



MEETING MINUTES

November 30, 2016

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

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| Chief Elected Officials Present: | Adam Friedrich, Medina County Commissioner Ilene Shapiro, Summit County Executive |
| Workforce Development Board Members Present: | Anthony Esposito, Workforce Development Board Chair |
| Summit & Medina County Staff Present: | Terri Burns, Daniel Grantham, Mike Lyons, Christine Marshall, Deborah Matz, Brian Nelsen |

I. CALL TO ORDER & INTRODUCTIONS

- The meeting of the Summit and Medina Workforce Area Council of Governments (SAMWA COG/COG) was called to order by Adam Friedrich, Commissioner, Medina County Board of Commissioners, at 8:17 AM. Ilene Shapiro, Executive, County of Summit, introduced herself and present Summit County staff.
 1. Brian Nelsen, Director, County of Summit Department of Finance & Budget (CSDFB) introduced himself as the SAMWA COG’s Fiscal Agent.
 - **SAMWA COG Fiscal Agent** – The person or entity designated as the Subrecipient of the Federal Workforce Innovation and Opportunity Act of 2014 (WIOA) funds distributed by Ohio Department of Job and Family Services (ODJFS). This entity receives, processes, and accounts for WIOA Administration (ADMIN), used for the administration and staffing of the COG, including support of the Summit/Medina Workforce Development Board (WDB). Through a Subrecipient relationship, the COG Fiscal Agent distributes WIOA Program funds received from ODJFS to the WIOA Fiscal Agent.
 - Terri Burns, Chief Financial Officer, County of Summit Department of Job and Family Services (CSDJFS) introduced herself as the SAMWA COG-appointed WIOA Fiscal Agent.
 - **WIOA Fiscal Agent** – the person or entity designated to receive, process and account for WIOA program funds allocated to Workforce Area 2 through a Subrecipient relationship with the COG Fiscal Agent.

II. APPROVAL OF MINUTES

- There were no minutes to approve.

III. REPORTS

- There were no reports.

IV. OLD/UNFINISHED BUSINESS

- There was no old or unfinished business to discuss.

V. NEW BUSINESS

a. Overview of the SAMWA COG’s purpose, structure and bylaws

- Deborah Matz, Law Director, County of Summit, provided an overview of the COG’s purpose, structure, and bylaws. Clarifying the nature of the relationship between the SAMWA COG and its

WDB, Matz explained that the WDB's primary responsibility is to make recommendations to the SAMWA COG through continual oversight of the workforce development activities in Area 2.

- Matz expressed that the COG's Board is comprised of Area 2's Chief Elected Officials (CEOs), Shapiro and Friedrich, who have the following powers, rights and responsibilities:
 1. CEOs possess the ultimate responsibility over and are the final decision makers regarding the public workforce development system in Local Area 2. Responsibilities include:
 - i. Approval and/or rejection of contracts with procured contracted services/service providers. While WDB members/staff issue and analyze request for proposals (RFPs), the COG can opt to agree or disagree with the WDB's recommendations.
 - Shapiro expressed to Friedrich that the WDB's Executive Director (Director) should be the party responsible for keeping the COG up-to-date on contract procurement. The Director should also flag items for the COG's review.
 - ii. Adoption of the COG and WDBs' bylaws.
 - Matz explained that amendments to these bylaws are made by the COG and must be publicized in advance via posted meeting agendas.
 - iii. Negotiation of Performance Measures with the State/ODJFS in union with the WDB.
 - iv. Appointment of the COG Fiscal Agent (CSDFB) and the WIOA Fiscal Agent (CSDJFS).
 2. The COG Board members are the employers of the WDB's staff.
- Matz explained that the COG is now a recognized governmental entity by the State, and that staff can be hired upon the adoption of the COG's Personnel Policies and Procedures (PPP).

b. Review of Area 2 Operating Funds, Area and County Financial Reports as of October 31, 2016

