

**AMENDMENT #2 TO INTERGOVERNMENTAL AGREEMENT
TO FUND ACUTE CARE PSYCHIATRIC HOSPITAL ALTERNATIVE
(Yamhill County and Benton County)**

This amendment #2 to the intergovernmental agreement to fund acute care psychiatric hospital alternatives between Yamhill County, a political subdivision of the State of Oregon, acting through its Health & Human Services Department ("Yamhill") and Benton County, a political subdivision of the State of Oregon ("Benton") is made effective July 1, 2015.

RECITALS:

A. Yamhill and Benton are parties to that certain agreement dated as of July 2, 2007 (the "Underlying Agreement"), pursuant to which Yamhill acts as fiscal agent for the Mid-Willamette Acute Care Council. The Underlying Agreement was first amended on February 24, 2014.

B. Yamhill and Benton now desire to amend the Underlying Agreement upon the terms and conditions as more particularly set forth herein below.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein below and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties hereto, Yamhill and Benton, intending legally to be bound, hereby agree as follows:

1. Section A of the Underlying Agreement is hereby amended as follows: "To the extent of available funds it receives from the State of Oregon for purposes specified in this agreement, and after all Council member counties have approved similar intergovernmental agreements, Yamhill shall pay \$5,050.29 for the period of July 1, 2015 through June 30, 2016, to use solely to develop and manage alternative programs to psychiatric hospitalizations. Payment of the allocation shall be made in one lump sum following execution of this Amendment #2."

~~2. Section 3 of the Underlying Agreement is hereby amended to extend the term of the agreement through June 30, 2016.~~

3. The balance of the Underlying Agreement remains unchanged.

4. Ratification. Except as otherwise expressly modified by the terms of this Amendment #2, the Underlying Agreement shall remain unchanged and continue in full force and effect. All terms, covenants and conditions of the Underlying Agreement not expressly modified herein are hereby confirmed and ratified and remain in full force and effect, and constitute valid and binding obligations of County and Benton enforceable according to the terms thereof.

5. Authority. County and Benton and each of the persons executing this Amendment #2 on behalf of County and Benton hereby covenants and warrants that: (i) such party has full right and authority to enter into this Amendment #2 and has taken all action required to authorize such party (and each person executing this Amendment #2 on behalf of such party) to enter into this Amendment #2, and (ii) the person signing on behalf of such party is authorized to do so on behalf of such entity.

Handwritten signature and initials in blue ink, possibly reading 'MAA'.

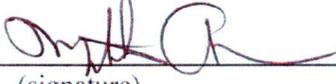
6. Binding Effect. All of the covenants contained in this Amendment #2 shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, legal representatives and permitted successors and assigns.

7. Counterparts. This Amendment #2 may be executed in multiple counterparts, each of which shall be an original, but all of which shall constitute one and the same Amendment #2.

8. Recitals. The foregoing recitals are intended to be a material part of this Amendment #2 and are incorporated herein by this reference.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed, this Amendment #2 on the date indicated by their duly authorized officials.

BENTON COUNTY

By: 
(signature)

Mitch Anderson
(printed name)

DIRECTOR
(title)

Date: 6-20-16

YAMHILL COUNTY

By: 
MARY STARRETT, Chair
Board of Commissioners

Date: 9-6-16

By: 
SILAS HALLORAN-STEINER, Director
Department of Health and Human Services

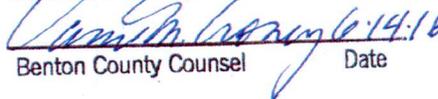
Date: 8/23/16

APPROVED AS TO FORM:

By: 
CHRISTIAN BOENISCH
County Counsel

Date: 9/6/16

REVIEWED AS TO FORM:


Benton County Counsel Date

Accepted by Yamhill County
Board of Commissioners on

9.1.16 by Board Order

16-349