

COMMISSIONERS JOURNAL NO. 45 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JUNE 24, 2004

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

Present: Kristopher W. Jordan, Deborah B. Martin, James D. Ward

PUBLIC COMMENT

RESOLUTION NO. 04-753

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD JUNE 21, 2004 AS CONTAINED IN THE COUNTY'S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve the resolutions and records of the proceedings from regular meeting held June 21, 2004 as contained in the county's official electronic recordings of the proceedings.

Vote on Motion Mrs. Martin Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 04-754

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0623 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR0623:

It was moved by Mr. Jordan, seconded by Mr. Ward to approve payment of warrants in batch numbers CMAPR0623, memo transfers in batch numbers MTAPR0623 and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
PO's			
Bartha Visual Inc.	Projector for Hayes Bldg.	40111402-5410	\$ 5,784.00
Vouchers			
International Health Awareness Center Inc. (Hope)	EAP July 04-Jan 05	60211902-5301	\$ 10,920.00
AEP	Service	10011105-533833802	\$ 16,732.11
City of Dublin	Reimbursement	65211905-5319	\$ 21,225.07
Weller and Associates	Assessment Survey	65511918-5415	\$ 11,360.10
BP Products	Gasoline	10011106-5228	\$ 12,180.29

Vote on Motion Mr. Jordan Aye Mrs. Martin Aye Mr. Ward Aye

RESOLUTION NO. 04-755

IN THE MATTER OF APPROVING THAT DELAWARE COUNTY, AS A MEMBER OF THE DELAWARE, KNOX, MARION, MORROW SUB AREA 7, ENTERS INTO A SUB-GRANT AGREEMENT WITH THE 7TH AREA WORKFORCE INVESTMENT POLICY BOARD ESTABLISHING A GRANTEE/SUB-GRANTEE RELATIONSHIP BETWEEN AREA 7 AND SUB-GRANTEE 7221(DELAWARE COUNTY):

It was moved by Mr. Ward, seconded by Mr. Jordan to approve the following:

Whereas, the Workforce Investment Act of 1998 authorizes the expenditure of federal funds for workforce development programs in locally-determined workforce areas and;

Whereas, the Area 7 Consortium constitutes a jurisdiction designated by the Governor as a WIA sub area;

Now, therefore, be it resolved that Delaware County as a member of the Delaware, Knox, Marion, Morrow sub area 7 enters into this Sub-Grant Agreement with the 7th Area Workforce Investment Policy Board establishing a grantee/sub-grantee relationship between Area 7 and sub-grantee 7221(Delaware County).

AREA 7 SUB-GRANT AGREEMENT

This agreement, entered into by and between the Area 7 Workforce Investment Board and the Area 7 Chief Elected Officials Consortium and the Workforce Policy Board and Chief Elected Officials of Sub-grantee 7 – 221, herein referred to as Sub-grantee 7-221, hereby establishes a grantee/sub-grantee relationship between Area 7 and sub-grantee 7- 221.

This agreement sets forth the terms under which the parties shall work together to provide comprehensive, business driven workforce development services within sub-grantee 7- 221 in coordination with such services

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throughout Workforce Investment Area 7.

All entities receiving Employment and Training funds shall comply with the requirements and administer a program in accordance with the applicable federal regulations at 29 CFR Part 97 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments), and the additional policies and procedures contained in this document. Any violation of fiscal policies and procedures whether through monitoring or auditing activities will be resolved through procedures developed by the Area 7 Board. The principles and procedures contained herein are subject to change in order to comply with any changes in federal or state policies.

Montgomery County will be the Fiscal Agent for all of Area 7. As of July 1, 2004, counties will submit requests for funds to Montgomery County (the Fiscal Agent). The Fiscal Agent will then aggregate these requests and send one cash request to ODJFS. Upon receipt, ODJFS will send an electronic funds transfer for a single amount of money to the Fiscal Agent. The Fiscal Agent will then segregate and disburse the funds by county according to the expenditures reported by each county. Each county shall deposit its funds into a separate workforce development fund account within such county.

