Del. Co. Auditor

Book 2016 Page 3287

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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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Dubuque County Iowa
John Murphy Recorder
File 2016-00015733

Recorder's Cover Sheet

28E AGREEMENT FOR SHARING ASSISTANT TO THE COUNTY ENGINEER (RENEWAL)

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

Taxpayer Information: Does not apply

Return Document To: Delaware County Board of Supervisors

Grantor:	**Grantee:**
Delaware County, Iowa	Dubuque County, Iowa

N/C
MaryAnn Specht

28E AGREEMENT FOR SHARING ASSISTANT TO THE COUNTY ENGINEER (RENEWAL)

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 an Assistant to the 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 or assistants 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 two (2) years, unless extended by mutual written agreement or by a resolution passed by both boards of supervisors.
2. This agreement may be terminated at any time, without cause, by either party. The terminating party must provide one hundred eighty (180) 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, Assistant to the Delaware County Engineer Craig Davis shall provide design and inspection services to Dubuque County.
5. Davis shall allocate sixty percent (60%) of his time and services to Delaware

County and forty percent (40%) of his time and services to Dubuque County. The parties agree that Davis may perform design and inspection services for Dubuque County from his office in Delaware County. Delaware County authorizes Davis to use a Delaware County vehicle to travel to and from Dubuque County. The parties agree that Davis may then utilize a Dubuque County vehicle if additional travel is necessary within the county.

6. The allocation of Davis' time and services will be monitored through time management sheets completed by Davis 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 Delaware County, Iowa. Delaware County shall be responsible for providing health insurance coverage for Davis. Delaware County shall invoice Dubuque County for forty percent (40%) of Davis' services each month, and Dubuque County shall promptly reimburse Delaware County for forty percent (40%) of Davis' wages, FICA, IPERS, and health insurance premium.
8. Delaware County and Dubuque County shall hold joint quarterly meetings with Davis.
9. 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 four, of the Assistant to the Delaware County Engineer.

APPROVED BY THE DELAWARE COUNTY BOARD OF SUPERVISORS

Shirley E. Helmrichs

Shirley Helmrichs
Chairperson, Delaware County Board of Supervisors

APPROVED BY THE DUBUQUE COUNTY BOARD OF SUPERVISORS

Wayne Demmer

Wayne Demmer
Chairperson, Dubuque County Board of Supervisors

DELAWARE COUNTY OFFICIAL SEAL IOWA

Carla Becker

Carla Becker, Auditor

Denise M. Dolan

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 14th day of November, 2016, before me, Mary Habel, a Notary Public in and for the State of Iowa, personally appeared Wayne Demmer 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. 16-284 passed (or Resolution adopted) by the Board of Supervisors under Roll Call No. _____ of the Board of Supervisors on the 14th day of November, 2016, and Wayne Demmer + 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.

Mary Habel

Notary Public, State of Iowa

MARY HABEL
Commission Number 709956
My Commission Expires 5-15-19

STATE OF IOWA)
) ss:
DELAWARE COUNTY)

On this 24th day of October, 2016, before me, Anne Rave, a Notary Public in and for the State of Iowa, personally appeared Shirley Helmrichs 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 24th day of October, 2016, and Shirley Helmrichs & Carla K 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