



**MEETING MINUTES**

of

**March 6, 2017**

**Cleveland Clinic Akron General Wellness Center – Crystal Point  
Room 4125 Medina Road, Akron, OH 44333**

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**Chief Elected Officials (CEOS)** Adam Friedrich, Medina County Commissioner  
**Present:** Ilene Shapiro, Summit County Executive

**Area 2 County Staff Present:** Terri Burns, CFO, County of Summit Dept. of Job & Family Services (CSDJFS); Daniel Grantham, CSDJFS Executive Assistant.; Mike Lyons, Assistant Prosecutor, Medina County; Christine Marshall, Deputy Director, Workforce Development, CSDJFS; Deborah Matz, Law Director, County of Summit; Brian Nelsen, Director, County of Summit Dept. of Finance & Budget (CSDFB)

**Guests Present:** Al Brainard, Educational Data Systems, Inc. (EDSI)

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**I. CALL TO ORDER & INTRODUCTIONS**

- a. The Summit and Medina Workforce Area Council of Governments (SAMWA COG) meeting was called to order by Friedrich, Chair, at 7:37 AM. Guest Al Brainard introduced himself.

**II. APPROVAL OF MINUTES**

- a. Friedrich requested a motion to approve the SAMWA COG's 1/25/2017 meeting minutes. The motion was made by Shapiro and seconded by Friedrich. The minutes were thus approved.

**III. REPORTS**

- a. None

**IV. OLD/UNFINISHED BUSINESS**

- a. **An Administrative Agreement between the SAMWA COG, Workforce Innovation and Opportunity Act (WIOA) Fiscal Agent (CSDJFS), the COG Fiscal Agent (CSDFB)**
- Matz expressed that the Administrative Agreement is compliant with WIOA and Ohio Dept. of Job and Family Services (ODJFS) directives regarding administration of WIOA finances that serve to prevent conflicts of interest. While the SAMWA COG's structure is designed to prevent conflicts of interest by assigning administration of WIOA Program and Administrative (Admin) Funds to two fiscal agents in two separate entities, the Administrative Agreement detailing the fiscal structures, roles and responsibilities in the period before the COG assumes the subrecipient role (the remainder of State Fiscal Year (SFY) 2017). The draft Agreement will be amended to outline roles and functions in this interim period and will comprise Section 1. Roles and functions following the COG's assumption of the subrecipient role at in SFY 2018 will be moved to Section 2.
  - Marshall expressed that since CSDJFS intends to bid on the Operator role, this Administrative Agreement is required to prevent a conflict of interest. The Agreement would not be needed if CSDJFS did not intend to bid.
  - Shapiro requested that the Agreement be amended to require Area 2 staff to provide quarterly reports on the activity and performance of the One-Stop operator(s) and programs to the COG/WDB.
  - **SAMWA COG Resolution 2017-04:** Friedrich requested a motion to adopt SAMWA COG Resolution 2017-04. The motion was made by Shapiro and seconded by Friedrich. Resolution 2017-04,

approving, as amended and revised, the Administrative Agreement between the SAMWA COG, CSDFB and CSDJFS, was thus approved.

**b. A Political Subdivision Agreement between the County of Summit and the COG to provide COG staff with County of Summit-sponsored health care benefits and programs**

- Matz expressed that under the Political Subdivision Agreement, the rates paid to cover COG employees with County of Summit-sponsored health benefits is the rate paid to cover County employees. COG employees will also be eligible to enroll in supplemental insurance programs.
- **SAMWA COG Resolution 2017-05:** Friedrich requested a motion to adopt SAMWA COG Resolution 2017-05. The motion was made by Shapiro and seconded by Friedrich. Resolution 2017-05, authorizing the SAMWA COG to enter into a Political Subdivision Participation Agreement with the County of Summit to provide COG staff with County of Summit-sponsored health, supplemental and other benefits, was thus approved.

