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Prepared by Norman Wellman - Coordinator-Courthouse-Manchester, Ia 52057 - 319-927-5561

DELAWARE COUNTY
E-9-1-1 SERVICES BOARD
JOINT AGREEMENT

ARTICLE ONE - NAME

Section One. The official name of this organization shall be the Delaware County E-9-1-1 Service Board and is hereafter referred to as the "Board"

ARTICLE TWO - LEGAL STATUS

Section One. This Board shall be a joint undertaking of the political subdivisions in Delaware county as required in Chapter 34A, Code of Iowa, all as authorized by Chapter 28E, Code of Iowa.

Section Two. It is the intent of the parties herein that this agency shall be a new legal entity created by the parties to this agreement.

ARTICLE THREE - COMMENCEMENT OF OPERATIONS

Section One. The operation of this Board commenced with its meeting on November 30, 1988.

ARTICLE FOUR - DURATION

Section One. The duration and existence of this Board Shall be perpetual and shall not be terminated or dissolved unless dissolution is authorized and/or required by the Legislature of the State of Iowa or that the useful purpose of the board has expired and is no longer required by the Code of Iowa.

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Section Two. In the event the Service Board created by this Agreement is terminated pursuant to Section One of this Article, all assets controlled by the Delaware County E-9-1-1 Service Board shall be disposed of and distributed pursuant to the then-existing Iowa law pertaining to such boards. In the event Iowa law does not specify the manner for distributing assets held by the Delaware County E-9-1-1 Service Board, all assets shall be distributed to the entity or organization providing 9-1-1 service or similar services to residents of Delaware County, Iowa. In the event such an organization does not exist at the time of dissolution of this Board, all assets of the Board shall be distributed equally to each political subdivision of the State having a public safety agency serving territory within Delaware County, Iowa.

ARTICLE FIVE - PURPOSE

Section One. The purpose of this Joint Agreement is to create a Board within Delaware County, Iowa, which shall include all political subdivisions providing Public Safety Services to the Citizens of Delaware County, as provided for in Chapter 34A, Code of Iowa. The Board is established for the purpose of operating and managing an E-9-1-1 service within Delaware County, Iowa, and provide a unified, centralized, professional approach to the provision of Public Safety Communications. This Board is hereby declared to be a combination of all units of government that are required by Chapter 34A Code of Iowa, to cooperate and participate in the formulation of the board.

ARTICLE SIX - POWERS AND DUTIES

Section One. POWERS The Board shall have the power to do all things necessary to carry out the provisions of this agreement insofar as such actions taken by the Board are not in conflict with any laws within the State of Iowa, and fulfill the requirements as established in Chapter 34A, Code of Iowa.

Section Two. DUTIES OF THE BOARD

A. The joint E-9-1-1 Service Board shall develop an enhanced 9-1-1 service plan encompassing at minimum the entire county. The joint E-9-1-1 Service Board shall submit the plan on or before February 28, 1989 to the Administrator, Division of Disaster Services, Public and private safety agencies in the E-9-1-1 service area, and the telephone providers affected by the E-9-1-1, service plan.

B. It shall be the duty of the Board to provide the member political subdivisions with the administration and management of surcharge revenues received as a result of implementation of the provisions of Chapter 34A, Code of Iowa. In addition the Board shall provide the members thereof with the administration of and application for grants in aid from federal, state and local agencies, providing financial assistance for and toward the purpose of this agreement.

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C. The Board shall also adopt such by-laws as shall be necessary for the proper operation of the Board as it pursues its duties of management and operation of the E-9-1-1 service area communication system. Such by-laws shall be provided to each member of the Board.

ARTICLE SEVEN - FINANCING

Section One. The Board shall establish and maintain as a separate account the E-9-1-1 service fund. Funds generated as a result of the imposition of the telephone exchange access line surcharge shall be placed in the account and expended as outlined in Chapter 34A, Code of Iowa. Any funds remaining in the account at the end of each fiscal year shall not revert to the general funds of the member political subdivisions, except as outlined in Chapter 34A, Code of Iowa.

Section Two. The Board, in the performance of its duties, may cooperate with, contract with, and accept and expend funds from federal, state, or local political subdivisions, associations, public or semi-public, or private individuals or corporations, and may carry out such cooperative undertakings and contracts, as long as the same is for the purpose as hereinabove set forth.

Section Three. The Board may enter into all necessary contracts and make expenditures for such services and administration or planning as they deem in the public's best interests, and to carry out the purpose of this agreement.

Section Four.

A. The Board shall prepare a budget based on the fiscal year beginning July 1, of each year. The budget shall be determined by the members and the budget shall be adopted each and every twelve month period, in such manner and at such time as required by law. The annual budget shall be adopted by the Board, after public hearings as required by law.

