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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Recorder's Cover Sheet

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

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: Delaware County Board of Supervisors

Grantor:
Delaware County, Iowa

Grantee:
Dubuque County, Iowa

**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.

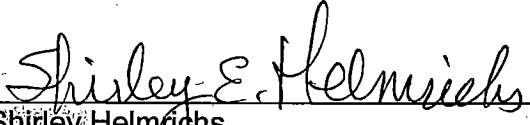
Iowa Code Section 309.19 permits adjoining counties to enter into an agreement to jointly employ a County Engineer or assistants and requires that provisions of Iowa Code Chapter 28E be applicable to the agreement. Therefore, the parties agree as follows:

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

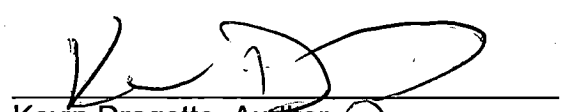

Shirley Helmrichs
Chairperson, Delaware County Board
of Supervisors


Carla Becker, Auditor



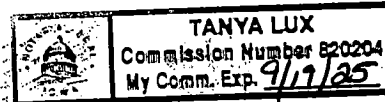
APPROVED BY THE DUBUQUE
COUNTY BOARD OF SUPERVISORS


Harley Pothoff
Chairperson, Dubuque County Board
of Supervisors



Kevin Dragotto, Auditor

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

STATE OF IOWA)
DUBUQUE COUNTY) ss:



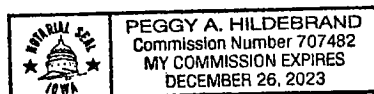
On this 7 day of November, 2022, before me,
Tanya Lux, a Notary Public in and for the State of Iowa, personally
appeared Harley Pothoff and Kevin Dragotto, to me personally known, and who, being
by me duly sworn, did say that they are the Chairperson of the Board of Supervisors
and County Auditor, respectively, 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. 22-355 passed (or Resolution adopted) by the Board of
Supervisors under Roll Call No. _____ of the Board of Supervisors on the 7th day
of November, 2022, and Harley Pothoff 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.


Notary Public, State of Iowa

STATE OF IOWA)
) ss:
DELAWARE COUNTY)

On this 7th day of November, 2022, before me, Peggy A. Hildebrand, 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. 060 passed (or Resolution adopted) by the Board of Supervisors under Roll Call No. _____ of the Board of Supervisors on the 7th day of November, 2022, and Shirley Helmrichs 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.

Peggy A. Hildebrand
Notary Public, State of Iowa



DELAWARE COUNTY RESOLUTION NO. 2022-060
DUBUQUE COUNTY RESOLUTION NO. 22-355

WHEREAS, Dubuque County and Delaware County approved a 28E renewal agreement on October 15, 2020 for a two-year sharing period for Delaware County Assistant to the Engineer Craig Davis to be appointed as Dubuque County Assistant to the Engineer per Iowa Code 309.19; and

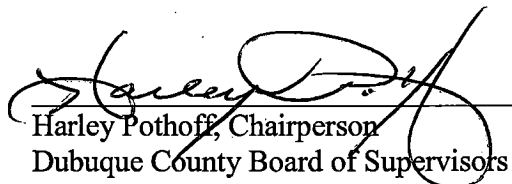
WHEREAS, the 28E renewal agreement is nearing its expiration, and it is the mutual desire of Dubuque County and Delaware County to extend the sharing agreement for an additional two year period; and

WHEREAS, this resolution acts as official approval to extend the 28E renewal agreement in its entirety for a period of two years commencing November 13, 2022 and ending November 13, 2024.

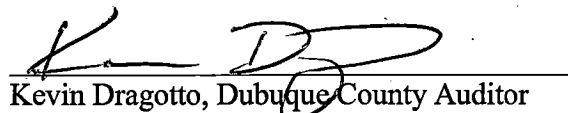
NOW THEREFORE BE IT RESOLVED THAT Dubuque County and Delaware County approves this resolution extending the 28E sharing agreement for Assistant to the County Engineer Craig Davis for a period of two years commencing November 13, 2022 and ending November 13, 2024, unless further extended by mutual written agreement or by a resolution passed by both boards of supervisors.

Adopted this 7th day of November, 2022.

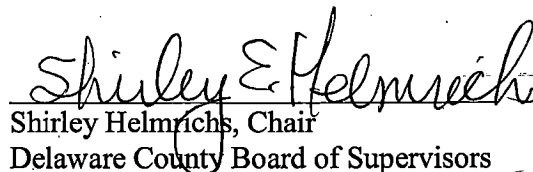
APPROVED BY: DUBUQUE COUNTY BOARD OF SUPERVISORS


Harley Pothoff, Chairperson
Dubuque County Board of Supervisors

ATTEST:


Kevin Dragotto, Dubuque County Auditor

APPROVED BY: DELAWARE COUNTY BOARD OF SUPERVISORS


Shirley Helmrichs, Chair
Delaware County Board of Supervisors

ATTEST:


Carla Becker, Dubuque County Auditor

