RESOLUTION OF THE NAVAJO COUNTY BOARD OF SUPERVISORS

NUMBER 31-92

WHEREAS the Navajo County School Superintendent has recommended to the Navajo County Board of Supervisors that the Board enter into an AGREEMENT with various school districts from Navajo and Apache Counties and to appoint the Navajo and Apache Counties and to appoint the Navajo County School Superintendent as the fiscal agent for said ASSOCIATION, and,

WHEREAS there are funds that are presently in the control of said ASSOCIATION as it has previously existed that need to be controlled and expended as originally intended, and,

WHEREAS the school boards and the Supervisors have the authority pursuant to ARS §15-365 to authorize this AGREEMENT for the expenditure of said funds for special programs to improve the education of the students in these districts:

BE IT RESOLVED that the Navajo County School Superintendent is authorized to participate in the AGREEMENT with the Navapache Administrators' ASSOCIATION and appoint the Navajo County School Superintendent as the fiscal agent of the ASSOCIATION and for such other matters that may be related thereto.

DONE THIS 23rd DAY OF March, 1992.

CHAIRMAN, BOARD OF SUPERVISORS, NAVAJO COUNTY

ATTESTATION, CLERK OF THE BOARD

RESOLUTION OF THE GOVERNING BOARD

OF THE _____ SCHOOL DISTRICT #_____

WHEREAS the District School Superintendent has recommended to the Governing Board that the Board enter into an AGREEMENT with various school districts from Navajo and Apache County and with the Navapache Administrators' ASSOCIATION, which authorizes the Navajo County School Superintendent as the fiscal agent for said ASSOCIATION, and:

WHEREAS there are funds that are presently in the control of said ASSOCIATION as it has previously existed that need to be controlled and expended as originally intended, and,

WHEREAS the school board has the authority pursuant to ARS §15-365 to enter into this AGREEMENT for the expenditure of said funds for special programs to improve the education of the students in this district:

BE IT RESOLVED that the District Superintendent or Chief Administrator is authorized to sign the AGREEMENT with the Navajo County School Superintendent as the fiscal agent of the ASSOCIATION and for such other and further matters that may be related thereto.

DONE THIS _____ DAY OF _____, 19_____.

_____
GOVERNING BOARD CHAIRMAN

_____
ATTESTATION, CLERK OF THE BOARD

CERTIFICATE OF REVIEW

The Navajo County Attorney has reviewed the Intergovernmental AGREEMENT to which this certificate is attached which shall become effective July 1, 1992 and certifies that Navajo County, and each of the School Districts listed as AGENCIES on page one (1) of this Intergovernmental AGREEMENT have the authority to enter into the Intergovernmental AGREEMENT for the NAVAPACHE ADMINISTRATORS' ASSOCIATION purposes and that the Intergovernmental AGREEMENT meets the necessary legal criteria.

Dated this 12 day of MARCH, 199__.

NAVAJO COUNTY ATTORNEY

CERTIFICATE OF REVIEW

The Apache County Attorney has reviewed the Intergovernmental AGREEMENT to which this certificate is attached which shall become effective July 1, 1992 and certifies that each of the School Districts listed as AGENCIES on page one (1) of this Intergovernmental AGREEMENT have the authority to enter into the Intergovernmental AGREEMENT for the NAVAPACHE ADMINISTRATORS' ASSOCIATION purposes and that the Intergovernmental AGREEMENT meets the necessary legal criteria.

Dated this 18 day of March, 1992.

APACHE COUNTY ATTORNEY

CERTIFICATE OF REVIEW

The undersigned school attorney has reviewed the Intergovernmental AGREEMENT to which this certificate is attached which shall become effective July 1, 1992 and certifies that _____ Unified School District or Elementary District has the authority to enter into the Intergovernmental AGREEMENT for the NAVAPACHE ADMINISTRATORS' ASSOCIATION purposes and that the Intergovernmental AGREEMENT meets all necessary legal criteria.

Dated this _____ day of _____, 199___.

_____
ATTORNEY'S SIGNATURE

_____
FIRM

_____
ADDRESS

31-92

COPY

INTERGOVERNMENTAL AGREEMENT

NAVAPACHE ADMINISTRATORS' ASSOCIATION

GOVERNMENTAL CENTER

P O BOX 668

HOLBROOK AZ 86025

PHONE: (602) 524-6161 Extension 281

EFFECTIVE JULY 1, 1992

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AGREEMENT

THIS AGREEMENT is made this _____day of _____, 19_____, by and between Navajo County on behalf of the Navajo County School Superintendent, and the following school districts situated in Navajo County and Apache County:

NAVAJO COUNTY SCHOOL DISTRICTS

Winslow Unified School District #1
Joseph City Unified School District #2
Holbrook Unified School District #3
Pinon Unified School District #4
Snowflake Unified School District #5
Heber-Overgaard Unified School District #6
Show Low Unified School District #10
Whiteriver Unified School District #20
Cedar Unified School District #25
Kayenta Unified School District #27
Blue Ridge Unified School District #32

APACHE COUNTY SCHOOL DISTRICTS

St. Johns Unified School District #1
Concho Elementary School District #6
Alpine Elementary School District #7
Window Rock Unified School District #8
Vernon Elementary School District #9
Round Valley Unified School District #10
Sanders Unified School District #18
Ganado Unified School District #20
McNary Elementary School District #23
Chinle Unified School District #24
Red Mesa Unified School District #27

The authority of each party to enter into this AGREEMENT is found in ARS §15-365.

