AMENDED 28-E AGREEMENT BETWEEN DELAWARE AND DUBUQUE COUNTIES

THIS AGREEMENT MADE AND ENTERED INTO BETWEEN DUBUQUE COUNTY AND DELAWARE COUNTY, POLITICAL SUBDIVISIONS IN THE STATE OF IOWA, UNDER AND IN COMPLIANCE WITH CHAPTER 28-E OF THE 1992 CODE OF IOWA, AND SUPERSEDING AGREEMENTS SIGNED MAY 11, 1983, AND JULY 2, 1984, AS FOLLOWS:

WHEREAS, the Governor of Iowa on March 28, 1983, designated the counties of Delaware and Dubuque as comprising Service Delivery Area Eight pursuant to the Job Training Partnership Act (JTPA), P.L. 97-300, and

WHEREAS, the Iowa Job Training Partnership Program requires, and Chapter 28-E The Code of Iowa (1992) allows, units of local government to indicate their joint participation in the Iowa JTPA program by executing a joint-exercise of powers agreement in accordance with those laws and regulations, and

WHEREAS, the counties of Delaware and Dubuque desire to participate in, and be a member of, Service Delivery Area Eight as designated by the Governor:

IT IS THEREFORE AGREED that the counties of Delaware and Dubuque join together to form Service Delivery Area Eight, and further agree as follows:

1. This agreement shall be effective on the date of receipt of the Governor's approval of this agreement and shall continue until terminated by any party hereto. Any party may terminate this agreement by giving a one hundred twenty (120) day written notice of intent to terminate to the other parties to this agreement.

2. No separate legal entity is created under this agreement.

3. For purposes of carrying out the duties of local elected officials as set forth in the JTPA, a Board is hereby created which shall be comprised of members of the Boards of Supervisors of Delaware and Dubuque counties:

   a. Except as set forth below, on matters coming before the Board, the members of the Delaware County Board of Supervisors shall have three (3) votes. Members of the Dubuque County Board of Supervisors shall have three (3) votes.

   b. Notwithstanding Paragraph 3a., above, a Chairperson and Vice Chairperson shall be elected, having co-equal powers and authorized to perform the same duties. They shall be elected by majority vote of the Board, and shall serve a term of one year. They shall be elected at an annual meeting of the Board, which shall be held in May of each year. In the same way, the Board shall appoint a recording secretary who shall have the duties normally associated with that office.

   c. The Board shall have the following powers:

      (1) To appoint the members of the Private Industry Council for Service Delivery Area Eight as follows: The members of the Dubuque and Delaware County Board of Supervisors shall be entitled to appoint seventeen (17) members to the Private Industry Council. Dubuque County will be represented by fourteen (14) members and Delaware County by three (3) members.

FILE No. 283-3328
RECORDING FEE $
TRANSFER FEE $
FILED FOR RECORD THE 10 DAY OF May, 19 93 AT 1:22 O'CLOCK P. M. BOOK 4 PAGE 5
STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
Misc.

(2) To negotiate an agreement with the Private Industry Council which will determine the procedure for developing and implementing the job training plan for the Service Delivery Area, the grant recipient for the Service Delivery Area and the administrative entity(ies) for the Service Delivery Area.

(3) To appoint and submit, jointly with the Private Industry Council, the required job training plans for the Service Delivery Area Eight.

4. Any cost incurred by any unit of government to this agreement which results from the operation of the JTPA program in Service Delivery Area Eight shall be shared equally by all parties to this agreement.

5. No property, real and personal, shall be acquired or held under this agreement.

6. By approval of this 28-E Agreement and the consummation of an agreement between the units of government to this 28-E Agreement and the Private Industry Council, each member government jointly and separately accepts responsibility and liability for the operation of the JTPA programs to the extent of the responsibilities assigned and agreed upon in the agreement between the governmental units and the Private Industry Council.

Each party to this agreement acknowledges that this document represents the complete agreement of the parties. Each party further represents that he/she has been authorized in accordance with State law to sign this agreement and bind the unit of local government represented.

FOR DELAWARE COUNTY, IOWA:

Bob Clemen — 5/10/93

Chairperson, Board of Supervisors — Date

Bob Clemen

Subscribed and sworn before me by Bob Clemen this 10th day of May, 1993.

Sharon McCrabb

Notary Public

Sharon McCrabb

FOR DUBUQUE COUNTY, IOWA:

Donna L. Smith — 4-12-93

Chairperson, Board of Supervisors — Date

Donna L. Smith

Subscribed and sworn before me by Donna L. Smith this 12th day of April, 1993.

Jeanette R. Hess

Notary Public

JEANETTE R. HESS
MY COMMISSION EXPIRES
5/2/96