

RESOLUTION NO. 199

RESOLUTION OF THE COUNTY OF MITCHELL, IOWA

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF Mitchell, IOWA, that the Board authorizes administration of a program for the purpose of: (check one)

☐ testing of private water supply wells

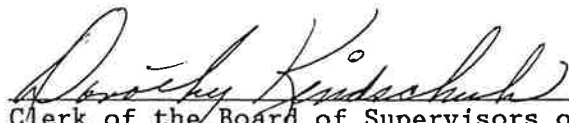
☒ closing private abandoned wells

BE IT FURTHER RESOLVED that the Board accepts the offer of a state grant of \$ 3,992 under the terms specified in the Grant Agreement and that Betty McCarthy, Chairman, and Dorothy Kindschuh, Clerk of the Board of Supervisors, are hereby authorized and directed to execute the Grant Agreement and any amendments thereto and affix the seal of the County thereto on behalf of the County and that Dorothy Kindschuh is authorized and directed to sign and date the documents required by the Comptroller of Iowa for payment of the grant amount by the State.

The undersigned duly qualified and acting Clerk of the Board of Supervisors for the County of Mitchell, Iowa, does hereby certify:

That the above Resolution is a true and correct copy of the Resolution accepting the Grant Agreement regularly adopted at a legally convened meeting of the Board of Supervisors of the County of Mitchell, Iowa, duly held on the 10th day of October, 1988; and further that the resolution has been fully recorded in the books and records of the Board of Supervisors.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of October, 1988.


Clerk of the Board of Supervisors of the County
of Mitchell, Iowa

(Seal)

State of Iowa
Department of Natural Resources

GRANT AGREEMENT

Section One. Parties.

This agreement is entered into by the Department of Natural Resources (hereafter, the Department) and the Mitchell County Board of Supervisors (hereafter, the Grantee).

Section Two. Authority.

The Department, having determined that the described grant application is eligible for assistance under the ground water protection fund, that the grant application conforms with the applicable rules of the Department and that the grant is necessary for the accomplishment of the state's policy of ground water protection, is authorized to enter into this agreement by Chapter 455B, Division III, Part 1, Subsection 455.172(5) of the Iowa Code. The funds for this grant were derived from a percentage of the agricultural management account of the ground water protection fund as specified in subparagraph 455E.11(2)(a)(11)(2)(b) of the Iowa Code.

Section Three. Description of the Grant.

This grant is for the purpose of carrying out programs for the: *(check one)*

☐ testing of private water supply wells.

☒ proper closure of abandoned, private water wells.

located within the jurisdiction of the county(ies) in the program created by the Grantee during the period from July 1, 1988 to June 30, 1989 not to exceed a period of one year.

The scope of activities funded through this agreement is limited to those activities contained within the work plan as submitted as Part B of departmental Form No. 542-1204, the grant application.

Section Four. Eligible Costs.

The eligible cost of the grant application as determined by the Department is \$ 3,992.

The eligible grant application cost may be amended, if funds are available to increase or decrease the program scope or costs, if changes are well documented and approved by the Department prior to initiation, and the maximum grant amount is not exceeded.

Section Five. Agreements.

5.1 Grant Amount - Consideration of the Department.

The Department agrees to pay to the Grantee all eligible costs specified in Section Four (4), unless performance problems have been identified by the Department.

5.2 Consideration of the Grantee.

The Grantee agrees to:

- a) Proceed expeditiously with and complete the activities in accordance with the schedule contained in the work plan. Failure to meet the schedule contained in the work plan may be cause for the Department to terminate the grant.
- b) Maintain complete records of all costs and income sources for activities described in the approved work plan. All records and supporting documents relating to the administration of the grant shall be retained for a period of three (3) years.
- c) Prepare quarterly progress reports due thirty (30) days following the end of each fiscal quarter using departmental Form No. 542-1208.
- d) Comply with the minimum performance requirements described in 567--47.36 (455B).
- e) File with the Secretary of State and with each appropriate County Recorder's Office any Iowa Code Chapter 28E agreements submitted in accordance with Part A of departmental Form No. 542-120__, the grant application.

Section Six. Time of Payment.

The Grantee may immediately submit a billing for a prepayment not to exceed twenty-five percent (25%) of the grant amount, to wit \$_____ for approved eligible costs to initiate activities described in the work plan. Any prepayment will be credited against the first quarterly payment.

Payments will be made by the Department on a fixed price quarterly payment basis during each quarterly reporting period.

The quarterly payment shall be \$ 998.

Quarterly payments shall be made upon the Department's receipt and acceptance of the quarterly progress reports. The first quarterly payment request shall be due on January 31, 1989. Quarterly payments may be withheld for nonperformance.

Section Seven. Conditions Precedent.

This grant agreement shall be effective only if the following conditions precedent are fulfilled.

1. That the grant offer is accepted by the Grantee and such acceptance is shown by subscription of an agent of the Grantee authorized by resolution number 199 of the governing body, a certified copy of which is attached as an Appendix, to accept the offer of the Department on behalf of the Grantee.

2. That the Attorney General approve this grant agreement as to form, and such approval is shown by the subscription of the Attorney General.

Section Eight. Effective Date.

The effective date shall be the date on which the Attorney General subscribes and dates this document.

On behalf of the Grantee, I, the undersigned, being duly authorized to take such action as evidenced by the Appendix to this agreement do hereby accept the grant of the Department under the terms herein stated.

Date October 10, 1988

By *Dorothy Kindachuk*

Title Mitchell County Auditor

Attest *Patty McCarthy*

(Seal)

As authorized by Section 455B.172(5), Code of Iowa, and authority delegated by the Department of Natural Resources Environmental Protection Commission, I execute this agreement on behalf of the state of Iowa and the Department of Natural Resources.

Larry J. Wilson
Director
Department of Natural Resources

Date _____

By _____
Division Administrator
Environmental Protection Division

This agreement is approved as to form.

Thomas J. Miller
Attorney General of Iowa

Date _____

By _____
Assistant Attorney General