

## ADDENDUM TO INTERGOVERNMENTAL (28E) AGREEMENT

FOR

### EASTERN IOWA MENTAL HEALTH-DISABILITY SERVICES REGION

Pursuant to Section 8.1 of the articles of the 28E Agreement made and entered into the 17 day of April, 2017 by and between Cedar County, Clinton County, Jackson County, Muscatine County and Scott County; collectively hereinafter referred to as "member counties"; as indicated by the actions of each having adopted this addendum by resolution of their respective governing bodies is hereby modified as follows:

4.5 Powers of the Governing Board. Except as otherwise provided in this Agreement, the Region shall be under the direction and control of the Board of Directors and the Chief Executive Officer. The Governing Board shall serve as the Regional Administrative Entity, as defined in Iowa Code Section 331.388(4). The Governing Board of Directors shall have all of the following powers:

- a) Any powers and authority granted to the Region by Iowa Code Chapter 28E or Iowa Code §331.388 et seq. to do and perform any acts authorized by the Code of Iowa, under, through or by means of its officers, agents and employees, or by contracts with any person or entity;
- b) To appoint and supervise a Chief Executive Officer upon the vote of four Directors of the Governing Board.
- c) To contract with any public or private entity to provide all necessary services;
- d) To authorize the acquisition, holding, disposal of, and leasing such real and personal property it deems necessary to fulfill the purposes of this Agreement;
- e) To receive and allocate funds from each member county as set forth in this Agreement;
- f) To accept, receive and administer grants or other funds or gifts for the purposes of carrying out the functions of this agreement; and to review and approve the expenditures of all funds budgeted;
- g) To approve an annual services and budget plan, including expenditures pursuant to Iowa Code Section 331.392(4)(a) for the following fiscal year beginning the next July 1;
- h) To establish a system of accounting and budgeting, and a system for receiving payments;
- i) To retain legal counsel, accountants and other professional individuals needed in order to fulfill the purposes of this Agreement;
- j) To sue and be sued;
- k) To make and enforce bylaws or rules and regulations for the management and operation of the Region's business and affairs;

- l) To consult with representatives of Federal, State and local agencies and departments, and their officers and employees, and to contract with such agencies and departments;
- m) Act as oversight and hear any appeals of decisions made by the Regional Management Team;
- n) To establish the times and places for business meetings pursuant to Iowa Code Chapter 21 the agenda shall be posted in the building of the location of the meeting. Other counties may post in the same way they post agendas for their Board meetings for informational purposes. The minutes of the meetings shall be published in the Quad City Times. All meetings will be governed by Roberts Rules of Order, Revised unless otherwise provided; and
- o) To exercise any other power or do any other legal act necessary to discharge its obligations and fulfill the purposes of this Agreement.

The Board may delegate any of these powers to staff of the Region or staff of member counties serving the Region as the Board deems necessary. The Board may adopt such policies, rules, regulations and actions consistent with law or this Agreement.

## **6. STAFF**

### **6.1 Selection Process for Chief Executive Officer**

The Governing Board shall appoint an individual to serve "at will" as the regional mental health and disability services administrator, known as the Chief Executive Officer (CEO). The CEO shall be considered a shared employee of the Region/County, for employment purposes the CEO shall be considered an employee of the county employer of record. The CEO shall be the single point of contact for the region. The CEO may perform duties for the member county as outlined in an agreement between the region and the county employer of record. Compensation will be determined based on a split between Regional Duties and County Duties.

### **6.2 Performance Evaluation of Chief Executive Officer**

The Governing Board shall conduct annual evaluations of the Chief Executive Officer. The Governing Board may conduct additional evaluations of the Chief Executive Officer at any time, as it deems necessary in a given situation. All evaluations shall be summarized in writing. In the event the Chief Executive Officer resigns, retires, or otherwise has his or her employment terminated, the Governing Board shall in consultation with the County Employer of Record and the CEO Shared Duties Agreement appoint an acting CEO which may be a member county disability coordinator.

SIGNATURE PAGE

IN WITNESS WHEREOF, Cedar COUNTY EXECUTES THIS 28E AGREEMENT, CREATING  
EASTERN IOWA MENTAL HEALTH-DISABILITY SERVICES REGION

EFFECTIVE 4-4-17:

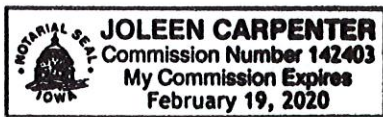
BY: Dawn Smith  
(print name)  
Cedar Board of Supervisors, Chairperson

ATTEST: Cari Grotta  
(print name)  
Cedar County Auditor

ACKNOWLEDGMENT BY NOTARY

STATE OF IOWA )  
)ss.  
Cedar COUNTY )

On this 4<sup>th</sup> day of April, 2017, before me the undersigned, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_ and \_\_\_\_\_, to me personally known, who, being duly sworn, did say that they are the Chairperson of the Board of Supervisors and County Auditor of Cedar County, Iowa respectively; that the seal affixed hereto is the seal of said County; that said instrument was signed and sealed on behalf of the said Cedar County, Iowa, by authority of its Board of Supervisors and that said \_\_\_\_\_ and \_\_\_\_\_ as such officers, acknowledge the execution of said instrument to be the voluntary act and deed of said County, it and by them voluntarily executed.



