

**COMMISSIONERS JOURNAL NO. 40 - DELAWARE COUNTY
MINUTES FROM SPECIAL SESSION HELD MARCH 24, 2000**

THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY MET IN SPECIAL SESSION ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT:

Present: James Ward (Absent), Deborah Martin, Donald Wuertz

RESOLUTION NO. 00-256

IN THE MATTER OF APPROVING THE AGREEMENT BETWEEN DELAWARE COUNTY COMMISSIONERS AND THE OHIO BUREAU OF EMPLOYMENT SERVICES FOR THE TRANSITIONAL YOUTH ACTIVITY PROGRAM:

It was moved by Mr. Wuertz, seconded by Mrs. Martin to approve the agreement as follows:

WIA Implementation

Transitional Youth Activity Agreement

Ohio Bureau of Employment Services
and

Delaware County Board of County Commissioners

ARTICLE I. PURPOSE AND EFFECTIVE DATES

This Transitional Youth Activity Agreement ("Agreement") is entered into between the Ohio Bureau of Employment Services ("OBES") and the Delaware County Board of County Commissioners ("Board"). The purpose of this Agreement is to begin to transition youth activities currently operating under the Job Training Partnership Act ("JTPA") to Ohio's new workforce investment system prior to the July 1, 2000 implementation of workforce development programs under Am. Sub. H.B. 470. This Agreement will become effective on the later of April 1, 2000 or the date this Agreement is signed by both parties and shall remain in effect through June 30, 2000 subject to the termination and amendment provisions contained in Article II (D) of this Agreement.

ARTICLE II. REQUIREMENTS FOR TRANSITIONAL ACTIVITIES

- A. The Board agrees that it will cooperate with the local area Workforce Planning Board and will perform or ensure the performance of the functions that are included in the Transitional Youth Plan as set forth in Appendix I, which is incorporated in this Agreement the same as if it were fully set forth herein, OBES will provide an allocation of funds to the Board to perform the duties the Board has agreed to provide under this Agreement. The board agrees to use and account for funds provided pursuant to this Agreement in a manner consistent with federal and state laws to implement the transition. The Board agrees to comply with the fiscal, progress reporting, operational and administrative requirements as specified by OBES. Not more than ten percent (10%) of the funds disbursed under this Agreement may be used for administrative expenses and no funds may be used to assist, promote, or deter union organization. OBES agrees to allocate to the Board such additional funds as may become available and if the Board accepts the additional funds, the Board agrees to comply with any requirements and conditions related to the use of the additional funds.
- B. The Board agrees that it will perform all of its administrative and programmatic functions and will assure the compliance of any contractor, subcontractor, or sub recipient performing any activities or duties funded under this agreement with the requirements of federal laws and regulations, applicable OMB circulars, state statutes and Ohio Administrative Code rules. These requirements include, but are not limited to: all state and federal anti-discrimination and equal employment laws; the Workforce Investment Act of 1998, 112 Stat. 936, 29 U.S.C.A. 2801, et seq.; Title VI of the Civil Rights Act of 1964, as amended; section 504 of the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975, as amended; Title IX of the Education Amendments of 1972, as amended; the Americans with Disabilities Act; 29 C.F.R. part 37 and Chapter 102, and sections 121.60 through 121.69, 2921.42 and 2921.43 of the Revised Code; and all regulations implementing the laws listed above. Furthermore, the Board specifically agrees to comply with 29 C.F.R. section 37.20 which is incorporated in this Agreement the same as if it were fully set forth herein. This assurance applies to the Board's operation of the WIA Title I financially-assisted program or activity and to all agreements the Board makes to carry out the WIA Title I-financially assisted program or activity. The Board understands that the United States has the right to seek judicial enforcement of this assurance and all regulations implementing these laws. The Board assures that any government or private entities associated with the duties and responsibilities to be performed pursuant to this Agreement agree to comply with all applicable state and federal laws regarding a drug-free workplace. The Board and ODHS will make a good faith effort to ensure that all employees of a government or private entity performing duties or responsibilities under this Agreement, while working on state, county or private property, will not purchase, transfer, use or possess illegal

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drugs or alcohol or abuse prescription drugs in any way.

- C. The Board agrees to include in every agreement, contract, grant or procedure issued to a government or private entity for duties related to this Agreement, a requirement that the other party agrees to cooperate with the Ohio Department of Human Services and any Ohio Child Support Enforcement Agency in ensuring employees of that entity meet child support obligations established under state law. The Board also agrees to include a provision in any such agreement, contract, grant or procedure requiring the other party to include a similar provision in any subcontract, agreement or grant issued by that entity for the performance of duties related to such agreement, contract, grant or procedure.

- D. All terms and conditions of this Agreement are embodied herein along with any Appendix that is specifically incorporated into this Agreement. Any matter that is not addressed in this Agreement or amendment to this Agreement is governed by the same state and federal statutes, rules and regulations that would otherwise govern the matter. This Agreement may be amended at any time provided that any such amendment is in writing and is signed by the Administrator of OBES and the members of the Board of County Commissioners and is adopted by the Board of resolution. Any amendment is effective on the later of the date stated in the amendment, the date the amendment is signed by both parties, or the date the Board adopts the amendment by resolution. This Agreement may be terminated upon mutual agreement by the Board and OBES to be effective the later of the specified date of termination, the date the termination Agreement is signed by all parties, or the date adopted by resolution of the Board. This Agreement may also be terminated by OBES or the Board in the event there is a loss of state or federal funding or disapproval by a federal administrative agency or illegal conduct affecting the operation of this Agreement. In the event of such immediate termination, a notice will be delivered by OBES or the Board, as applicable, specifying the reason for termination. If this Agreement is terminated, both parties will exercise due diligence to provide for a proper accounting of funds, including the prompt transfer of funds to the other party as necessary to accurately adjust for allowable expenditures.

Vote on Motion Mr. Ward Absent Mrs. Martin Aye Mr. Wuertz Aye

There being no further business, the meeting adjourned.

Deborah Martin

James D. Ward

Donald Wuertz

Letha George, Clerk to the Commissioners