DELAWARE COUNTY IOWA
FILED
1999 OC -7 AM 11:31
1999 3569
RECORDER
DELAWARE CO. IOWA
RETURNED
N/C

Prepared by: Sharon McCrabb, Delaware County Auditor, Manchester, Iowa #319 927-4701

CERTIFICATION

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

This is to certify that the attached "Articles of Agreement" with the North Iowa Juvenile Detention Services Commission is a true and correct copy of the agreement prepared by Steve Reuter, Chairperson of the Commission.

Dated this 7th day of October, 1999.

Sharon McCrabb, Delaware County Auditor

Subscribed and sworn to before me this 7th day of October, 1999 by Sharon McCrabb, Delaware County Auditor.

Carolyn A. Wilson, Notary Public in and for the State of Iowa.

My commission expires 12-17-01

NORTH IOWA JUVENILE DETENTION SERVICES COMMISSION

ARTICLES OF AGREEMENT

The following Articles of Agreement shall establish and govern the creation and operation of the North Iowa Juvenile Detention Services Commission.

ARTICLE I - NAME

The official name of this organization shall be the North Iowa Juvenile Detention Services Commission.

ARTICLE II - LEGAL STATUS

Section 1. This Commission shall be a voluntary joint undertaking of the Boards of Supervisors of the counties of Black Hawk, Bremer, Butler, Cerro Gordo, Chickasaw, Fayette, Floyd, Franklin, Grundy, Howard, Marshall, Winneshiek and Wright Counties, and, effective July 1, 1999, Allamakee, Buchanan, Clayton, Delaware, Dubuque, and Worth Counties in Iowa, as authorized in Chapter 28E of the 1985 Code of Iowa, and all acts amendatory hereto.

Section 2. It is the intent of the parties herein that this agency shall be a legal entity created by the parties of this agreement.

ARTICLE III - COMMENCEMENT OF OPERATIONS

The operations of this Commission commenced in 1987 upon filing of these articles with the Iowa Secretary of State and recording with the County Recorder of each of the original thirteen counties. The addition of six more counties in 1999, is the reason for refiling our Articles of Agreement and By-Laws.

ARTICLE IV - DURATION

The duration and existence of this Commission shall be perpetual unless terminated or dissolved as hereinafter provided.

ARTICLE V - PURPOSES

Section 1. The purpose of this agreement is to create a commission within the above named counties which shall be the vehicle for establishing and maintaining juvenile detention and related services in accordance with state and federal statute.

Section 2. The original services and additional services shall not be extended until all governmental bodies contributing to the financial support of the Commission as provided by Article VII have approved such an expansion of services by an appropriate resolution.

ARTICLE VI - POWERS AND DUTIES

Section 1. Powers. This Commission shall have the power to do all things necessary to carry out the purpose set forth insofar as the same are not in conflict with any of the existing laws within the State of Iowa.

Section 2. Duties of the Commission.
a. The duties of this Commission shall be to provide policy and staff to serve member governments and agencies to fulfill the purposes as outlined in Article V. The Board of Directors shall appoint a Director to oversee operations.

b. It shall also be the duty of this Commission, when necessary, to prepare a plan which is acceptable to member governments, and which will meet conditions for funding via federal, state or private sources to carry out the purposes of this Commission.

c. The duties of this Commission shall also include the adoption of such By-Laws as shall be necessary for the proper operation of the Commission. Such By-Laws shall become in force when adopted by the Board of Directors and mailed to the recording officer of each participating government or agency.

ARTICLE VII - FINANCING

Section 1. In the performance of its duties, the Commission may cooperate with, contract with, and accept and expend funds from federal, state or local 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 purposes as previously set forth.

Section 2. The commission may enter into all necessary contracts and make expenditures for planning, equipping, and staffing the agency as are necessary to carry out the purposes of this Agreement.

Section 3.

a. Not later than November 15th of each year the Chairperson of the Board of Directors of the Commission shall, by written notice, call a meeting of the Board of Directors to prepare a proposed budget of all expenses for the ensuing fiscal year, July 1 through June 30.

b. The budget shall contain an itemized list of the personnel costs, the estimated amount needed for personnel benefits, travel, transportation, utilities, printing, reproduction supplies, materials, equipment, and such other goods and services which are needed to achieve the purposes as previously set forth.

c. The Board of Directors of the Commission shall complete and adopt the budget for the ensuing fiscal year not later than January 10th and shall submit the same to member governments with operation costs apportioned appropriately.

d. All expenditures provided for herein shall be subject to the provisions of Chapter 24 of the 1985 Code of Iowa and the Chairperson or Vice-Chairperson of the Board of Directors of the Commission is hereby declared to be the certifying official.

e. The Board of Directors shall request each member county to provide in its budget for its individual share of the entire budget of this Commission.

f. The original operating costs for office expenses and equipment, architectural services and other fees, dues and expenses necessary for commission functioning shall be allocated on the following percentages and the following amounts:

Allamakee*	$ 9,030	3%	Fayette	3,825	4%
Black Hawk	19,670	23%	Floyd	2,732	3%
Bremer	3,278	4%	Franklin	1,639	2%
Buchanan*	13,720	5%	Grundy	1,912	2%
Butler	1,776	3%	Howard	1,366	2%
Cerro Gordo	7,103	8%	Marshall	5,054	7%
Chickasaw	2,185	3%	Winneshiek	2,459	4%
Clayton*	12,654	4%	Worth*	5.411	1%
Delaware*	11,359	3%	Wright	1,639	3%
Dubuque*	56,182	16%			

*Member counties effective July 1, 1999. Cost was figured using the county population in 1980, multiplied by $.60.

