BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF LEWIS COUNTY, WASHINGTON

APPROVING AN INTERLOCAL AGREEMENT BETWEEN LEWIS COUNTY AND FIRE DISTRICT NO. 11 TO ALLOW USE OF THE SMALL WORKS ROSTER	))))	RESOLUTION NO. 09-009

WHEREAS, Fire District No. 11 is in need of the use of a Small Works Roster and RCW 39.04.155(2)(b) establishes guidelines for Interlocal Agreements allowing other state agencies use of an established Small Works Roster; and

WHEREAS, the County has an established Small Works Roster; and

WHEREAS, Fire District No. 11 has agreed to use Lewis County's established Small Works Roster in a manner that is consistent with procedures used by Lewis County; and

WHEREAS, it appears to be in the best public interest to authorize the execution of said Interlocal Agreement for Lewis County;

NOW, THEREFORE BE IT RESOLVED, that the aforesaid Interlocal Agreement is hereby approved and the Board of County Commissioners is authorized to sign the same.

DONE IN OPEN SESSION this 5th day of January, 2009.

APPROVED AS TO FORM:
Michael Golden, Prosecuting Attorney

By: Deputy Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

Chairman

Member

Member

SEAL OF LEWIS COUNTY, WASHINGTON BOARD OF COUNTY COMMISSIONERS SINCE 1845 WASHINGTON'S 1st COUNTY

ATTEST:

Karri Muir, Clerk of the Board

INTERLOCAL AGREEGMENT

BETWEEN LEWIS COUNTY FIRE DISTRICT NO. 11

AND

LEWIS COUNTY

THIS CONTRACT is entered into between the COUNTY OF LEWIS, a municipal corporation located in the State of Washington, hereinafter "COUNTY", and Fire District Eleven a municipal corporation formed under the Revised Codes of Washington, hereinafter DISTRICT.

WHEREAS, the COUNTY has an established Small Works Roster; and

WHEREAS, Fire District Eleven is in need of the use of a Small Works Roster and RCW 39.04.155(2)(b) establishes guidelines for Interlocal Agreements allowing other state agencies use of an established Small Works Roster; and

NOW, THEREFORE, in consideration of the terms, conditions, and covenants contained herein, the parties agree as follows:

I. USE OF LEWIS COUNTY'S SMALL WORKS ROSTER

County is in agreement with District's use of the established Small Works Roster. County agrees to implement and maintain their small works roster by following the provisions in RCW 39.04. County has sole discretion in determining the procedures, content, and form of the small works roster so that it complies with RCW 39.04.

This Interlocal Agreement shall not relieve either party of any obligation or responsibility imposed upon it by law, nor shift liability to the other party for any violations of applicable law.

District agrees to utilize the established Small Works Roster in a manner that is consistent with that of the County and will report usage in a timely manner to the Director of Public Works.

II. DURATION & TERMINATION

This agreement may be terminated by either party by providing thirty (30) days written notice to the other party.

This Interlocal Agreement becomes effective on the date of the final approved signature and shall remain in effect until terminated by either Lewis County or Fire District No. 11.

III. CHANGES AND MODIFICATIONS

This agreement may be modified upon the written agreement executed by both parties. No course of dealing between the Parties shall be construed to alter the terms hereof, except as expressly stated herein.

IV. HOLD HARMLESS AND INDEMNIFICATION

Fire District Eleven shall hold harmless the County for any negligent act or omission by the County regarding the creation, maintenance, polices, and use of the County's small works roster, including but not limited to, any inconsistency or conflict between the requirements of state law and either the County's small works roster or the County's small works roster policy.

This Agreement is executed by the persons signing below who warrant that they have the authority to execute this Contract.

The parties have caused this Contract to be executed in duplicate originals this ~~11th~~ 5 day of ~~December~~ January, ~~2008~~ 2009.

Accepted and Approved by:

Harold Coleman Chair — 12-11-8

Name: Date

Fire District No. 11

F. Lee Grose — 1-5-09

~~Ron Averil, Chairman~~ F. Lee Grose Date

Board of Lewis County Commissioners