B. The Board shall be financed by the telephone exchange access line surcharge revenues that are made available through the provisions of Chapter 34A, Code of Iowa as authorized by the citizens of Delaware County. In addition to the funding set forth above the Board shall also, at its own discretion, make application to any federal or state agency for funding for the purpose of administration of this Board and to carry out its' purposes as outlined in this document.

ARTICLE EIGHT - MEMBERSHIP

Section One. Each political subdivision of the state having a public safety agency serving territory within Delaware County shall be entitled to a voting membership on the Board.

Section Two. Each private safety entity operating within the E-9-1-1 service area is entitled to nonvoting membership on the board.

Section Three. Each official representative from the Board's membership shall have an alternate who shall have a right to vote only in the absence of the official representative and only if that representative is a voting member of the Board.

Section Four. Participation in the Joint E-9-1-1 Service Board is Required for each political subdivision or state agency having a public safety agency within Delaware County's E-9-1-1 Service Area. Each such agency shall participate in the Board and cooperate in preparing the E-9-1-1 service plan.

Section Five. Representatives to the Board shall be appointed by the individual political subdivisions or State agency and shall serve in that capacity until the Chairman, appointed by the Delaware County Board of Supervisors, receives a letter from the political subdivision certifying appointment of a new representative.

Section Six. Duration of Membership shall be perpetual or until the legislature dissolves the Board by law, or the Board has outlived its useful purpose.

Section Seven. A representative to this Board may be expelled and dropped from participation in the Boards proceedings as outlined in the by-laws hereinafter adopted and established. Such expulsion shall not terminate the responsibilities of the political subdivision or State Agency represented and said subdivision or State Agency shall fill the vacancy within forty-five working days. A representative may not be expelled from the Board without a three-fourths vote of the existing membership of the Board so voting in the affirmative for expulsion.

Section Eight. The following agencies shall be permanent members of the Delaware County E-9-1-1 Services Board in addition to those required by Chapter 34A, Code of Iowa:

A. A member of the Delaware County Board of Supervisors.
B. The Delaware County Sheriff
C. The Delaware County Disaster Services Director
D. The Delaware County Emergency Medical Services Director
E. The political subdivisions having a public safety agency serving territory within Delaware County: Colesburg, Delaware, Delhi, Dundee, Dyersville, Earlville, Edgewood, Greeley, Hopkinton, Manchester, Masonville and Ryan.

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ARTICLE NINE - OFFICERS, MEETINGS, EMPLOYEES, AND VOTING

Section One. The Chairman of the Delaware County E-9-1-1 Service Board shall be appointed by the Delaware County Board of Supervisors and shall serve for a period of one (1) year.

Section Two. The Vice-Chairman shall be elected from the Boards membership and shall serve for a period of Two (2) years, or until his/her successor is elected, or until such time as the Vice-Chairman shall no longer be a representative to the E-9-1-1 Service Board, at which time the then remaining members of the board shall elect a new Vice-Chairman.

Section Three. The Delaware County Board of Supervisors shall appoint the County Auditor of Delaware County as the Treasurer of the E-9-1-1 Service Board.

Section Four. The Secretary shall be elected from the Boards membership and shall serve for a period of Two (2) years, or until his/her successor is elected, or until such time as the Secretary shall no longer be a representative to the E-9-1-1 Service Board, at which time the remaining members of the board shall elect a new Secretary.

Section Five. The Board shall meet not less than once each year and/or at such times as the Chairman, or the Vice-Chairman, and/or Coordinator, in the Chairmans absence, shall call such meeting for good and proper purpose.

Section Six. The Board shall employ such personnel as it deems necessary to fulfill the purposes as the board shall designate from time to time.

The Delaware County Joint E-9-1-1 Service Board agreement, duly executed on this 25th day of September, A.D. 1996 pursuant to the authority granted in Chapter 34A & 28E, Code of Iowa, as well as Delaware County, Iowa through its Board of Supervisors, executed by their designated representative, and which signatory hereto does hereby bind the individual political subdivisions, as well as Delaware County, Iowa, by and through its Board of Supervisors.

Delaware County, Iowa

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Eldon Koeneke

Eldon Koeneke, Chairperson,
Delaware County Board of Supervisors

Sharon McCrabb

Sharon McCrabb, Delaware County Auditor

STATE OF IOWA, COUNTY OF Delaware ,ss:

On this 28 day of October, 1996, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Eldon Koeneke and Sharon McCrabb, to me personally known who, being by me duly sworn, did say that they are the Chairperson of the Board of Supervisors and County Auditor, respectively, of the County of Delaware, Iowa, a municipal corporation; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its Board of Supervisors as contained in Ordinance No. _____ passed by Resolution of the Board of Supervisors under Roll Call No. _____ of the Board of Supervisors on the 28 day of October, 1996; and Eldon Koeneke and Sharon McCrabb acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Carolyn A. Wilson

Carolyn A. Wilson, Notary Public in and for said State.

