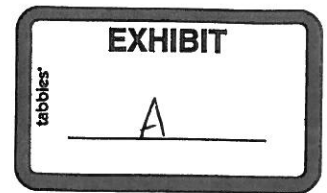


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INTERGOVERNMENTAL AGREEMENT
Between



COUNTY OF SUMMIT, OHIO
And
COUNTY OF MEDINA, OHIO

This Intergovernmental Agreement is entered into on this ____ day of _____, 2011, by and between County of Summit, Ohio ("Summit") on behalf of County of Summit Department of Job and Family Services ("CSDJFS"), having its principal place of business located at 47 North Main Street, Akron, Ohio 44308 and County of Medina, Ohio ("Medina") on behalf of the Medina Office of Workforce Development having its principal place of business located at 3721 Pearl Road, Medina, Ohio 44256 ("MWD").

WHEREAS, the Parties are committed to determining and planning for the highest quality of life for the citizens of both Summit County, Ohio and Medina County, Ohio; and

WHEREAS, the Parties want to assure the most efficient and effective usage of public dollars received through Allocations under the Workforce Investment Act (WIA) of 1998 to serve the citizens of Summit County, Ohio and Medina County, Ohio; and

WHEREAS, for the purposes of this Intergovernmental Agreement, WIA programs and services are provided in Summit County, through the CSDJFS and in Medina County, through the Medina Office of Workforce Development, and thereby the Parties act as separate entities; and

WHEREAS, the State of Ohio has created twenty (20) Workforce Investment Service Delivery Areas and designated the area comprised of the counties of Summit and Medina as Area 20 for financial purposes and as Area 2 for program purposes. For purposes of this Intergovernmental Agreement, the area comprised of the counties of Summit and Medina is hereinafter referred to as Ohio Area 2/20; and

WHEREAS, the Parties wish to enter into an Intergovernmental Agreement for the purpose of defining the Workforce Investment Service Delivery Area 2/20 as bound by this Intergovernmental Agreement, to identify the authority of the Chief Local Elected Officials (CLEO) and to acknowledge the appointment process for membership and overall role of Area 2/20's Workforce Investment Board ("WIB"); and

WHEREAS, the Parties agree that the CSDJFS, as the Fiscal Agent, is the recipient of WIA Allocations and shall function as to ensure proper usage of said funding; and

NOW, THEREFORE, in consideration of the covenants and promises set forth below, the Parties agree as follows:

Article I
Contracting Authority

The Parties possess the legal authority to execute this Intergovernmental Agreement and assures that a resolution, motion, or similar action has been duly adopted or passed as an official act of the separate entities' governing body authorizing the Parties to execute this Intergovernmental Agreement including all understandings and assurances contained herein and directing and authorizing the person(s)

identified as the official representative of the separate entities' to act in connection with the execution of this Intergovernmental Agreement. This authority may be enacted by the passage of a motion by the WIB membership which is comprised of appointees from both counties.

Article II Definitions

Chief Local Elected Official (“CLEO”)-is the elected individual(s) chosen by the citizens of the county to govern with authority. In the County of Summit the CLEO is the County Executive. In the County of Medina the CLEOs are the County Commissioners.

Grant – funds received through a variety of means other than WIA annual formula allocation.

Local Workforce Development Plan- It is a requirement of the federal and state law that each Workforce Investment Service Delivery Area has a plan that outlines the overarching goals and objectives of the local workforce investment service delivery system.

One-Stop Partners- Entities that deliver core WIA adult and dislocated worker employment services through the One-Stop system delivery model.

Subgrant Agreement-The Workforce Investment Act (WIA) of 1998 requires states to convey federal funds to local Workforce Investment Areas by means of a subgrant agreement. Funds provided under a Subgrant Agreement must be expended for workforce development activities in accordance with all applicable state and federal statutes, regulations, and policies of WIA and any Amendments of WIA.

The Workforce Investment Act of 1998 (“WIA”)-Provides the framework for a unique national workforce preparation and employment system designed to meet both the needs of the nation’s businesses and the needs of job seekers and those who want to further their careers.

