for the June 25, 2024, Primary Election. Previously the Board approved an IGA that stipulated Town Hall as an alternate location in case of an emergency. This agreement updates that previous agreement. It now states that Town Hall will be utilized as a polling place.

The Town Clerk, Deputy Clerk, and Assistant Town Clerk will be sworn in as temporary Deputy County Elections Clerks. Swearing the Town Clerks in covers all bases as to who has the authority to handle Dropbox ballots. Sometimes ballots are mistakenly dropped in the Town box instead of the Election box, which means that sworn Clerks must take the ballots and place them in the election box located at the Town Hall.

In the future, the Board will be presented with another IGA agreement like the ones you are considering action on tonight. A future agreement will be for the November 5, 2024, regular elections.

Town Attorney Corey Hoffmann has approved the agreement to form.

### **STAFF RECOMMENDATIONS-**

Staff recommends approval of Resolution 24R22, a Resolution approving the Intergovernmental Agreement between the Town and the Elbert County Clerk Elbert County Clerk as the Elections Office needs to have the ability to utilize the Board room on June 25, 2024.

### **ATTACHMENT(S)**

Resolution 24R22

Intergovernmental Agreement

## RESOLUTION 24R22

### **A RESOLUTION APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN AND THE ELBERT COUNTY CLERK AND RECORDER**

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ELIZABETH, COLORADO AS FOLLOWS:

Section 1. The Intergovernmental Agreement between the Town and the Elbert County Clerk and Recorder regarding the conduct and administration of the Voter Service and Polling Center (VSPC) Site For the June 25, 2024, Primary Election attached hereto as **Exhibit A** is hereby approved by the Board of Trustees of the Town of Elizabeth and the Mayor is authorized to execute same on behalf of the Town.

Section 2. The Town hereby designates Town Clerk Michelle M. Oeser as the Designated Election Official (DEO) of the Town.

PASSED, APPROVED, and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2024, by the Board of Trustees of the Town of Elizabeth, Colorado, on first and final reading, by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against.

\_\_\_\_\_  
Tammy Payne, Mayor

ATTEST

\_\_\_\_\_  
Michelle M. Oeser, Town Clerk

**INTERGOVERNMENTAL AGREEMENT BETWEEN  
THE ELBERT COUNTY CLERK AND RECORDER  
AND  
THE TOWN OF ELIZABETH**

**Regarding the Conduct and Administration of the  
Voter Service and Polling Center (VSPC)  
For the June 25, 2024 Primary Election**

This Intergovernmental Agreement (hereinafter the "Agreement") is made this \_\_\_\_ day of \_\_\_\_\_, 2024, between the Elbert County Clerk and Recorder (hereinafter "County") and the Town of Elizabeth (hereinafter "Town"), located in Elizabeth, Colorado (each a "Party" and collectively the "Parties").

**WHEREAS**, the Town desires to serve as a voter service and polling center (VSPC) and a 24-hour ballot drop-off site for the June 25, 2024 Elbert County Primary Election; and

**WHEREAS**, the Municipal Clerk will act as a Deputy County Clerk during County Administered elections for the purpose of retrieving, securing and storing ballots, and transferring custody to Elbert County Election officials.

**WHEREAS**, the parties understand and agree that the duties, obligations and provisions contemplated in this IGA are subject to the provisions of the Uniform Election Code of 1992.

**NOW, THEREFORE**, it is agreed that:

**1. Duties of the Town**

- a. The Town shall keep the Town of Elizabeth open to the general public for the delivery of mail ballots and voting by electors on Tuesday, June 25, 2024 from 7:00 a.m. to 7:00 p.m., or until polls close, in the event of a Court order to extend polling hours.
- b. The Town will allow the County to utilize the 24-hour ballot drop box owned by the County on the property owned by the Town at 151 S. Banner Street, Elizabeth, CO. The box will be open to receive ballots between June 4, 2024 and June 25, 2024 at 7:00 p.m.
- c. The Town shall keep the Town of Elizabeth open to authorized representatives of the Elbert County Clerk and Recorder's Office on Monday, June 24, 2024 from 12:00 p.m. to 7:30 p.m. for VSPC setup and Tuesday, June 25, 2024 from 6:00 a.m. to 8:00 p.m. or until one hour after close of polls in the event of a Court order to extend polling hours, and shall provide internet access during those hours.
- d. The Town will supply the County with a lockable room to store voting equipment from June 24, 2024, to June 25, 2024. The locked room must be accessible to the County to store equipment by 12:00 p.m. on June 24, 2024, and again at 6:00 a.m. on June 25, 2024 to set up the Voter Service Center.
- e. The Town will ensure outdoor lighting is turned on by 6:00 a.m. on June 25, 2024, and remains on until 9:00 p.m. that evening.
- f. The Town shall ensure the Property complies with all requirements of the American with Disabilities Act, including but not limited to:
  - i. Maintaining a clear and accessible entry path;
  - ii. Removing any object or item which affect accessibility into the Town of Elizabeth;
  - iii. Removing any object or item blocking or preventing the use of accessible parking spaces, etc.
- g. The Town shall notify the County of any additional ballots dropped off after election day.
  - i. The County will coordinate with the Town to determine an appropriate time for the County to pick up ballots.

**2. Duties of the County**

- a. The County is responsible for the regular collection of mail ballots during the June 2024 election cycle. The County will retrieve voted ballots from the 24-hour drop box and ballots that the Municipal Clerk has securely stored from the 24-hour drop box. County

Election staff will be on call for additional pick-ups, if needed. The County will lock and secure the 24-hour ballot drop box at 7:00 pm on Election Day.

- b. The County shall provide the Town with at least two (2) election judges to staff the VSPC on Tuesday, June 25, 2024 from 6:00 a.m. to 8:00 p.m., or until one hour after close of polls in the event of a Court order to extend polling hours.

**IN WITNESS WHEREOF**, the parties have executed this Intergovernmental Agreement as of the date set forth above.

**ELBERT COUNTY CLERK AND RECORDER**

By: \_\_\_\_\_  
Rhonda Braun

Date: \_\_\_\_\_

**TOWN OF ELIZABETH**

By: \_\_\_\_\_

Date: \_\_\_\_\_

Print: \_\_\_\_\_