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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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Recorded: 12/15/2015 at 02:58:54 PM
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Dubuque County Iowa
John Murphy Recorder
File 2015-00015876

**Recorder's Cover Sheet**

# 28E AGREEMENT FOR SHARING COUNTY ENGINEER

**Prepared by**: Courtney Vorwald, Assistant Delaware County Attorney
Delaware County Courthouse, 301 East Main Street, Manchester, Iowa 52057; 563-927-3819

**Taxpayer Information**: Does not apply

**Return Document To**: Dubuque County Board of Supervisors

**Grantor:**
Dubuque County, Iowa

**Grantee:**
Delaware County, Iowa



Hard Mona

## 28E AGREEMENT FOR SHARING COUNTY ENGINEER

COMES NOW Delaware County, Iowa, and Dubuque 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.

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 last one (1) year, unless extended by mutual written agreement.
2. This agreement may be terminated at any time, without cause, by either party. The terminating party must provide ninety (90) days' written notice to the non-terminating party. Notice may be sent by regular mail or by certified mail, return receipt requested.
3. No separate organization is created or planned by the counties.
4. Pursuant to this agreement, Dubuque County Engineer Anthony Bardgett shall be appointed the Delaware County Engineer.
5. Bardgett shall allocate seventy percent (70%) of his time and services to Dubuque County and thirty percent (30%) of his time and services to Delaware

County. Dubuque County authorizes Bardgett to use a Dubuque County vehicle to travel to and from Delaware County. The parties agree that Bardgett shall then utilize a Delaware County vehicle if additional travel is necessary within the county.

6. The allocation of Bardgett's time and services will be monitored through time management sheets completed by Bardgett and submitted to both Delaware County and Dubuque County.
7. The manner of financing the joint or cooperative undertaking and establishing and maintaining a budget therefore, shall rest with Dubuque County, Iowa. Dubuque County shall be responsible for providing health insurance coverage for Bardgett. Dubuque County shall invoice Delaware County for thirty percent (30%) of Bardgett's services each month, and Delaware County shall promptly reimburse Dubuque County for thirty percent (30%) of Bardgett's wages, FICA, IPERS, and health insurance premium.
8. Delaware County and Dubuque County shall hold quarterly meetings with Bardgett.
9. The purpose of the 28E Agreement is to comply fully with the provisions of Iowa Code Section 309.19 to permit Dubuque County, Iowa, to share with adjacent county, Delaware County, Iowa, the services of the Dubuque County Engineer.

APPROVED BY THE DELAWARE COUNTY BOARD OF SUPERVISORS

Jeff Madlom
Chairperson, Delaware County Board of Supervisors

Carla Becker, Auditor

APPROVED BY THE DUBUQUE COUNTY BOARD OF SUPERVISORS

Daryl Klein
Chairperson, Dubuque County Board of Supervisors

Denise Dolan, Auditor

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

STATE OF IOWA )
) ss:
DUBUQUE COUNTY )

On this 9th day of November, 2015, before me, Ramona Manternach, a Notary Public in and for the State of Iowa, personally appeared Daryl Klein and Denise Dolan, 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 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. 15-252 passed (or Resolution adopted) by the Board of Supervisors under Roll Call No. _____ of the Board of Supervisors on the 9th day of November, 2015, and Daryl Klein & Denise Dolan 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.

RAMONA J. MANTERNACH
Commission Number 703355
My Comm. Exp. 6-4-16

Ramona Manternach
Notary Public, State of Iowa

STATE OF IOWA )
) ss:
DELAWARE COUNTY )

On this 2nd day of November, 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 2nd day of November, 2015, and Jeff Madlom 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