Workforce Investment Board (“WIB”)-Title 29 of the United States Code, Part 2832 (29 USC 2832) requires that each local WIA Area has a board composed of representatives from the Area’s businesses, educational entities, labor organizations, community-based organizations, economic development agencies, and mandatory One-Stop partners, who are appointed by each Area’s chief elected officials in accordance with WIA and State guidelines. The WIB sets policy for WIA operations. The Board appointed by CLEOs from both Summit and Medina Counties shall be responsible for oversight of the combined two (2) county Area. Board membership will comply with the Act as outlined by the Federal Government and state and local law.

WIA Formula Allocation – the annual distribution of federal funds forwarded to the State, and then to the local areas which is forwarded under the terms of a subgrant agreement. The State determines each county’s distribution by using a formula. Each Allocation is divided into portions for Adult, Dislocated Worker, Youth, and Administrative uses.

WIA Miscellaneous Funds - occasionally other WIA-based funds outside of traditional WIA formula funds may be automatically allocated to the state’s WIA designated areas without the amounts delineated to a specific county. In that case, the WIB and CLEOs will determine appropriate designation of funds.

Article III Time of Performance

Duration of this Intergovernmental Agreement shall be for a period of one year commencing upon execution and shall automatically renew for one year terms on the same terms and conditions as set

forth herein, unless sooner terminated as provided herein and or otherwise determined by the WIB and CLEOs.

The WIB will review this Intergovernmental Agreement and submit recommendations for revision to the CLEOs bi-annually. Disputes will follow the dispute resolution process outlined in General Provisions Item H.

Article IV Termination

This Intergovernmental Agreement between the Parties may be terminated by either party with a thirty (30)-day written notice of intent to terminate provided to the other party.

Article V General Provisions

A. Designating Chief Elected Officials for the Local Area. The CLEOs for Area 2/20 shall be the County Executive for Summit County and one (1) of the three (3) Commissioners from Medina County, as selected annually by the Medina County Commissioners. The assignments shall be consistent with the governance of said counties. Summit and Medina CLEOs are equally responsible for the overall operation of the Area 2/20. Summit and Medina County's CLEOs will oversee and appoint the Workforce Investment Board (WIB) that covers the Area 2/20.

B. Establishment, Appointment, and Operation of the Local Board. Each county will have an equal number of Board Members represented on the WIB which shall be comprised of the following:

1. Partners required by the WIA legislation and regulations as mutually agreed upon by the WIB.
2. One representative each from Summit and Medina County from economic development
3. One representative each from Summit and Medina County educational entities.
4. One representative each from Summit and Medina County representing labor.
5. One representative each from Summit and Medina County representing community agencies.
6. An equal number of representatives from Summit and Medina County representing business and industry. The number of representatives shall not equal less than 51% of the complete makeup of the WIB.

The Board Chairman and Vice-Chairman shall serve for two (2) years and shall rotate every two (2) years unless mutually agreed upon by the CLEOs. The Board Chairman and Vice-Chairman shall not be appointed by the same CLEO (Example: when Medina County provides the Board Chairman, Summit County will appoint the Vice-Chairman.) Both offices shall be appointed by the respective CLEO's. If for any reason either of these office holders is unable to complete their term of appointment, the CLEO from the appropriate County will appoint a successor to complete the term. Majority vote from present WIB meeting attendees shall constitute a quorum.

C. Fiscal Concerns. As the Fiscal Agent for Ohio Area 2/20, Summit County is the recipient of the annual allocation/State formula funds and will coordinate with Medina County in the event of a State Audit (Administrative and Fiscal). CLEOs have the authority to name and/or change the fiscal and administrative entities upon local legislative approval and approval by the State.

Grants received outside of the WIA formula allocation by either county will remain with that county, unless the grant is jointly developed, or there is agreement of the owning county as well as the WIB. Funds and projects may be shared or combined as determined appropriate and recommended approved by the CLEOs. Both Parties agree to CSDJFS as the fiscal agent having responsibility to provide timely sub-allocation letter(s) to Medina on the distribution of allocations where funding is not so designated or county ownership is specified.

