



Alexander Mulhall <townmanager@townoflakecity.co>

Sheriff IGA

Sandy Hines <administrator@hinsdalecountycolorado.us>
To: Alexander Mulhall <townmanager@townoflakecity.co>

Fri, Mar 6, 2026 at 2:53 PM

Lex

I sent your latest comments to the attorney. Unfortunately, he believes there is confusion regarding the jurisdiction and liability. He sent this same email to Dan Krob as well. Please see below for his clarification.

“There seems to be some continuing confusion from the Town as to how jurisdiction and liability insurance works. The County and the Town currently have no liability insurance protection for the enforcement of Town ordinances, which would include any Town ordinances, even if those ordinances are the same or similar to the County’s. (This is with the exception of any wildfire bans since the underlying statute provides county jurisdiction over incorporated boundaries in the event the municipality does not enact its own separate fire ban).

“So, for instance, as it pertains to the Model Traffic Code, I believe the County enjoys insurance coverage for policing Highway 149 because it is a state highway. However, neither the Sheriff, the Town, nor the County enjoy any liability protection through the County’s insurance for enforcing the MTC on Town streets because those streets are under the exclusive jurisdiction of the Town. This is the same for OHVs and any other Town Ordinance, regardless of whether the ordinance is the same or similar to that of the County. We have asked Lynn to double-check with CTSI that this analysis is correct as it pertains to the MTC.

“Since there is this continuing confusion about whether the Sheriff can enforce Town Ordinances, I have removed subsection I.B from the IGA altogether so that this is explicitly clear. It would be much better if the Town obtained liability insurance for enforcement of Town Ordinances and named the Sheriff and the County as additional insureds. If the Town determines that it would like to take that course of action, please let me know as we would again need to revise the attached IGA to include enforcement of Town Ordinances.

“It is not in the best interests of the Sheriff, Town of County to conduct any police services without underlying liability insurance. In the event there is an injury or death to a criminal defendant or third party when enforcing Town ordinances, and said party sues, it is likely said party would sue the Sheriff, the Town and the County. And without insurance coverage, this means all three entities would need to fund their own defense and pay for any damages award. In the event of a wrongful death action or action involving a serious injury, it is foreseeable that the damages award could get into the seven figure realm. In addition, each entity would be responsible for paying its own attorney fees, which could be in the six figure category for each entity. So, it benefits all three entities to ensure that we have the appropriate insurance coverage in the event we want to move forward with enforcing Town ordinances under the IGA.”

I will get back to you with the information about the Model Traffic code in case for some reason Michael is incorrect about that. As I said, he sent this same information to Dan Krob.

The updated IGA is attached with the subsection removed.

Sandy Hines

Hinsdale County Administrator

Public Information Officer

970-944-2225

From: Alexander Mulhall <townmanager@townoflakecity.co>
Sent: Thursday, March 5, 2026 1:43 PM
To: Sandy Hines <administrator@hinsdalecountycolorado.us>
Subject: Sheriff IGA

[*** This email originated from outside Hinsdale County - PLEASE USE CAUTION OPENING LINKS, ATTACHMENTS OR REPLYING ***]

[Quoted text hidden]

2 attachments



IGA Sheriff - TLC. clean copy. 3-6-2026.docx
35K



IGA Sheriff - TLC. HC attorney redline. 3-6-2026.docx
40K