

CONTRACT, LEASE, AGREEMENT CONTROL FORM

Date: 06/15/2016

Contract/Lease Control #: C16-2420-BCC

Bid #: N/A

Contract/Lease Type: Memo of Understanding

Award To/Lessee:

Owner/Lessor: OKALOOSA COUNTY

Effective Date: 06/09/2016

Term: Indefinite

Description of Contract/Lease: MOU between Yellow River Soil and Water Conservation District and the Board of County Commissioners

Department: CAO

Department Monitor: John Hofstad

Monitor's Telephone #: 850-651-7515

Monitor's FAX # or E-mail: Jhofstad@co.okaloosa.fl.us

Closed: _____

cc: Finance Department Contracts & Grants Office

**Contract # C16-2420-BCC
Memorandum of Understanding
Yellow River Soil and Water Conservation District
and Board of County Commissioners
Expires: Indefinite**

MEMORANDUM OF UNDERSTANDING

between

Yellow River Soil and Water Conservation District

and

The Board of County Commissioners

of Okaloosa County, Florida

Yellow River Soil and Water Conservation District was organized and received their charter from the State of Florida on June 20, 1941. They signed a Memorandum of Understanding with the USDA Soil Conservation Service [now NRCS] on October 11, 1941 in accordance with the provisions of the Florida Soil Conservation District Act of 1937, Chapter 18144 as amended by the Act of 1935, Chapter 38094. This special district provides an organized approach for landowners and operators to solve soil and water conservation problems. Yellow River Soil and Water Conservation District is governed by five non-paid supervisors, who are elected in a general election in Okaloosa County to serve a four year term.

Yellow River Soil and Water Conservation District encompasses all the lands of Okaloosa County, bounded on the north by Alabama, east to Walton County, west to Santa Rosa County, and south to the Gulf of Mexico. The total area within the district is 637,043 acres, with 598,918 acres of land and 38,125 acres of water. Approximately 235,200 acres are within Eglin Air Force Base and its adjoining reservation in the center of the County and approximately 63,000 acres within the Blackwater State Forest. Principal cities and towns: Fort Walton Beach, Niceville, Valparaiso, Destin, Laurel Hill, and Crestview, the county seat.

This Memorandum of Understanding (hereinafter called MOU) establishes the responsibilities and relationships that exist between the Yellow River Soil and Water Conservation District (hereinafter called "Yellow River") and the Board of County Commissioners of Okaloosa County (hereinafter called "County").

Yellow River's mission is to solve soil, water, and related natural resource conservation problems throughout Okaloosa County.

CERTIFIED A TRUE
AND CORRECT COPY
JD PEACOCK II
CLERK, CIRCUIT COURT

BY Mary S. Cannon
DEPUTY CLERK

DATE June 10, 2016



Yellow River's vision is to: (1) Develop, implement, and administer comprehensive natural resource conservation programs; (2) Provide for the protection and wise use of soil, water, plants, animals, and other related natural resources; and (3) Provide education and outreach to the citizens of Okaloosa County, the State of Florida, and the nation on the importance of protection and wise use of soil, water, animals, and other related natural resources.

The Parties agree as follows:

A. Services

1. Yellow River shall provide technical assistance to local, state, and federal agencies, as well as, individual landowners, operators, planners, zoning groups, decision makers, other groups, and the general public on conservation, development, erosion control, soil surveys, water/floodplain delineation, and watershed protection.

B. Funding

1. The Yellow River shall submit budget requests to the County which shall be considered during the annual budget process. The County will consider the budget request and, subject to that consideration and the availability of funding, will budget and appropriate an amount for the services to be provided by Yellow River during a fiscal year.
2. Funds budgeted and appropriated by the County are to be used for the provision of the services to be provided by Yellow River and may not be used for any purpose prohibited by law.

C. Payments

1. Payments will be made on a monthly basis as invoiced by Yellow River at the end of each month. The payments shall be one twelfth of the approved amount in the County's budget process. Invoices submitted by Yellow River to the County should be sent directly to the County address on record at Yellow River. The address as of the date of this MOU is:

Attn: Gary Stanford, Finance Office
Okaloosa Board of County Commissioners
302 N. Wilson Street, Suite 203
Crestview, FL 32536


D. Miscellaneous

1. The partnership between Yellow River and the County has existed for many years prior to this MOU and will be effective the date of execution.
2. Either party may terminate this agreement without penalty or cause by giving the other party at least six (6) months written notice of its intent to do so.
3. Parties acknowledge that this MOU may need to be revised in the future. Any revisions of this MOU shall be in writing and shall be executed by each of the Parties.
4. Yellow River shall comply with all of the provisions of sections 119.0701, and 119.071, Florida Statutes relating to public records which requires, among other things, that Yellow River: (a) Keep and maintain public records; (b) Provide the public with access to public records on the same terms and conditions that the County would provide the records; (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law; and (d) Meet all requirements for retaining public records.
5. This MOU shall be interpreted in accordance with the laws of the State of Florida without regard to its principles of conflicts of laws. Venue for any legal proceedings arising out of this MOU shall be in Okaloosa County, Florida.

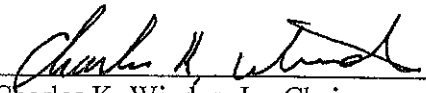
Signature Page to the Memorandum of Understanding between Yellow River Soil and Water Conservation District and the Board of County Commissioners of Okaloosa County, Florida

YELLOW RIVER SOIL & WATER
CONSERVATION DISTRICT

BOARD OF COUNTY
COMMISSIONERS OF
OKALOOSA COUNTY



Gary Booker, Chairman



Charles K. Windes, Jr., Chairman


DATE: 5-10-16

DATE: 6/9/16



ATTEST:

ATTEST:

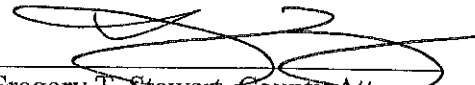


J. D. Peacock II, Clerk



APPROVED AS TO FORM:

APPROVED AS TO FORM:



for Gregory T. Stewart, County Attorney