Del. Co. Auditor

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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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Dubuque County Iowa
John Murphy Recorder
File 2015-00011621

Recorder's Cover Sheet

28E AGREEMENT FOR SHARING COUNTY ENGINEER

Prepared By: Ralph R. Potter, Dubuque County Attorney, 720 Central Avenue, Dubuque, Iowa 52001 (563)589-4470

Return To: Dubuque County Board of Supervisors, 720 Central Avenue, Dubuque, Iowa 52001

GRANTOR: Dubuque County, Iowa

GRANTEE: Delaware County, Iowa

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28E AGREEMENT FOR SHARING COUNTY ENGINEER

COMES NOW Dubuque County, Iowa, and Delaware County, Iowa, and, pursuant to the provisions of Iowa Code Chapter 28E.5, enter into a joint and mutual agreement for the sharing of a County Engineer pursuant to the provisions of Iowa Code Section 309.19.

Dubuque County's Engineer, Anthony Bardgett, has tendered his resignation to leave the employment of Delaware County, and Delaware County wishes to be covered during the transition period between Anthony Bardgett's resignation from Delaware County and the hiring of a replacement.

Iowa Code Section 309.19 permits adjoining counties to enter into an agreement to jointly employ a County Engineer and requires that provisions of Iowa Code Chapter 28E be applicable to the agreement. Therefore, the parties agree as follows:

1. This agreement is expected to be of a short duration, lasting no more than three months from the date of signing unless extended by mutual written agreement.
2. No separate organization is created or planned by the counties. Dubuque County shall bill Delaware County for costs incurred by Dubuque County, including the sharing of salary and other costs of the joint program. The parties are unable to determine the exact amount of time that will be required of the Dubuque County Engineer in serving Delaware County, but agree that the proportionate share of the Dubuque County Engineer's time used for the benefit of Delaware County shall be billed to Delaware County with other costs associated with the sharing, and Delaware County shall promptly reimburse Dubuque County.

3. Pursuant to this agreement, Dubuque County Engineer Anthony Bardgett shall be appointed the Interim Delaware County Engineer. Bardgett shall be the Interim Delaware County Engineer until a replacement is appointed or no more than three months from the date of signing, whichever occurs first.
4. The purpose of the 28E Agreement is to comply fully with the provisions of Iowa Code Section 309.19 to permit Delaware County, Iowa, to share with adjacent county, Dubuque County, Iowa, the services, as defined in paragraph three, of the Dubuque County Engineer for a period not to exceed three months.
5. The manner of financing the joint or cooperative undertaking and establishing and maintaining a budget therefore, shall rest with Dubuque County, Iowa, which shall periodically bill Delaware County for these services and Delaware County shall promptly reimburse Dubuque County.
6. Delaware County shall pay to Dubuque County, as a part of the sharing agreement, the following amounts:
    a. $150.00 per hour. The amount of $150.00 per hour represents the total cost for the Engineer's services, including salary, fringe benefits, and travel time to and from the Delaware County Engineer's Office.
    b. $45 per visit to Delaware County. Dubuque County will pay out that amount to Engineer Anthony Bardgett for his personal reimbursement.
    c. Delaware County shall pay mileage reimbursement of $0.50 cents per mile for use of a Dubuque County vehicle.

APPROVED BY THE DUBUQUE COUNTY BOARD OF SUPERVISORS

Daryl Klein
Chairperson, Dubuque County Board of Supervisors

APPROVED BY THE DELAWARE COUNTY BOARD OF SUPERVISORS

Jeff Madlom
Chairperson, Delaware County Board of Supervisors

Mona Manternach, Deputy Auditor

Carla Becker, Auditor

DELAWARE COUNTY OFFICIAL SEAL IOWA

(File with the Dubuque County Recorder, the Delaware County Recorder and the Iowa Secretary of State)

STATE OF IOWA)
) ss:
DUBUQUE COUNTY)

On this 4th day of September, 2015, before me, MASON, a Notary Public in and for the State of Iowa, personally appeared Daryl Klein and Mona Manternach, to me personally known, and who, being by me duly sworn, did say that they are the Chairperson of the Board of Supervisors and Deputy County Auditor, respectively, of the County of Dubuque, Iowa; that the seal affixed to the foregoing instrument is the county seal of the county and that the instrument was signed and sealed on behalf of the county, by authority of its Board of Supervisors, as contained in Ordinance No. _____ passed (or Resolution adopted) by the Board of Supervisors under Roll Call No 15-223 of the Board of Supervisors on the 4th day of September, 2015, and Daryl Klein and Mona Manternach acknowledged the execution of the instrument to be his/her voluntary act ad deed and the voluntary act and deed of the county, by it voluntarily executed.

Notary Public, State of Iowa

MARY ANN SPECHT
Commission Number 153563
My Comm. Exp. 11-13-14

STATE OF IOWA)
) ss:
DELAWARE COUNTY)

On this 31st day of August, 2015, before me, Anne Rave, a Notary Public in and for the State of Iowa, personally appeared Jeff Madlom and Carla Becker, to me personally known, and 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; that the seal affixed to the foregoing instrument is the county seal of the county and that the instrument was signed and sealed on behalf of the county, by authority of its Board of Supervisors as contained in Ordinance No. _____ passed (or Resolution adopted) by the Board of Supervisors under Roll Call No._____ of the Board of Supervisors on the 31st day of August, 2015, and Jeff Madlom and Carla Becker acknowledged the execution of the instrument to be his/her voluntary act and deed and the voluntary act and deed of the county, by it voluntarily executed.

NOTARIAL SEAL IOWA
ANNE RAVE
Commission Number 757587
My Commission Expires
March 25, 2018

Anne Rave
Notary Public, State of Iowa