

**SECOND AMENDMENT TO JOINT POWERS
AGREEMENT BETWEEN DAKOTA COUNTY, SCOTT
COUNTY AND WASHINGTON COUNTY
FOR THE SOUTH METRO PRIVATE WELL PESTICIDE
MITIGATION PROGRAM**

WHEREAS, effective October 21, 2024 the County of Dakota (Dakota County), the County of Scott (Scott County) and the County of Washington (Washington County) entered into a Joint Powers Agreement DCA22065 (JPA) to implement the South Metro Private Well Pesticide Mitigation Program (Program), as well as establish a general framework of their roles and responsibilities regarding the Program and distribution of grant funds received by Dakota County from the Minnesota Department of Agriculture (MDA) pursuant to MDA Grant Agreement No. 256530 (Grant).

WHEREAS, effective November 3, 2025, Dakota County, Scott County and Washington County entered into a First Amendment to the JPA.

WHEREAS, Dakota County, Scott County and Washington County are hereinafter collectively referred to as “Parties” and individually as “Party.” Scott County and Washington County are hereinafter collectively referred to as “Subrecipients.”

WHEREAS, Section 2 (Effective Date and Term) of the JPA provides, in part, that: “[t]his Agreement shall remain in effect until June 30, 2026, or until completion by the Parties of their respective obligations under this Agreement, whichever occurs first, unless earlier terminated by law or according to the provisions of this Agreement.”

WHEREAS, the Parties have not completed their respective obligations under the JPA as of the effective date of this Second Amendment.

WHEREAS, the Parties have not terminated the JPA pursuant to Subsection M (Termination) of Section 7 (Miscellaneous) as of date the Parties executed this Second Amendment.

WHEREAS, the Parties desire to amend the JPA to extend the term of the JPA through June 30, 2027 or until completion by the Parties of their respective obligations under the JPA, whichever occurs first, unless earlier terminated by law or according to the provisions of the JPA.

WHEREAS, Subsection C (iii) (Amendments) of Section 7 (Miscellaneous) provides that any amendment to the JPA must be in writing and executed by the Parties.

WHEREAS, the Parties desire to amend Sections 2 of the JPA as set forth below.

NOW, THEREFORE, the Dakota County, Scott County and Washington County agree to amend the JPA as follows in consideration of the mutual covenants contained herein:

1. Section 2 (Effective Date and Term) is amended to read as follows:

This Agreement shall be effective as of the date the last party hereto executes this Agreement. This Agreement shall remain in effect until June 30, 2027, or until completion by the Parties of their respective obligations under this Agreement, whichever occurs first, unless earlier terminated by law or according to the provisions of this Agreement.

2. This Second Amendment is effective and enforceable on the date that the last Party hereto signs this Second Amendment.
3. All other terms of the JPA shall remain in full force and effect.
4. In any case where this Second Amendment conflicts with the initial terms of the JPA, this Second Amendment shall govern.

IN WITNESS WHEREOF, the parties have executed this Second Amendment on the dates indicated below.

[SIGNATURE PAGES TO FOLLOW]

DRAFT

COUNTY OF DAKOTA

Approved by Dakota County Board
Resolution No. _____

By _____
Georg T. Fischer, Director
Assistant County Manager

Date of Signature: _____

COUNTY OF SCOTT

By _____
Brad Davis, Director
Planning and Resource Management Division

Date of Signature: _____

APPROVED AS TO FORM:

Assistant Scott County Attorney

Date of Signature: _____

COUNTY OF WASHINGTON

Approved by Washington County Board
Resolution No. _____

By _____
Chair, Board of Commissioners

Date of Signature: _____

and

By _____
County Administrator

Date of Signature: _____

APPROVED AS TO FORM:

Assistant Washington County Attorney

Date of Signature: _____