

**FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT BETWEEN THE
BOARDS OF COUNTY COMMISSIONERS OF LA PLATA COUNTY, COLORADO
AND ARCHULETA COUNTY, COLORADO REGARDING THE HOUSING OF
ARCHULETA COUNTY INMATES AT THE LA PLATA COUNTY DETENTION
CENTER**

THIS FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT (“Amendment”) is entered into effective as of _____, 2017, by and between the BOARD OF COUNTY COMMISSIONERS OF LA PLATA COUNTY, COLORADO, a political subdivision of the State of Colorado (referred to hereinafter as “La Plata County”), and the BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO a political subdivision of the State of Colorado (referred to hereinafter as “Archuleta County”)(collectively, the “Parties”).

RECITALS

WHEREAS, the Parties entered into that Intergovernmental Agreement (the “Agreement”), dated August 11, 2015 allowing Archuleta County to rent bed space from La Plata County for Archuleta Inmates, under the terms and conditions of the Agreement and until Archuleta County is able to house such inmates in its own facility; and

WHEREAS, the Parties mutually desire to amend the Agreement to clarify procedures and responsibilities for cost and damages to La Plata County property caused by Archuleta inmates while housed or transported under this Agreement.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, the adequacy and sufficiency of which are hereby acknowledge the Parties hereby agree as follows:

1. The terms of the Agreement remain the same except as changed by the next paragraph.
2. Paragraph 4.1 shall be added to the Agreement as follows:

4.1 Damages: Archuleta County agrees and understand that it shall be responsible for paying for or reimbursing La Plata County for any damages, beyond normal wear and tear, caused to La Plata County property by an Archuleta County Inmate housed or transported pursuant this Agreement. La Plata County shall submit an itemized invoice to Archuleta County detailing the damage and associated cost following the billing procedures in Paragraph 5.

4.2 Timely Notice: La Plata County agrees to make every effort to provide written notice by email of damages to Archuleta County within 10 days of such damage with reasonable evidence supporting that the damage was perpetrated by an Archuleta County inmate being housed by La Plata County.

4.3 Normal Wear and Tear: It is understood by both parties that expenses associated with the normal wear and tear of the facility are contemplated in the daily charges for housing.

3. This Amendment be executed in one or more counterparts, each of which shall be an original but all of which shall together constitute one and the same document. Copies of an original signature by either party shall be binding as if they were original signatures.
4. Each person signing this Amendment in a representative capacity expressly represents that the signatory has the subject Party's authority to so sign and that the subject Party will be bound by the signatory's execution of this Amendment.

IN WITNESS WHEREOF, the Parties enter into this FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT BETWEEN THE BOARDS OF COUNTY COMMISSIONERS OF LA PLATA COUNTY, COLORADO AND ARCHULETA COUNTY, COLORADO REGARDING THE HOUSING OF ARCHULETA COUNTY INMATES AT THE LA PLATA COUNTY DETENTION CENTER, effective as of the day and year first written above.

**BOARD OF COUNTY COMMISSIONERS
LA PLATA COUNTY, COLORADO**

By: _____

ATTEST:

Name: _____

Title: _____

Clerk to the Board

**BOARD OF COUNTY COMMISSIONERS
ARCHULETA COUNTY, COLORADO**

By: _____

ATTEST:

Name: _____

Title: _____

Clerk to the Board

LA PLATA COUNTY SHERIFF

Sean Smith, Sheriff

ARCHULETA COUNTY SHERIFF

Rich Valdez, Sheriff