

SCOTT COUNTY ENGINEER'S OFFICE

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Administrative Assistant

MEMO

TO: Dee F. Bruemmer
County Administrator

FROM: Jon Burgstrum
County Engineer

SUBJ: 28E Agreement with Clinton County, Iowa.

DATE: February 14, 2013

Resolution approving a 28E Agreement between Scott County and Clinton County for Roadside Vegetation Management services performed in Scott County.

Clinton County has had a Roadside Vegetation Manager for nearly 20 years. They have the same equipment as contract spray companies and the Manager is very knowledgeable about the equipment and products that they use. By sharing services, Scott County will have better control of roadside vegetation management practices and will have access to a local expert that has knowledge of Scott County. We expect to stop blanket spraying and utilize a spot spraying plan that will put less herbicide in our road ditches and save time. An added benefit is having someone here to monitor treated areas and reapply if necessary. Additional assistance in seeding newly graded areas and in identifying problem weeds and areas infested with noxious weeds is also a benefit. We will utilize the expertise of the Clinton County Manager as a resource for the three Scott County employees that are licensed for spraying spot areas throughout the growing season.

By sharing service we expect a savings over contract spraying of about 25% (\$21000.00) in the current fiscal year.

4. Assist the Scott County Weed Commissioner with following duties:
 - i. Provide detailed chemical application reports weekly
 - ii. Prepare notification letters of noxious weed control requirements for property owners identified with noxious infestations and submit to the Scott County Weed Commissioner for review.
 - iii. Assist in the preparation of the annual Weed Commissioner's report for submittal to the Scott County Board of Supervisors
 - iv. Assist in determining proper areas for weed spray and seeding.
 - v. Make recommendation of chemical and seed mixtures for applications.
5. Seed ditch cleanout areas within ROW with hydro-seeder and seed mix approved by Scott County on an as requested basis. This activity will be subject to equipment availability and environmental conditions.
6. Clinton County shall perform routine inspections to determine the quality of noxious weed and brush control of the chemical treatments.
7. Clinton County will utilize one of their spray truck units in Scott County beginning May 1st and continue operating the truck in Scott County treating the ROW and shoulder areas for a period of approximately 10 weeks. Once the entire ROW in Scott County has been inspected by the Clinton County spray crew (two people) and Scott County, the crew and truck will return to duty in Clinton County. Spray crew personnel shall be licensed to apply the chemicals typically applied by Clinton County.
8. Spot spray ROW and shoulder areas, after initial treatment, approved by Scott County on an as requested basis. This activity will be subject to equipment availability and environmental conditions.

B. Reimbursement requirements:

1. All materials, chemicals, labor and equipment costs shall be reimbursed to Clinton County by Scott County on a once per month billing basis. Billing documentation shall include itemized lists of personnel hours, quantity of materials used and hours of equipment usage. All invoices for services shall be paid by the end of the fiscal year in which the costs occurred.
2. Labor costs shall include actual costs, including benefits.
3. The equipment rental rates used shall be those published by the Iowa Department of Transportation (As listed for cost accounting and Annual Report purposes) for the fiscal year the expenses were incurred. The rates selected shall be for the type of equipment similar to the equipment used by Clinton County.

For areas of misapplication resulting in crop damage or other non crop area damage, Clinton County shall assist Scott County in determining the extent of the damage and a proper settlement. The cost of any settlements shall be paid jointly by Scott County and Clinton County.

Execution of Agreement

The parties hereunto shall approve this 28E Agreement by resolution of their respective Board, which shall authorize the execution of this Agreement. It shall then be filed in the Office of the Iowa's Secretary of State and the Office of the County Recorder of both Clinton County and Scott County, Iowa, in accordance with Chapter 28E, Code of Iowa. This Agreement shall be effective when recorded with the County Recorder and shall remain in effect until it is terminated as provided for in this agreement. This agreement shall not relieve either party of any obligation of liability imposed upon it by law except to the extent that the actual and timely performance during the term of the Contract may be offered in satisfaction of the obligation or responsibility.

This is the entire Agreement between the parties, and it may be amended only in writing. The laws of the State of Iowa shall apply to this Contract of Agreement. This agreement shall remain in effect until such time as either agency chooses to terminate it. If either agency chooses to terminate the agreement written notice shall be provided and the agreement shall remain in effect until July 1st of that year. The agreement may be terminated immediately if both agencies agree in writing to terminate the agreement.

All parties to this Agreement shall cooperate with each other to the fullest extent possible in order to facilitate and carry out the provisions of this Agreement.

Dated This _____ Day of _____, 20____.

Clinton County Board of Supervisors

Scott County Board of Supervisors

Chairperson of the Board

Chairperson of the Board

Attest:

Attest:

Clinton County Auditor

Scott County Auditor

THE COUNTY AUDITOR'S SIGNATURE CERTIFIES THAT
THIS RESOLUTION HAS BEEN FORMALLY APPROVED BY
THE BOARD OF SUPERVISORS ON _____.

DATE

SCOTT COUNTY AUDITOR

R E S O L U T I O N

SCOTT COUNTY BOARD OF SUPERVISORS

FEBRUARY 14, 2013

APPROVAL OF 28E AGREEMENT BETWEEN SCOTT COUNTY, IOWA AND
CLINTON COUNTY, IOWA FOR ROADSIDE MANAGEMENT SERVICES IN
SCOTT COUNTY.

BE IT RESOLVED by the Scott County Board of Supervisors
as follows:

Section 1. That the 28E Agreement between Scott County,
Iowa and Clinton County, Iowa for roadside management
services in Scott County, Iowa be approved.

Section 2. That the Chairman be authorized to sign the
Agreement on behalf of the Board.

Section 3. That this resolution shall take effect
immediately.