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28E AGREEMENT BETWEEN WOODBURY COUNTY, IOWA AND THE WOODBURY COUNTY EMERGENCY MANAGEMENT COMMISSION CONCERNING PROVISION OF EMPLOYEE BENEFITS, HUMAN RESOURCES, AND PAYROLL SERVICES

AGREEMENT effective as of April 15, 2015, made by and between Woodbury County ("County") and the Woodbury County Emergency Management Commission ("EMC").

RECITALS

WHEREAS, County is a political subdivision in the State of Iowa; and

WHEREAS, EMC is a local emergency management commission established in Woodbury County pursuant to Iowa Code Chapter 29C ; and

WHEREAS, the parties hereto desire to enter into an Agreement in compliance with and as authorized by Chapter 28E of the Code of Iowa;

IT IS, THEREFORE, AGREED AS FOLLOWS:

PURPOSE

The purpose of this agreement is to allow Woodbury County to provide human resources, employee benefits, payroll, and other similar services to the Woodbury County Emergency Management Commission. These services will be more efficient and economical when provided by the County than if the EMC performed or acquired these services independently.

Section 1. General Provisions

1.1 Legal Status. This Agreement is solely for the provision of services between the parties. It does not create a separate legal entity. No separate financing mechanism is required.

1.2 Duration. The duration of this Agreement shall be perpetual unless terminated pursuant to Section 1.3 of this Agreement.

1.3 Termination. Either party may terminate this Agreement without cause or penalty upon sixty (60) days prior written notice to the other party.

1.4 Status of Employees. The employees of EMC shall remain employees of the EMC. Nothing in this Agreement shall be construed as creating an employment relationship between the employees of the EMC and County. EMC shall retain all authority in hiring, termination, and supervision of its employees.

Section 2. Employee Benefits

2.1 Provision of Benefits. County agrees to make its group insurance and other employee benefits available to the employees of the EMC.

Section 3. Human Resources Services

3.1 Utilization of County Human Resources Department. County agrees to allow the EMC to utilize the County Human Resources Department for the development, implementation, and administration of personnel policies, benefit programs, and procedures.

3.2 Application of Personnel Policies. In its By Laws, EMC has adopted County personnel policies. EMC may adopt agency specific policies in addition to the County policies. Any such policies shall be provided to the County Human Resources Department. In the event of a conflict between EMC policies and County policies, the County Human Resources Department may decline to implement and administer any such policy at the sole discretion of the County.

Section 4. Payroll Services

4.1 Utilization of County Payroll Services. County agrees to process the payroll and perform the related services for the EMC subject to the policies and procedures established by the County.

County and EMC certify that the foregoing Agreement was duly adopted by their respective bodies in accordance with Iowa law.

Woodbury County, Iowa

Woodbury County Emergency Management Commission

By: 
Mark Monson
Chairman, Board of Supervisors

By: 
Dave Drew
EMC Chairman

Date: 4-21-15

Date: 04/26/15

Attest: 
County Auditor

Attest: 
EMC Secretary

ATTACHMENTS: Resolutions from County and EMS adopting the foregoing Agreement.