

RESOLUTION NO 18-18

A Resolution to approve a cooperative agreement between Box Elder and Group 5 6 on City Property (603 Westwind Drive - Veterans Park) legally described as follows:

Lot 3, Block 1, Peterson II Subdivision, Section 17, Township 2 North,
Range 9 East, B.H.M., Box Elder, South Dakota.

WHEREAS, Group 5 6 agrees, at no cost to the City, conduct daily checks with State and Federal agencies regarding flag position (i.e. observations requiring half-staff);

WHEREAS, Group 5 6 agrees to follow proper flag etiquette when lowering and raising the flag;

WHEREAS, Group 5 6 will perform weekly checks on the physical state of the State, POW, and American flags, checking for tears, fraying or issues with the connectors, lanyard, pole, etc.;

WHEREAS, Group 5 6 will immediately report maintenance, repair or replacement needs to the Public Works Director, and the City will provide for said repairs or flag replacement as it deems necessary;

WHEREAS, the City will provide on an annual basis up to one-hundred (\$100) dollars for Group 5 6 to purchase flowers for planting in the memorial garden located around the flag area;

WHEREAS, Group 5 6 agrees to provide weekly maintenance of the memorial garden during the growing season, to include but not limited to weed removal, watering, etc., at no cost to the City of Box Elder.

WHEREAS, the City will provided access to the Veterans Park utility room and provide hose and watering equipment necessary for maintenance of the memorial garden area;

WHEREAS, the City will provide and install a plaque recognizing Group 5 6 for the adoption, care and sponsorship of the Memorial Garden area of Veterans Park.

WHEREAS, the City requires for the term of this agreement Group 5 6 hold the City harmless for liability caused by the use of its property and other basic contractual matters recommended by the City Attorney;

NOW THEREFORE, be it resolved by the City of Box Elder that it enter into an agreement with Group 5 6 for the care and maintenance of the Memorial Garden in Veterans Park to include maintaining the physical state of the flags and conducting daily and weekly checks as of the area. This agreement will be for up to 5 years, to include

Group 5 6 holding the City harmless protecting the City from any liability. A thirty day written termination clause and other necessary provisions as required by the City Attorney to protect the City interests.

Dated this 1 day of May, 2018.

Larry Larson, Mayor

Attest:

Nicole Schneider, Finance Officer