

AGREEMENT FOR SERVICES

This Agreement is entered into by the Kittitas County Board of Commissioners and the Kittitas County Road Department ("County") and the Kittitas County Conservation District (KCCD).

The County shall pay \$5,000.00, from the County Road Fund to the KCCD to implement and administer a cost sharing program for the use of Polyacrylamide (PAM) to reduce silt in the County road ditches.

The KCCD shall implement and administer the cost share program conforming to the attached 2010 PAM Cost Share Program. In addition, KCCD shall provide an end of the program report by March 30, 2011. This report shall contain information identifying the properties on which PAM was applied during the program and the road ditches, which receive run-off from these properties.

This Agreement is effective during the year 2010 only. It is neither expressed or implied that funding will be provided by the County for the PAM program in successive years or that additional funding, other than that mentioned above, shall be provided for the year 2010.

Either party shall terminate this agreement at any time by giving written notice to the other party.

Each party agrees to be responsible and assume liability for its own wrongful and/or negligent acts or omissions or those of their officials, officers, agents, or employees to the fullest extent permitted by law, and further agrees to save, indemnify, defend, and hold the other party harmless from any such liability. It is further provided that no liability shall attach to the parties by reason of entering into this contract except as expressly provided herein.

No fixed assets or personal or real property will be jointly or cooperatively, acquired, held, used, or disposed of pursuant to this agreement.

Pursuant to RCW 39.34.040, this Agreement shall be filed with the County Auditor or posted on the County's website as appropriate in each County.

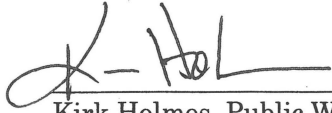
The Services shall be furnished by KCCD under this Agreement as an independent contractor and nothing herein contained shall be construed to create a relationship of employer-employee or master-servant.

No portion of this Agreement may be assigned or subcontracted to any other individual, firm or entity without the express and prior written approval of both parties.

This Agreement shall be governed exclusively by the laws of the State of Washington. The Kittitas County Superior Court shall be the sole proper venue for any and all suits brought to enforce or interpret the provisions of this Agreement.

Dated this 16th day of April, 2010.

KITTITAS COUNTY



Kirk Holmes, Public Works

**KITTITAS COUNTY
CONSERVATION DISTRICT**

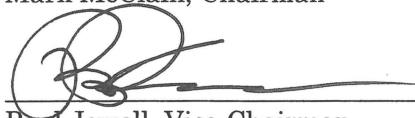


Mark Moore, Chairman

BOARD OF COMMISSIONERS



Mark McClain, Chairman



Paul Jewell, Vice-Chairman




Alan Crankovich, Commissioner

APPROVED AS TO FORM:



Kittitas County
Prosecuting Attorney
WSBA # 3812

ATTEST:



Clerk of the Board



**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

RESOLUTION NO. 2010- 43

**A RESOLUTION AUTHORIZING EXECUTION OF INTERLOCAL AGREEMENT
BETWEEN THE COUNTY AND THE KITTITAS COUNTY CONSERVATION DISTRICT
(KCCD), AUTHORIZING KCCD TO ADMINISTER A COST SHARING PROGRAM FOR
THE USE OF POLYACRYLAMIDE (PAM)**

WHEREAS, RCW 39.34, the Interlocal Cooperation Act, provides the capability for public agencies to cooperate by providing services and facilities for mutual advantage; and

WHEREAS, Kittitas County desires to work with KCCD to have KCCD implement and administer a cost sharing program for the use of Polyacrylamide (PAM) to reduce silt in the County road ditches; and

WHEREAS, the attached interlocal agreement between the County and KCCD set the provisions, compensation, and duties for such a joint venture as allowed under RCW 39.34.030.

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY ORDERED, That an Interlocal Agreement between Kittitas County and the Kittitas County Conservation District be established to authorize KCCD to administer a cost sharing program for the use of polyacrylamide to reduce silt on County road ditches.

ADOPTED this 6th day of April 2010.


**BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**



Mark McClain, Chairman



Paul Jewell, Vice-Chairman



Alan Crankovich, Commissioner



APPROVED AS TO FORM:

Stephanie U. Happold,
Deputy Prosecuting Attorney
WSBA#38112