The duration of this AGREEMENT shall be for a four (4) year period beginning _____. This AGREEMENT may be renewed by a vote of the governing boards of each school district wishing to continue in this AGREEMENT and by the vote of the Navajo County Board of Supervisors on behalf of the Navajo County School Superintendent.

The purpose of this AGREEMENT is to establish the Navapache Administrators' ASSOCIATION, hereinafter referred to as the ASSOCIATION, to permit the ASSOCIATION to manage and receive funds, and to authorize and empower the Navajo County School Superintendent to act as fiscal agent for the ASSOCIATION. The AGREEMENT will permit the expenditure of the funds pursuant to programs set up in accordance with ARS §15-365.

The funds currently controlled by the ASSOCIATION consist of funds accumulated over several years, made up of excess vocational funds, membership fees from the individual districts, interest on said funds, several maintenance repair agreements and other funds that were legally budgeted and expended by the individual districts and placed in the funds of the previous Two County District Superintendents' ASSOCIATION.

All future funds will be funds legally budgeted by member districts in the manner and for the purposes set out in ARS §15-365.

The ASSOCIATION is a voluntary ASSOCIATION made up of the superintendents of the districts set out above. The Navajo County School Superintendent shall be a voting member of said ASSOCIATION whose responsibility shall be to keep records of the funds and expenditures. The Navajo County School Superintendent shall have no discretionary powers or duties other than to receive and expend the funds pursuant to the direction of the ASSOCIATION.

The ASSOCIATION shall meet on a regular basis and establish a budget each year for the expenditure of the funds presently in the possession of the ASSOCIATION.

In exchange for the Navajo County School Superintendent's efforts pursuant to this AGREEMENT, the ASSOCIATION shall pay to the Navajo County School Superintendent two percent (2%) of the expenditures annually of the ASSOCIATION.

This AGREEMENT may be extended by agreement of the parties for as long as a four-year term and as many times as deemed necessary by the parties.

Any party hereto may withdraw from this AGREEMENT by written notification to the president of said ASSOCIATION but none of the funds held pursuant to this AGREEMENT nor any of the property purchased pursuant to the AGREEMENT will be subject to reimbursement to such withdrawing party.

This AGREEMENT must be approved by Resolution of the respective governing boards of each district for the school district to be a member.

In the event of a complete dissolution of this AGREEMENT, all funds held at that time by the fiscal agent for the ASSOCIATION shall be distributed to the member districts in equal shares.

The ASSOCIATION agrees to indemnify and hold harmless Navajo County and the Navajo County School Superintendent for all liability, claims, causes of action, responsibilities or costs, or attorneys' fees, whatever arising out of this agreement, except the ASSOCIATION will not be responsible to indemnify or hold harmless Navajo County and the Navajo County School Superintendent for their own gross negligence or intentional misconduct.

THEREFORE, the parties hereto agree to this contract as indicated by the signature of the superintendent of each district listed below along with the attestation by the clerk of each board and by the signature of the Chairman of the Navajo County Board of Supervisors and shall be accompanied by a signed Resolution from the Governing Boards of each district and from the Navajo County Board of Supervisors.

BY THE SIGNATURE below of their authorized representatives, the Navajo County Agencies and School Districts below represent and agree that they have had the opportunity and advice to consult independent counsel and have determined after such opportunity to enter into this agreement.

NAVAJO COUNTY

ATTESTATION	BLUE RIDGE SD #32 SUPERINTENDENT
ATTESTATION	CEDAR SD #25 SUPERINTENDENT
ATTESTATION	HEBER-OVERGAARD SD #6 SUPT.
ATTESTATION	HOLBROOK SD #3 SUPERINTENDENT
ATTESTATION	JOSEPH CITY SD #2 SUPERINTENDENT
ATTESTATION	KAYENTA SD #27 SUPERINTENDENT
ATTESTATION	PINON SD #4 SUPERINTENDENT
ATTESTATION	SHOW LOW SD #10 SUPERINTENDENT
ATTESTATION	SNOWFLAKE SD #5 SUPERINTENDENT
ATTESTATION	WHITERIVER SD #20 SUPERINTENDENT
ATTESTATION	WINSLOW SD #1 SUPERINTENDENT
ATTESTATION	NAVAJO COUNTY SCHOOL SUPT.
ATTESTATION	CHAIRMAN, NAVAJO COUNTY BOARD OF SUPERVISORS

APACHE COUNTY

ATTESTATION	ALPINE ELEMENTARY SD #7 SUPT.
ATTESTATION	CHINLE SD #24 SUPERINTENDENT
ATTESTATION	CONCHO ELEMENTARY SD #6 SUPT.
ATTESTATION	GANADO SD #20 SUPERINTENDENT
ATTESTATION	MCNARY ELEMENTARY SD #23 SUPT.
ATTESTATION	RED MESA SD #27 SUPERINTENDENT
ATTESTATION	ROUND VALLEY SD #10 SUPT.
ATTESTATION	SANDERS SD #18 SUPERINTENDENT
ATTESTATION	ST. JOHNS SD #1 SUPERINTENDENT
ATTESTATION	VERNON ELEMENTARY SD #9 SUPT.
ATTESTATION	WINDOW ROCK SD #8 SUPT.