**c. Hiring Christine Marshall as the Executive Director of Area 2's Workforce Development Board (WDB)**

- **SAMWA COG Resolution 2017-06:** Friedrich requested a motion to adopt SAMWA COG Resolution 2017-06. The motion was made by Shapiro and seconded by Friedrich. Resolution 2017-06, authorizing the hire of Christine Marshall for the position of the Executive Director of Area 2's WDB with a start date of 3/20/2017, was thus approved.

**d. Area 2's Procurement Policies and Procedures (ProPP)**

- Matz expressed that ODJFS issued Policy Letter 15-18.1 which interprets WIOA to designate that any WIOA procurement responsibilities are assigned to the WDB. In drafting Area 2's ProPP, Matz reviewed the Letter, the Federal Code of Regulations with respect to WIOA procurement, and the ProPP developed by the Columbiana and Mahoning Training Association, the entity designated as the WIOA fiscal agent in Area 17. Matz used Area 17's ProPP as a base and made sure that all current regulations issued since the change to WIOA are reflected in Area 2's version.
- Citing Federal procurement experience, Marshall expressed that US Dept. of Labor procurement is rigorously structured, and the drafted ProPP thoroughly addresses this rigor.
- Lyons expressed that authority of the Medina County Prosecutor's office to represent the COG is very limited going forward. He expressed that documents like the ProPP could not be submitted to the Medina County Prosecutor's office for review.
- Nelsen expressed that when compared to the County of Summit's own procurement policies, the purchasing authority of the COG staff is low.
  - Shapiro expressed that the rigorous requirements outlined in the draft ProPP are appropriate.
- Lyons expressed that authority of the Medina County Prosecutor's office to represent the COG is very limited going forward. Beyond what initial advice he could provide with regard to the COG's establishment, he expressed that documents like the ProPP could not be submitted to the Prosecutor's office for review.
  - In light to Lyons' observations, Shapiro and Friedrich inquired about the appropriateness of Matz's legal counsel on matters related to the COG, including but not limited to ProPP.
    - i. Those present expressed that Matz can provide counsel on matters such as these because she is not a representative of the County of Summit Prosecutor's office. Matz expressed that her position as the County's Law Director is established via the County of Summit Codified Ordinances which also identify the Law Director as the legal counsel for the County Executive. As such Matz is allowed to provide legal counsel to the Executive on matters in which the Executive is directly involved, such as legal documents requiring the Executive's approval. Legal questions outside of her purview, including but not limited to litigation, require outside legal counsel.
  - Shapiro inquired about the status of a services contract with law firm Day & Ketterer.
    - i. Marshall expressed that the firm was placed on retainer to review the COG's documents.

- ii. Matz expressed that despite the purchase order and multiple attempts to reach out to the firm, she has not received a response.
- iii. Shapiro suggested finding an alternate firm which could complete this review, and asked Marshall to reach out to other Local Workforce Areas to gather contacts for legal counsel.
- Friedrich inquired about financial figures that were, as of the present, not clearly defined in the Draft ProPP and asked Matz whether these figures would be identified later.
  - Matz expressed that these figures would be identified later and were left undefined in anticipation of the creation of Area 2’s Fiscal policies. These policies have not yet been drafted and will clearly define these figures such that they can be applied to the ProPP. With Federal micropurchasing limits identified as amounts under \$3,500.00, the figures on these charts can be amended to be less restrictive while still being in compliance with Federal laws. Thresholds should be addressed in both the fiscal policy and the ProPP.
- **SAMWA COG Resolution 2017-07:** Friedrich requested a motion to adopt SAMWA COG Resolution 2017-07. Shapiro made the motion, which was seconded by Friedrich. Resolution 2017-07, approving Area 2’s ProPPs with an understanding that thresholds will be defined in fiscal policies, was adopted.