County Fiscal Officers will communicate on an as needed basis. Local Fiscal Officers will be governed and abide by all applicable WIA statutes, regulations and OMB Circulars. As Summit County is responsible for all fiscal oversight of the Area 2/20, Summit will complete reporting of financial data in an accurate and timely manner to the State of Ohio. In turn, Medina will provide financial data necessary for reporting to the State of Ohio to Summit in an accurate and timely manner. Medina agrees any monies forwarded must undergo a swift reconciliation process comparing appropriations to expenditures and supplying all receipts and related data to Summit.

D. Administrative Concerns. Both counties agree the Administrative structures and the respective responsibilities will remain as currently operating. Summit County's Administrative Entity is the Summit County Department of Job and Family Services, and Medina County's Administrative Entity is the Medina Office of Workforce Development. The Managers of each will meet at least monthly and together support the Area 20 WIB.

Area 2/20 will coordinate for the development, adaptation with WIB approval, and implementation of local policy, including support services, training eligibility criteria, limited funds availability, and self-sufficiency. Methods of integrating web sites/job postings; explore branding and signage issues, communications/IT economies; joint purchase of materials as feasible will be executed with consideration of the best interest of both local areas and explore joint RFP's and bid of service opportunities as appropriate.

Each county will continue with separate Requests for Proposals (RFPs) for services and equipment; equipment inventory; Human Resource functions (including hiring and firing); administrative procedures; tracking of performance outcomes and input of data to the state system.

The WIB will develop a Five Year Plan to be submitted to the State of Ohio fulfilling a requirement of the State of Ohio's Workforce Investment Service Delivery Areas.

E. Liability. Each county will be independently responsible for their disallowed costs, penalties, liabilities, fraudulent procurement procedures, expenditures, and sanctions. Resolution will be made with the State by the Administrative Entity and Fiscal Agent of the local area and reported to WIB. Additionally, each county will be responsible for the reimbursement of travel and living expenses, associated with required, discretionary or operational training, incurred on behalf of its managers, employees.

F. Performance Accountability. In the event that a county does not meet any particular performance standard for four consecutive quarters, the WIB will develop a corrective plan for the CLEO's approval, and the county's implementation. Individual local areas will be assessed and responsible for any sanctions relating to performance.

G. One-Stop Service Delivery. Summit County will in accordance with the state's definition the full comprehensive One-Stop site for Area 2/20. However, the One-Stop System is encompassing Medina County.

Additional One-Stop partners may be added on an individual county basis with strong emphasis on partner presence throughout the Area One Stop System. Monthly partnership meetings will be held with participating partners in the One-Stop System.

H. Dispute Resolution Process. Any dispute between member counties, including but not limited to funding, transfer or processing of payments whether between the counties or other entities, the operations, contracting, interpretation of the provisions of the intergovernmental agreement or any MOU, or any WIA issue, will be resolved by a decision between the CLEOs from the partnering counties in accordance with WIA laws and regulations. If resolution is still not forthcoming, the WIB, by a 2/3 majority vote, may send the dispute to the Ohio Commission on dispute resolution. It must be agreed at this point that this finding is final, unless superseded by Federal, State and County laws, rules and regulations.

IN WITNESS WHEREOF, the Parties hereto have executed this Intergovernmental Agreement on the day and year first above written.

Diana L. Clarke, PhD, WIB Chair:

Ohio WIA Area 2/20 Date

Patricia L. Divoky, Director:

Fiscal Agent Date
Summit County
Department of Job and Family Services
Ohio WIA Area 2/20

Approved As to Form:

Anita Davis Date
Legal Counsel – CSDJFS

Russell M. Pry, Summit County Executive:

Approved As to Form:

Deborah S. Matz, Director Date
County of Summit, Ohio
Department of Law

Chief Local Elected Official Date
Ohio WIA Area 2/20

William Hanigan

Medina County Workforce Development Date
Ohio WIA Area 2/20

**Adam Friedrich, Medina County
Commissioner:**

Chief Local Elected Official Date
Ohio WIA Area 2/20

**Patricia G. Geissman, Medina County
Commissioner:**

Chief Local Elected Official Date
Ohio WIA Area 2/20

**Stephen D. Hambley, Medina County
Commissioner:**

Chief Local Elected Official Date
Ohio WIA Area 2/20