

JOINT INTERGOVERNMENTAL AGREEMENT

Comes now, Rapid City, a municipal corporation, and Pennington County, a political subdivision of the State of South Dakota, and agree as follows:

1. Authority- Pursuant to SDCL 34A-1-36 both Rapid City and Pennington County are authorized to establish and administer programs for air pollution control, and pursuant to SDCL1-24-2 may enter into an agreement for joint exercise of such programs.
2. Duration- This agreement shall continue until such time as the parties hereto agree in writing to terminate the agreement. Either party hereto may terminate the agreement on December 31 of any year by giving to the other party notice in writing prior to April 1 of that year.
3. Purpose- The purpose of this agreement is to detail the agreement between the parties concerning the administration of the Air Quality program within the City of Rapid City and County of Pennington.
4. Provisions- The city and county agree to enact, amend or otherwise put into place substantially similar ordinances concerning the administration of and enforcement of air quality regulations in their respective jurisdictions. The city will fund the budget for such administration and enforcement of the ordinances including staff, equipment and other expenses except as otherwise noted herein. Each entity will be responsible for enforcement in its jurisdiction in the event legal action is required. All staff will be city employees.
5. Air Quality Board- The Board shall consist of seven members appointed by the entities on an alternating basis. The current Board shall continue until their respective terms are up and shall be replaced by application and appointment. The city shall appoint the first replacement, the county the second, and continue on an alternating basis thereafter.
6. Board Powers- The Board shall have the following powers and responsibilities: Review and approve compliance plans; serve as an appeal board; make recommendations to the City of Rapid City Common Council regarding budget and administration of the Air Quality Program; and, make recommendations to the City of Rapid City Common Council and the Pennington County Board of County Commissioners on policies relating to the air quality of Rapid City and the urbanized area.

Dated this _____ day of _____, 2000.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

COUNTY COMMISSION

Chairperson

ATTEST:

Auditor

(SEAL)