- Burns, explained that WIOA funding for Workforce Areas is divided into two (2) categories:
 1. Formula Funds – WIOA Adult, Dislocated Worker (DW), Comprehensive Case Management Employment Program (CCMEP) Youth, and ADMIN funds allocated based upon local workforce indices.
 2. Non-Formula Funds – Additional monies issued to Local Areas by ODJFS
- Burns provided an overview of Area 2's WIOA Program Year (PY) 2016 (7/1/2016-6/30/2017) Finances. Excluding ADMIN dollars, Area 2 had \$4,197,859.00 of formula funding available for programming. As of October 31, 2016, \$3,218,388.00 (76.67%) of formula funds are committed, leaving a balance of \$979,471.00 for all Adult, DW, and CCMEP programs.
- ADMIN funds total \$672,207.16, with no funding yet obliged.
- Burns explained Area 2 PY 2016's \$217,650.00 total available in non-formula funds, which include \$210,650.00 in OhioMeansJobs (OMJ) Center Resource Sharing and \$7,000.00 for the Federally-mandated rebranding of OMJ Centers under the American Job Center (AJC) Network. No non-formula fund carryover is expected.
 1. Friedrich inquired about the source of OMJ Center Resource Sharing. Burns and Marshall explained that these funds reflect the ODJFS' share of the Memorandum of Understanding (MOU) – the agreement under which expenses related to One-Stop operation (such as rent) are shared amongst all One-Stop partners. ODJFS staff are the exclusive provider of federal Wagner-Peyser services at OMJ Centers statewide.
 2. Regarding AJC rebranding, Burns expressed that Area 2 can request more funds if procured quotes for related expenses (exterior/interior signage, etc.) warrant it.

c. Discussion and Approval of the ADMIN and Operating Budgets

- Explaining that the ADMIN and Operating budgets need COG approval retroactive to 7/1/2016, Burns outlined the anticipated ADMIN budget for the second half of PY 2016 (1/1 – 6/30/2017).
 1. The Fiscal Agent Fee – Annualized to \$60,000, this fee reflects the administrative costs of the WIOA/COG fiscal agents. Per the State Auditor, CSDJFS and CSDFB personnel working on WIOA finances will need to track their work times in for reimbursement for work rendered.

Tracked quarterly, Fiscal Agent Fee reimbursements will be allocated to the SAMWA COG or Summit County's General Fund, and not CSDJFS.

- i. Friedrich requested that Burns furnish the related timesheets.
 2. Salaries and Benefits – \$126,085.00 of ADMIN is budgeted for staffing. The staff's anticipated start dates are: 1/1/2017 for the Executive Director; 2/1/2017 for the full time Program Analyst, and; 3/1/2017 for the part time Administrative Assistant.
 3. Insurance – \$2,000.00 of ADMIN is budgeted for the SAMWA COG's general liability insurance and insurance for the staff.
 - i. Matz expressed that with the Executive Director and WDB working in both Summit and Medina Counties, Auto Insurance must also be included as a budgeted item. Since the WDB has no legal existence under the SAMWA COG structure, it is likely that the WDB can be insured through the COG.
 - ii. Shapiro inquired about the process by which insurance quotes are collected. Nelsen expressed that quotes are procured through a competitive RFP process.
 4. Office Expenses and Supplies – \$17,650.00 is budgeted for office expenses and supplies.
 - i. Ilene asked about the search for office furniture. Marshall and Friedrich expressed that parties in their both counties have found furniture for the staff's use.
- Friedrich asked if a COG resolution/amendment is needed any time a budget change occurs.
 1. Nelsen expressed that this was not be necessary for minor operational budget adjustments, such as adjustments requested by contracted service providers. Adjustments to staff salaries, costly building expenses, etc. would require a COG resolution/budget amendment.
 - **SAMWA COG Resolution 2016-01**
 2. Friedrich made a motion to adopt SAMWA COG Resolution 2016-01, approving and adopting the ADMIN and Operating Budget for the purpose of workforce system administration in Area 2. Shapiro seconded the motion. The budgets were thus adopted.