The Area 7 Fiscal Agent will track expenditures for each county against a ceiling set by the Area 7 Board and the consortium of elected officials. The Area will operate on a cost-reimbursement system that is compliant with Sec. 97.42. If a county is spending at a rate which would exceed their ceiling before the end of the fiscal year, the Fiscal Agent will notify the county and work to assist the county to remain within the ceiling set by the Area 7 Board and consortium of elected officials. At the point in which a county reaches its ceiling for the year, the Fiscal Agent will cease to disburse funds to such county. Conversely, if a county is significantly under-spending, the Fiscal Agent will contact the county and work to identify the reasons for the under-spending. The Fiscal Agent will seek to assist each county with making full and efficient use of their funds. As a result, the Area 7 Board will remain informed of spending patterns and make any necessary policy recommendations.

The Area 7 Board may allocate funding to sub-grantees under this agreement for any workforce development purposes, including WIA, Rapid Response, and Reed Act funds. Any such funds shall be transmitted to sub-grantees through the Area 7 Fiscal Agent only after the Board has sent an allocation letter stating the amount and the terms and conditions of the funding and the administrative entity of the sub-grantee has returned a signed copy of the letter acknowledging the amount and the terms and conditions under which the funding is accepted.

These sub-grants are awarded with federal funding and, therefore, dependent on the continuing receipt of such funding. Should federal funds be terminated, the sub-grant shall terminate as of the date the funding expires without further obligation of the awarding entity.

This agreement supersedes any previous agreements between the parties, becomes effective upon date of signature and shall be in effect from date of signature through June 30, 2005.

I. DUTIES OF THE AREA 7 BOARD

Under this agreement, the Area 7 Board shall be the awarding entity. The Board shall notify each sub-grantee of the amount of its grant by an official allocation letter which is to be signed by the Chief Elected Official and the Workforce Policy Board Chair of each sub-grantee and returned to the Area 7 Board. Any change in the grant amount shall be subject to the same procedure. All funds must be fully disbursed by September 30, 2005.

The Area 7 Board shall be responsible for:

Planning

- Prepare a strategic plan for Area 7
- Prepare a plan that is compliant with the Workforce Investment Act to do the following:
 - o Assess the general workforce needs of the area
 - o Gather input from Workforce Policy Boards
 - o Set broad goals and parameters for meeting performance goals
 - o Provide guidelines and parameters to implement adult and youth programs
 - o Include description of One Stop System coordination
 - o Include description of sub-area coordination and sub-grant process

Policy Development

- Develop and maintain policies for the following:
 - o Identification and selection of eligible training providers (adult and youth)
 - o Individual training accounts
 - o Negotiation of local MOU's
 - o Oversight and monitoring

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- Allocation and reallocation of funds
- Selection, designation and certification of one-stop operators
- One-stop system
- Residency issues
- Self-sufficiency
- Supportive services
- Determination of limited funds
- Priority of services for limited funds
- Definition of serious barriers to employment
- Registration/eligibility determination and documentation
- Assessment
- Follow-up and post placement services
- Exceptions to use of ITA's
- Dealing with MOU impasse situations
- RFP and contract guidelines
- EEO procedures
- Sub-grant Agreements
 - Develop Format
 - Facilitate distribution and signing
 - Modify as necessary
 - Maintain and monitor
 - Ensure compliance
- Fiscal
 - Approve allocation formula for sub-grantees
 - Establish and administer policy for reallocation within Area 7
 - Receive and monitor fiscal reports
 - Prepare budget for Board Operation
 - Ensure cash management principles with Fiscal Agent
 - Work with Fiscal Agent to release and account for funds, including grant closeout procedures as required by WIA
 - Operate and carry out area 7 functions within the budget adopted by the Area 7 Board with agreement of the Area 7 Chief Elected Officials Consortium and based on withholding of a percentage of WIA funds from each sub-grantee based upon the agreement of the Area 7 Board and the consortium
 - Work with the Fiscal Agent to assist sub-grantees in making efficient and effective use of funds
 - Assist sub-grantees with resolution of audits or problems related to federal, state, or local funds.
 - Area 7 Board staff shall be responsible for final audit resolution in conjunction with the Area 7 Fiscal Agent and the sub-grantee.
 - Instances of continuing noncompliance with program, fiscal or policy requirements may result in withholding of funds from the sub-grantee by agreement of the Area 7 Board and the Chief Elected Officials Consortium. Any such proposed action would be subject to redress through the dispute resolution process contained in this agreement.