Bob Clemen

Bob Clemen, Chairperson, Delaware County E-911 Board

Garlyn Glanz

Garlyn Glanz, Secretary, E-911 Board

STATE OF IOWA)
) SS
DELAWARE COUNTY)

On this 28 day of October, 1996 the undersigned, Notary Public, did appear the Chairperson and Secretary of the Delaware County E-911 Board as above Identified, who did acknowledge that they executed the above and forgoing as the act and deed of said individual members of this board as witness my hand and Notarial Seal.

SHARON MC CRABB NOTARIAL SEAL

Sharon Mc Crabb
Notary Public in and for
The State of Iowa

SHARON MC CRABB

CITY OF COLESBURG

Fred Phelps
Fred Phelps, Mayor

Gina Clute
Gina Clute, City Clerk

On this 18th day of November, 1996, before me, Joanne Elaine Peters, a Notary Public in and for the State of Iowa, personally appeared Fred Phelps and Gina Clute, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Colesburg, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Ordinance No. _____ passed (or the resolution adopted) by the City Council, under Roll Call No. _____ of the City Council on the _____ day of _____, 19____, and that _____ and _____ acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

JOANNE ELAINE PETERS NOTARIAL SEAL (SEAL)

Joanne Elaine Peters
Notary Public; my commission expires
1-12-98

JOANNE ELAINE PETERS

CORPORATE SEAL 1-0-W-A CITY OF COLESBURG

CITY OF DELAWARE

Edith L. Schnittjer
Edith Schnittjer, Mayor

Bev McAreavy
Bev McAreavy, City Clerk

On this 8th day of April, 1997, before me, _____, a Notary Public in and for the State of Iowa, personally appeared Bev McAreavy and _____, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Delaware, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Ordinance No. _____ passed (or the resolution adopted) by the City Council, under Roll Call No. _____ of the City Council on the _____ day of _____, 19_____, and that _____ and _____ acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

(SEAL)

Cynthia L. Orr
Notary Public; my commission expires
_____

CYNTHIA L. ORR
MY COMMISSION EXPIRES
October 6 1999

CITY OF DELHI

Roy Atkinson

Roy Atkinson, Mayor

Janet Cords

Janet Cords, City Clerk

On this 24th day of October, 19 96, before me, Cynthia L. Orr, a Notary Public in and for the State of Iowa, personally appeared Roy Atkinson and Janet Cords, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Delhi, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in ~~Ordinance No~~. 5-96 passed (or the resolution adopted) by the City Council, under Roll Call No. _____ of the City Council on the 5 day of April, 19 96, and that Roy Atkinson and Janet Cords acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

(SEAL)

Cynthia L. Orr

Notary Public; my commission expires

CYNTHIA L. ORR
MY COMMISSION EXPIRES
October 6, 1999

CITY OF DUNDEE

Mike Hentges

Mike Hentges, Mayor

Glenn Puffett

Glenn Puffett, City Clerk

On this 25th day of October, 19 96, before me, Amy J. Blumer, a Notary Public in and for the State of Iowa, personally appeared Mike Hentges and Glenn Puffett, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Dundee, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Ordinance No. _____ passed (or the resolution adopted) by the City Council, under Roll Call No. _____ of the City Council on the _____ day of _____, 19____, and that Mike Hentges and Glenn Puffett acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

(SEAL)

AMY J. BLUMER
MY COMMISSION EXPIRES
September 5, 1999

Amy J Blumer

Notary Public; my commission expires
9/5/99

CITY OF DYERSVILLE

Robert H Kramer
Robert Kramer, Mayor

Susan L Ertl
Susan Steffen-Ertl, City Clerk

On this 30th day of October, 19 96, before me, Mary A. Goerdt, a Notary Public in and for the State of Iowa, personally appeared Robert H. Kramer and Susan L. Ertl, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Dyersville, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Ordinance No. _____ passed (or the resolution adopted) by the City Council, under Roll Call No. _____ of the City Council on the _____ day of _____, 19____, and that Robert H. Kramer and Susan L. Ertl acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

