

RESOLUTION

**A RESOLUTION PROVIDING FOR COOPERATION WITH OTHER
GOVERNMENTAL UNITS IN THE CREATION AND OPERATION OF THE
SERVICE DELIVERY AREA 2 CONSORTIUM**

WHEREAS, the Governor of Iowa determined that on July 1, 1998 the counties of Cerro Gordo, Floyd, Franklin, Hancock, Mitchell, Worth, and Winnebago shall comprise Service Delivery Area 2 (SDA 2) pursuant to the Job Training Partnership Act (JTPA), P.L. 97-300, and

WHEREAS, the Iowa Job Training Partnership Program requires, and Chapter 28E, The Code of Iowa (1997) allow, units of local government to indicate their joint participation in the Iowa JTPA Program, by executing a joint exercise of powers agreement in accordance with those laws and regulations, and

WHEREAS, the heretofor named counties desire to participate in, and be a member of Service Delivery Area 2 as designated by the Governor:

NOW, THEREFORE, BE IT RESOLVED BY the county of Mitchell, Iowa that it does hereby pledge its cooperation with the governing bodies of other cooperating governmental units in the creation and operation of the Service Delivery Area 2 Consortium by adopting the Intergovernmental Cooperation Agreement of such consortium which is attached hereto and by this reference made a part hereof.

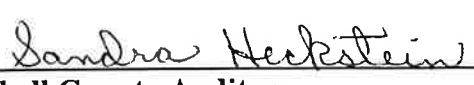
PASSED AND APPROVED THIS 30th **DAY OF** December,
19 97.



Chairperson, Mitchell County Board of Supervisors

Attest:

I, Sandra Heckstein, Auditor of the County of
Mitchell, Iowa do hereby certify that the foregoing Resolution number
423-97 was duly and regularly adopted by this governing body on
the 30th day of December, 19 97.



Mitchell County Auditor

**28E ARTICLES OF AGREEMENT
ESTABLISHING THE LOCAL ELECTED OFFICIALS OF
SERVICE DELIVERY AREA TWO**

THIS AGREEMENT IS MADE AND ENTERED INTO BETWEEN CERRO GORDO COUNTY, FLOYD COUNTY, FRANKLIN COUNTY, HANCOCK COUNTY, MITCHELL COUNTY, WORTH COUNTY, AND WINNEBAGO COUNTY POLITICAL SUBDIVISIONS IN THE STATE OF IOWA, UNDER AND IN COMPLIANCE WITH CHAPTER 28E OF THE 1997 CODE OF IOWA, AS FOLLOWS:

1. Purpose

To establish a Local Elected Officials (LEO) organization pursuant to the federal Job Training Partnership Act (P.L. 97300).

2. Duration

This agreement shall be effective upon the approval of the Boards of Supervisors of Cerro Gordo, Floyd, Franklin, Hancock, Mitchell, Worth, and Winnebago counties, and the filing of this Agreement with the Secretary of State. The Agreement shall continue until the Governor and/or State of Iowa determine that this, a LEO organization, does not have responsibilities under the federal Job Training Partnership Act, or under amendments/changes to said Act, or upon the eventuality of the LEO amending or negotiating this Agreement.

3. No separate legal or administrative entity is being created because of this Agreement.

4. Organization and Administration

- a. A policy board (LEO) of 7 members is hereby created. Each county that is a signatory to this agreement shall appoint one of its board members to this board and each member shall have one vote on issues to come before the policy board (LEO)
- b. The LEO shall elect a Chairperson and Vice Chairperson by majority vote of the LEO, and said officers shall be elected for one-year terms an annual meeting held in January of each year.

5. Powers and Duties

The LEO's shall have the following powers and duties:

- a. To appoint the members of the Service Delivery Area 2 Private Industry Council (PIC). Initial terms will be staggered to assure that no more than one-third of the Private Industry Council are new or reappointed each year.

- b. To negotiate an agreement with the Private Industry Council which will determine the procedure for developing and implementing a coordinated job-training plan for the Service Delivery Area, the designation and approval of grant recipient(s) for the Service Delivery Area, and the administrative entity for the Service Delivery Area.
- c. To approve and submit, jointly with the Private Industry Council, the required training plans for the Service Delivery Area.
- d. Jointly with the Private Industry Council, perform oversight functions and provide policy guidance for the JTPA Title II and III programs.

6. Responsibility and Liability

By approval of this Agreement and the consummation of an agreement with the Private Industry Council named above, each member county government jointly and separately accepts responsibility and liability for the operation of the Job Training Partnership Act programs to the extent of the responsibilities assigned and agreed upon in any agreement between the LEO, PIC, and Grantee(s)/Administrative entities of the programs.

7. Property

No property, real or personal, shall be acquired as a result of this Agreement.

8. Amendments

The terms and provisions of this Agreement may be amended by at least two-thirds (2/3) roll call vote of the members of the LEO at any regular or special meeting called upon notice to each member at least seven (7) calendar days prior to said meeting, and approved by resolution by two-thirds (2/3) of the counties executing said Agreement.

9. Withdrawal by Counties

A county may withdraw from this Agreement by resolution of their Board of Supervisors and by providing notice of said withdrawal to the LEO's of this Agreement at least ninety (90) days prior to July 1st of said year (the start of the fiscal year).