Monitoring, Audits, and Audit Resolution

Area 7 Board shall be responsible for the monitoring required by WIA, utilizing performance criteria negotiated with the State of Ohio.

- Review monthly activity and monitoring reports
- Provide technical assistance and best practices (coordinate with state where appropriate)
- Provide seminar opportunities for sub-grantees when appropriate
- Negotiate performance standards with the state
- Provide for spot checks and oversee any necessary corrective action
- Perform audits and monitoring to ensure compliance with all applicable federal, state, local laws, and board policies
- Provide audit resolution assistance and technical assistance necessary to resolve audit findings as specified by the board
- All property and equipment purchased with federal and state funds will be obtained, maintained and liquidated according to the applicable federal and state laws as set forth in 29 CFR 97.31 and 97.32

One Stops

- Provide guidelines for One Stop System
- Approve local One Stop Systems
- Provide information, technical assistance and best practices to assist in continuous improvement efforts
- Provide oversight to ensure certified systems are maintained and operated
- Provide MOU format and guidelines for what must be included in local MOU's

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Grant Applications

- Review and act upon letters of support for federal and other grant applications on recommendation of local Workforce Policy Boards or after consultation with affected boards
- Act as grant clearinghouse for Area 7
- Coordinate grant applications initiated by local sub-grantees

Business Relation Functions

- Provide business relation services, including:
 - o Coordination and referral of business inquiries which affect more than one sub-grantee
 - o Network with various contacts to further best practices

Youth Council

- Develop and operate Area 7 Youth Council
- Provide guidelines and coordination for youth activities

II. DUTIES OF THE SUB-GRANTEES

Under this agreement, sub-grantee 7-221 will be responsible for establishing and operating comprehensive workforce development activities throughout the sub-grantee's area within the guidelines established by Area 7. Sub-grantee 7-221 will carry out these duties through a partnership of chief elected officials and a Workforce Policy Board appointed by local elected officials pursuant to Ohio Revised Code Section 6301.

Funds provided under this agreement must be expended in accordance with all applicable federal statutes, regulations, and policies, including those of the WIA, the approved Area 7 Workforce Investment Area Plan, the negotiated performance levels, and policies established pursuant to the Secretary's authority.

Under guidelines developed by Area 7, Sub-grantee 7-221 shall:

- Establish and operate a WIA compliant workforce development system which provides services pursuant to WIA to eligible individuals and employers
- Maintain a business-driven partnership between elected officials and a workforce policy board in which policy is set by the business driven workforce policy board and carried out by the workforce development agency as directed by the local elected officials
- Develop, submit, and monitor workforce investment plans as required by WIA and by Area 7 guidelines
- Perform audits and monitoring to ensure compliance with all applicable federal, state, local laws, and board policies
- Provide audit resolution and assistance and technical assistance necessary to resolve audit findings as specified by the board
- Select, designate and certify one stop operators and submit to the Area 7 Board for approval
- Establish one stop system under Area 7 Board guidelines and submit it for approval to the Area 7 Board
- Provide for oversight and monitoring of local programs
- Provide information and cooperate with Area 7 monitoring activities, including reporting performance activity as required by federal law through the statewide reporting system.
 - o Access to records must be granted by the sub-grantee to ODJFS, Area 7, DOL, or the Comptroller General of the United States for the purposes of audit, examination, excerpts, and transcriptions.
 - o Records shall be retained as specified in 29 CFR 97.42
 - o Adhere to all applicable property management and equipment standards as set forth in 29 CFR 97.31 and 97.32
- Submit applications from service providers to Area 7 Board
- Set procedures for and administer ITA's within the guidelines established by the Area 7 Board
- Identify and select providers for youth activities and send to Area 7 Board for approval
- Submit reports of expenditures and service delivery
- Participate in reallocation process of WIA funds within Area 7
- Provide information for sharing of best practices within Area 7
- Provide services to employers and job seekers as required under WIA
- Follow systems and procedures for receipt expenditure and tracking of WIA funds as established by the Area 7 Fiscal Agent.
 - o Funds shall be accounted for by program funding stream and appropriate program year. Program income shall be identified and spent only on allowable activities relating to the program under which the income was generated.
 - o Procurement shall be accomplished by the sub-grantee in a manner consistent with federal and state requirements.
- Agree to withholding of funds from the Sub-grantee 7-221 WIA allocation for operation of Area 7 per agreement between the Area 7 Board and the Area 7 Chief Elected Officials Consortium
- Appeals regarding eligibility for services or terms and conditions of services rendered shall be provided as required under WIA.