Joleen Carpenter

Notary Public In and For Said County  
And State of Iowa

SIGNATURE PAGE

IN WITNESS WHEREOF, CLINTON COUNTY EXECUTES THIS 28E AGREEMENT, CREATING  
EASTERN IOWA MENTAL HEALTH-DISABILITY SERVICES REGION

EFFECTIVE APRIL 10, 2017

BY: [Signature]  
(Shawn Hamerlinck)  
Clinton County Board of Supervisors, Chairperson

ATTEST: [Signature]  
(Eric Van Lancker)  
Clinton County Auditor

ACKNOWLEDGMENT BY NOTARY

STATE OF IOWA                    )  
  )ss.  
Clinton COUNTY                )

On this 17th day of April, 2017, before me the undersigned, a Notary Public in and for said County and State, personally appeared Shawn Hamerlinck and Eric Van Lancker to me personally known, who, being duly sworn, did say that they are the Chairperson of the Board of Supervisors and County Auditor of Clinton County, Iowa respectively; that the seal affixed hereto is the seal of said County; that said instrument was signed and sealed on behalf of the said Clinton County, Iowa, by authority of its Board of Supervisors and that said Shawn Hamerlinck and Eric Van Lancker as such officers, acknowledge the execution of said instrument to be the voluntary act and deed of said County, it and by them voluntarily executed.

[Signature]



Notary Public In and For Said County  
And State of Iowa



SIGNATURE PAGE

IN WITNESS WHEREOF, JACKSON COUNTY EXECUTES THIS 28E AGREEMENT, CREATING  
EASTERN IOWA MENTAL HEALTH-DISABILITY SERVICES REGION

EFFECTIVE \_\_\_\_\_:

BY: Larry McDevitt

(print name)

Jackson County Board of Supervisors, Chairperson

ATTEST: Brian Moore

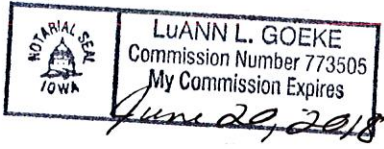
(print name)

Jackson County Auditor

ACKNOWLEDGMENT BY NOTARY

STATE OF IOWA                    )  
  )ss.  
Jackson COUNTY                )

On this 11<sup>th</sup> day of April, 2017, before me the undersigned, a Notary Public in and for said County and State, personally appeared Larry McDevitt and Brian Moore to me personally known, who, being duly sworn, did say that they are the Chairperson of the Board of Supervisors and County Auditor of Jackson County, Iowa respectively; that the seal affixed hereto is the seal of said County; that said instrument was signed and sealed on behalf of the said Jackson County, Iowa, by authority of its Board of Supervisors and that said Larry McDevitt and Brian Moore as such officers, acknowledge the execution of said instrument to be the voluntary act and deed of said County, it and by them voluntarily executed.




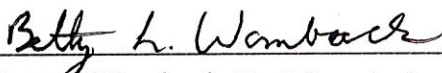
Notary Public In and For Said County  
And State of Iowa

SIGNATURE PAGE

IN WITNESS WHEREOF, MUSCATINE COUNTY EXECUTES THIS ADDENDUM TO THE 28E AGREEMENT, CREATING EASTERN IOWA MENTAL HEALTH-DISABILITY SERVICES REGION

EFFECTIVE APRIL 10, 2017:

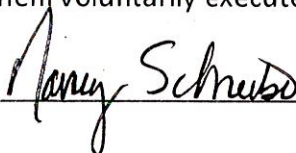
BY:   
Jeff Sorensen, Board of Supervisors, Chairperson

ATTEST:   
Betty L. Wamback, First Deputy Auditor

ACKNOWLEDGMENT BY NOTARY

STATE OF IOWA                    )  
  )ss.  
MUSCATNE COUNTY                )

On this 10<sup>th</sup> day of April, 2017, before me the undersigned, a Notary Public in and for said County and State, personally appeared Jeff Sorensen and Betty Wamback to me personally known, who, being duly sworn, did say that they are the Chairperson of the Board of Supervisors and First Deputy Auditor of Muscatine County, Iowa respectively; that the seal affixed hereto is the seal of said County; that said instrument was signed and sealed on behalf of the said Muscatine County, Iowa, by authority of its Board of Supervisors and that said Jeff Sorensen and Betty L. Wamback as such officers, acknowledge the execution of said instrument to be the voluntary act and deed of said County, it and by them voluntarily executed.



Notary Public In and For Said County  
And State of Iowa



SIGNATURE PAGE

IN WITNESS WHEREOF, Scott COUNTY EXECUTES THIS 28E AGREEMENT, CREATING  
EASTERN IOWA MENTAL HEALTH-DISABILITY SERVICES REGION

EFFECTIVE \_\_\_\_\_:

BY: CAROL EARNHARDT *Carol Earnhardt*  
(print name)  
Scott County Board of Supervisors, Chairperson

ATTEST: Roxanna Moritz *Roxanna Moritz*  
(print name)  
SCOTT County Auditor

ACKNOWLEDGMENT BY NOTARY

STATE OF IOWA )  
) ss.  
SCOTT COUNTY )

On this 7th day of April, 2017, before me the undersigned, a Notary Public in and for said County and State, personally appeared Carol Earnhardt and Roxanna Moritz, to me personally known, who, being duly sworn, did say that they are the Chairperson of the Board of Supervisors and County Auditor of SCOTT County, Iowa respectively; that the seal affixed hereto is the seal of said County; that said instrument was signed and sealed on behalf of the said SCOTT County, Iowa, by authority of its Board of Supervisors and that said Carol Earnhardt and Roxanna Moritz as such officers, acknowledge the execution of said instrument to be the voluntary act and deed of said County, it and by them voluntarily executed.

*Cathy L Voelkers*

Notary Public In and For Said County  
And State of Iowa