**e. Budget reallocation thresholds/purchasing authorities for the Director & WDB Finance Committee**

- Nelsen expressed that the Executive Director will need some authority to make day-to-day operational decisions without convening the COG Board. The budget reallocation thresholds which apply only to the Admin. budget as the WIOA Program Budget is, are as follows:

<b>WIOA ADMIN. BUDGET LINE ITEMS</b>		<b>REALLOCATION THRESHOLDS</b>	
<b>Category</b>	<b>Description</b>	<b>Exec. Director</b>	<b>Finance Committee</b>
Salaries	Salaries and Incentives	≤ \$5,000.00	≤ \$10,000.00
Benefits	OPERS, Medical, etc.	Up to 25%	Up to 50%
Travel & Expenses	Travel/Conferences	Up to 25%	Up to 50%
Contract Services	Fiscal agent, audits, legal, insurance	Up to 25%	Up to 50%
Operations	Office, memberships, furniture	Up to 25%	Up to 50%

- Purchasing authorities for WIOA Program and Admin budgets will allow the Executive Director and Finance Committee to sign for purchases/agreements within established dollar amounts. These are:

<b>PURCHASING AUTHORITIES FOR THE EXECUTIVE DIRECTOR, FINANCE COMMITTEE &amp; SAMWA COG</b>	
Executive Director:	Authority to sign for purchases or agreements with annual cumulative expenses by vendor/provider up to \$10,000.00
Finance Committee:	Authority for purchases or agreements with annual cumulative expenses by vendor/provider ranging from \$10,000.00 to \$50,000.00
SAMWA COG:	Purchases or agreements with annual cumulative expenses in excess of \$50,000.00

**\*Applies to usage of WIOA Program Funds and WIOA Administration Funds**

- Nelsen expressed it is useful to delegate some authority to the WDB’s finance committee because the body meets on a monthly basis. Only the COG may approve decisions in excess of these thresholds and authorities. The COG retains the authority to accept or reject all decisions made by the Executive Director or Finance Committee.
- **SAMWA COG Resolution 2017-08:** Friedrich requested a motion to adopt SAMWA COG Resolution 2017-08. Shapiro made the motion which was seconded by Friedrich. Resolution 2017-08, establishing reallocation thresholds and purchasing authorities for the Executive Director and WDB Finance Committee, was thus adopted.

# Summit & Medina Workforce Area Council of Governments (SAMWA COG)

## f. Appointment of Dr. Daryl Revoldt to the WDB as a representative of Higher Education

- **SAMWA COG Resolution 2017-09:** Friedrich requested a motion to adopt SAMWA COG Resolution 2017-09. Shapiro made the motion which was seconded by Friedrich. Resolution 2017-09, appointing Dr. Daryl Revoldt as the Higher Education representative to the WDB, was thus adopted.

## g. Changing WDB member Joan Pritchett's business sector representation to Small Business

- **SAMWA COG Resolution 2017-10:** Friedrich requested a motion to adopt SAMWA COG Resolution 2017-10. Shapiro made the motion which was seconded by Friedrich. Resolution 2017-10, changing WDB member Joan Pritchett's business sector representation to small business, was thus adopted.

## h. Extending current Medina County WDB member terms to comply with the bylaws of the WDB

- **SAMWA COG Resolution 2017-11** Friedrich requested a motion to adopt SAMWA COG Resolution 2017-11. Shapiro made the motion which was seconded by Friedrich. Resolution 2017-11, extending the terms of Medina County WDB appointees to 12/31/2017, was thus adopted.

## V. NEW BUSINESS

- a. None

## VI. GOOD OF THE ORDER

- a. Notice on the Regional and Local Plans' publishing at [www.summitomj.org](http://www.summitomj.org)

- Friedrich and Shapiro expressed that they had both begun reviewing the documents.
- Marshall expressed that Area 2's regional plan can be amended if required.

## VII. ADJOURNMENT

- b. Matz made a motion to adjourn the meeting. The motion was seconded by Friedrich and Shapiro. The meeting was adjourned at 8:38 AM.

*Respectfully Submitted*

*Daniel Grantham, Executive Assistant*

*County of Summit Department of Job & Family Services*