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Liability

The Area 7 Board and its chief elected officials consortium shall have liability only for proper use of the administrative funds for its direct operations.

Liability follows the WIA dollars sent to each sub-grantee. Audit exceptions and sanctions will be passed onto the causal sub-grantee, to the extent individual causation is documented. Otherwise, they will be distributed to all sub-grantees based upon each sub-grantee's percentage share of the total WIA annual allocation for Area 7.

Disputes

Any dispute which cannot be resolved between the Area 7 Board and a sub-grantee shall be submitted to the Area 7 Chief Elected Officials Consortium, which shall consult with the Area 7 Board. The Board and the Consortium shall issue a joint written decision. If any party is not satisfied with the decision, either may seek the services of the Ohio Commission on Dispute Resolution.

Certifications and Assurances

The Area 7 Board and all sub-grantees shall comply with the following state and federal laws: Drug Free Workplace, Federal debarment and suspension, Lobbying Activities Restrictions, Environmental Tobacco Smoke, Nondiscrimination and EEO, Clean Water Act, Ethics provisions, Conflict of Interest provisions, and Disaster Recovery Plans.

Vote on Motion Mr. Ward Aye Mr. Jordan Aye Mrs. Martin Aye

RESOLUTION NO. 04-756

IN THE MATTER OF AUTHORIZING EXECUTION OF BARGAINING UNIT AGREEMENT WITH OHIO COUNCIL 8 AND LOCAL 3072 AFSCME:

It was moved by Mr. Jordan, seconded by Mr. Ward to authorize the following:

- WHEREAS, bargaining unit members of the Department of Job and Family Services are represented by the American Federation of State, County, and Municipal Employees, Ohio Council 8 and Local 3072; and
- WHEREAS, there exists a negotiated agreement between the bargaining unit and employer that expired on May 31, 2004; and
- WHEREAS, the bargaining unit and the employer have engaged in negotiations for a successor agreement; and
- WHEREAS, the bargaining unit and the employer have reached agreement on the issues negotiated; and
- WHEREAS, the bargaining unit, on May 27, 2004, ratified the agreement.

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners, Delaware County, State of Ohio, hereby approves the negotiated agreement that shall be effective from June 1, 2004 through May 31, 2007.

(A copy of the agreement is available in the Commissioners Office until no longer of administrative value).

Vote on Motion Mrs. Martin Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 04-757

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve the following:

- Patty Rayburn has been promoted to a Social Service Worker III with the Department of Job and Family Services; effective July 6, 2004.
- Walt Boham has resigned from the CSEA Department; effective June 18, 2004.

Vote on Motion Mr. Jordan Aye Mrs. Martin Aye Mr. Ward Nay

RESOLUTION NO. 04-758

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IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR PENDING OR IMMINENT LITIGATION AND CONSIDERATION OF APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION, DEMOTION OR COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL:

It was moved by Mr. Jordan, seconded by Mr. Ward to adjourn into Executive Session at 9:37AM.

Vote on Motion Mr. Ward Aye Mr. Jordan Aye Mrs. Martin Aye

RESOLUTION NO. 04-759

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Jordan, seconded by Mrs. Martin to adjourn out of Executive Session at 11:25AM.

Vote on Motion Mrs. Martin Aye Mr. Jordan Aye Mr. Ward Aye

There being no further business the meeting adjourned.

Kristopher W. Jordan

Deborah B. Martin

James D. Ward

Letha George, Clerk to the Commissioners