CITY OF DYERSVILLE (SEAL) Iowa CITY SEAL

Mary A. Goerdt
Notary Public; my commission expires
05-05-97

MARY A. GOERDT
MY COMMISSION EXPIRES
05-05-97

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CITY OF EARLVILLE

Tony Salow, Mayor

Linda Gaul, City Clerk

On this 25 day of February, 1997, before me, _____, a Notary Public in and for the State of Iowa, personally appeared Tony Salow and Linda Gaul, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Earlville, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Ordinance No. _____ passed (or the resolution adopted) by the City Council, under Roll Call No. _____ of the City Council on the _____ day of _____, 19____, and that _____ and _____ acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

(SEAL)

Elaine M. Diesburg
Notary Public; my commission expires _____

ELAINE M. DIESBURG
MY COMMISSION EXPIRES
1-19-98

CITY OF EDGEWOOD

James J. Forkenbrock, Mayor
James J. Forkenbrock, Mayor

Martha Romig
Martha Romig, City Clerk

On this 27th day of December, 1996, before me, Marcia K. Wessel, a Notary Public in and for the State of Iowa, personally appeared James J. Forkenbrock and Martha Romig, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Edgewood, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Ordinance No. _____ passed (or the resolution adopted) by the City Council, under Roll Call No. _____ of the City Council on the _____ day of _____, 19_____, and that _____ and _____ acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

(SEAL)

CITY OF EDGEWOOD CORPORATE SEAL IOWA

Marcia K. Wessel
Notary Public; my commission expires

NOTARIAL SEAL IOWA
MARCIA K. WESSEL
MY COMMISSION EXPIRES
1/8/97

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CITY OF GREELEY

James G. Tibbott, Mayor

Marie Bockenstedt, City Clerk

On this 16 day of November, 19 96, before me, Richard F Ashline, a Notary Public in and for the State of Iowa, personally appeared James G Tibbott and Marie D Boeckenstedt, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Greeley, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in [redacted] No. _____ passed (or the resolution adopted) by the City Council, under Roll Call No. 11-1-96 of the City Council on the 12th day of November, 19 96, and that James G Tibbott and Marie Boeckenstedt acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

(SEAL)

Notary Public; my commission expires
Sept 22, 1998

RICHARD F. ASHLINE

CITY OF HOPKINTON

Daniel J. Tucker
Dan Tucker, Mayor

Mary J. Jasper
Mary Jasper, City Clerk

On this 29 day of October, 1996, before me, Brenda Kelchen, a Notary Public in and for the State of Iowa, personally appeared Danial J. Tucker and Mary F. Jasper, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Hopkinton, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Ordinance No. _____ passed (or the resolution adopted) by the City Council, under Roll Call No. _____ of the City Council on the 29th day of October, 1996, and that Danial J. Tucker and Mary F. Jasper acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

(SEAL)

BRENDA K. KELCHEN
MY COMMISSION EXPIRES
04-13-99

Brenda K. Kelchen
Notary Public; my commission expires
04-13-99

CITY OF MANCHESTER

Milt L. Kramer

Milt Kramer, Mayor

Karen K. Cole

Karen Cole, City Clerk

On this 24th day of October, 19 96, before me, Linda K. Tutton, a Notary Public in and for the State of Iowa, personally appeared Milt L. Kramer and Karen K. Cole, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Manchester, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Ordinance No. R-302-96 passed (or the resolution adopted) by the City Council, under Roll Call No. _____ of the City Council on the 1st day of July, 19 96, and that Milt L. Kramer and Karen K. Cole acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

(SEAL)

Linda K. Tutton

Notary Public; my commission expires

Linda K. Tutton - Aug 29, 1999

CITY OF MASONVILLE

Gale Resor, Mayor

Kay Glass, City Clerk

On this 14 day of October, 1997, before me, _____, a Notary Public in and for the State of Iowa, personally appeared Gale F. Resor and Kay Glass, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Masonville, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Ordinance No. _____ passed (or the resolution adopted) by the City Council, under Roll Call No. _____ of the City Council on the 1 day of May, 1996, and that Gale Resor and Kay Glass acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

(SEAL)

Craig E. Starr
Notary Public, my commission expires
5-12-00
CRAIG E. STARR

CITY OF RYAN

Ingrid Anderson-Quint, Mayor

Kathy Wolfe, City Clerk

(Seal)

On this 6th day of November, 1996, before me, Vincent J. Keegan, a Notary Public in and for the State of Iowa, personally appeared Ingrid Anderson Quint and Kathy Wolfe, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Ryan, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Ordinance No. _____ passed (or the resolution adopted) by the City Council, under Roll Call No. _____ of the City Council on the _____ day of _____, 19____, and that Ingrid Anderson Quint and Kathy Wolfe acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

(SEAL)

Vincent J Keegan

Notary Public; my commission expires 3-1-1998

VINCENT J. KEEGAN