The operating costs of detention programming ultimately developed by agreement of Commission members will be funded the first two years by a formula incorporating the average of the percentage of county population of the whole and the percentage of county juvenile court activity of the whole with a ten percent reduction factor for those counties not contiguous to the county site of one of the Commission's residential programs. After the first two years of operation the Commission will formulate a plan for funding based on actual program utilization as measured by care days provided.

ARTICLE VIII - MEMBERSHIP

Section 1. Members. The membership of this Commission shall be the counties of Black Hawk, Bremer, Butler, Cerro Gordo, Chickasaw, Fayette, Floyd, Franklin, Grundy, Howard, Marshall, Winneshiek and Wright Counties. Effective July 1, 1999, Allamakee, Buchanan, Clayton, Delaware, Dubuque, and Worth shall be members. Any other county may apply to join this commission by proceeding in the following manner:

Section 2. Method of Joining.

a. The Board of Supervisors of the applicant county shall pass a resolution approving these Article of Agreement and requesting membership in the Commission.
b. Acceptance of the applicant county shall be by an authorizing vote of the members of the Board of Directors.
c. The Board of Supervisors of the joining county shall then pass a resolution appointing its official representative and alternate of the Commission.
d. The applicant county will be assessed a fee proportionate to that assessed originating members by multiplying the county population in 1980 by $.60 per person.

Section 3. Duration of Membership. A member government of this Commission shall continue its membership therein until such time as (a) the member terminates membership as herein provided; or (b) this Commission is dissolved, as hereinafter provided.

Section 4. Membership Termination. Membership may be withdrawn from this Commission in the following manner:

a. The individual member through its county Board of Supervisors shall adopt a Resolution to withdraw from this Commission.
b. A copy of said Resolution bearing the signature of the Chairman of the Board of Supervisors shall then be sent to the Chairperson of the Commission.

ARTICLE IX - BY-LAWS

Section 1. One of the first undertakings of this Commission shall be the adoption of rules for the operation of this Commission and the transaction of business.

Section 2. Any By-Laws or rules adopted by the Board of Directors of this Commission for the operation of the Commission and the transaction of business may be repealed, changed, or modified by a majority vote of the total members of said Commissions Board of Directors.

ARTICLE X - DISSOLUTION

This Agreement and the Commission herein created may be dissolved at any time by a majority vote of the membership, and by all members thereof having their governmental body pass a Resolution supporting the dissolution of this Commission. Upon such a dissolution any and all assets of this Commission shall be liquidated and the net proceeds so obtained therefrom shall be distributed to the individual members of this Commission as this Commission shall so determine. However, the Commission shall not be dissolved when there remains any indebtedness incurred by the Commission.

ARTICLE XI - AMENDMENTS

The terms of these Articles of Agreement may be amended by a majority vote of the full Board of Directors and ratification by the member governments, provided that each Commission member government shall have been notified by mail by the Chairman of the Board of Directors and received a copy of said proposed amendment at least thirty (30) days prior to the date that member governments to respond to said changes of Articles of Agreement within the thirty (30) day period, shall be deemed by the Board of Directors of the Commission as approval of the amendment.

ARTICLE XII - SEVERABILITY

If any provisions of these Articles of Agreement, or the application thereof to any person or circumstance, are held to be invalid, such invalidity shall not affect other provisions or applications of these Articles, which can be given effect without the invalid provisions or applications and to this end the provisions of these Articles are declared to be severable.

We, the undersigned, as representatives of our individual counties, do hereby accept the attached Articles of Agreement concerning the North Iowa Juvenile Detention Services Commission.

Allamakee County

Black Hawk County

Bremer County

Buchanan County

Butler County

Cerro Gordo

Chickasaw County

Clayton County

Delaware County

Dubuque County

Fayette County

Floyd County

Franklin County

Grundy County

Howard County

Marshall County

Winneshiek County

Worth County

Wright County

At Large Member

At Large Member

At Large Member

At Large Member

At Large Member

This is a true and exact copy of the original By-Laws of the North Iowa Juvenile Detention Services Commission.

TERRI S. BURMAN
Iowa
NOTARIAL SEAL

Terri S. Burman, Notary
10-1-99

This is to certify that this is a true copy of the Articles of Agreement of the North Iowa Juvenile Detention Services Commission.

Steve Reuter, Chairperson