d. Discussion and Approval of the WDB Bylaws

- Friedrich identified issues with the draft of the WDB Bylaws presented, including:
 1. Art. III, Sec. 6 – Pg. 4, first full paragraph, third sentence - change Art. III Sec. 5 to 6.
 2. There are currently two sections in Art. III identified as Sec. 6. The sections titled "Annual Report" and "Update Meeting" on pg. 4 should be identified as Sect. 7 and 8, respectively.
 3. Art. V, Sec. 4, first sentence, pg. 5 – Friedrich proposed striking requiring COG approval of the WDB Chair's recommended WDB Committee Chairperson Appointments.
 - i. Shapiro expressed that in combination with the knowledge of Anthony Esposito, WDB Chair, the COG's retention of such oversight assures appointments are in the best interest of Area 2.
- Friedrich addressed WDB composition. The WDB's composition is to include no less than 19 appointment members, with 51% (10) of members representing Local Area businesses.
 1. Shapiro expressed interest in dividing Summit and Medina County business appointments proportionally based on the populations of both counties. From Summit County's perspective, the current business compensation is reflective of the diverse business communities in each county.
 2. Friedrich expressed that as long as Medina County is guaranteed at least three (3) business appointments, he would agree to proportional business representation. Friedrich cautioned against establishing fixed percentages for these shares.
 - i. Marshall expressed that adding more WDB members may create an unwieldy WDB, and noted that Ad Hoc Committees may include non-WDB members.
- The Body discussed the WDB's meeting arrangements as they relate to "Sunshine Laws."
 1. Referencing Art. VII Sec. 8, "Teleconference and Web-Based Meetings," Friedrich expressed concern regarding language suggesting that a roll call vote can be performed remotely. He expressed that any vote requiring a roll call should be done publically.

issue performance appraisals after gathering input from the WDB Chair, Vice Chair, Committee Chairs, and Executive Director.

- Bringing the Body’s attention to pg. 18, subheading “Work Schedule,” Nelsen cautioned against setting a working schedule in advanced and stressed the need for flexibility. Marshall expressed agreement with the need for flexibility, especially considering the staffs’ dual working locations.
- Bringing the Body’s attention to page 22, subheading “Holidays,” Friedrich identified Holidays in the existing document which conflict with Medina County’s Holidays. Friedrich noted that Medina County does not provide Good Friday or the Day after Thanksgiving as Holidays. Nelsen added that Summit County does not provide a holiday on Good Friday, but does provide for the Day after Thanksgiving. Friedrich suggested maintaining the Day after Thanksgiving Holiday, eliminating the Good Friday Holiday, and adding the Columbus Day Holiday to the document.
- Bringing the Body’s attention to pg. 23, subheading “Vacation,” Lyons identified conflicts with Medina County’s vacation day accrual policy and inquired about the maximum number of vacation days that should be provided to SAMWA COG employees.
 1. Nelsen and Lyons determined that Summit and Medina Counties’ Vacation accrual and maximums policies may conflict, with a side-by-side comparison of these policies needed.
 2. Shapiro suggested addressing this matter by examining related policies as prescribed by systems such as OPERS.
- Noting the findings of this discussion, Ilene inquired as to whether the PPP would need to be approved prior to the Director’s Start Date.
 1. Matz expressed that the PPP would need to be approved prior to the Director’s start date. However, the hiring process could continue and candidates could be identified in the absence of such approval.
 2. Shapiro ask Esposito if the WDB’s Ad Hoc Hiring Committee had established a start date for the Executive Director.
 - i. Esposito expressed that the Executive Director’s anticipated start date is 1/1/2017.
- Matz proposed delaying the approval of the PPP via SAMWA COG Resolution 2016-03 until the next COG Meeting. At that meeting, the approval of the PPP and the hiring of the Director can occur back to back. The Body agreed to this proposal.

f. Review of the Workforce Development Board’s Ad Hoc Hiring Committee’s Activities

- Given her candidacy for the Director position, Marshall exited the meeting room.
- Esposito expressed that the Ad Hoc Hiring Committee has made good progress towards the hiring of the Executive Director, noting in particular that recent collaborations with the Finance Committee on salaries and benefits were fruitful. Further revisions to the job posting are still needed, but with the help of Marshall, the Committee has been able to develop a job posting that is more reflective of a public sector job posting. Esposito identified the anticipated work of the Committee going forward, including:
 1. Whether or not to post the Director position publically. There is no requirement for a competitive hiring process and many Areas have opted to appoint their Director. Area 2 has a number of qualified candidates who are prepared to jump right into the role. Still, the Committee is split on how best to proceed on this matter.
 - i. Friedrich encouraged the Body to initiate a public hiring process. Ultimately, while there may be a number of internal candidates who express interest, a competitive process may ultimately lead to identification of a highly-qualified candidate.
 2. Initiation of a competitive hiring process, with an application period for the Executive Director position lasting no more than 10 days.
 - i. Shapiro expressed concern regarding the posting period and the Committee’s tight hiring timeline. Shapiro suggested shortening the posting period to between 5 and 7 days to allow for a more exhaustive review of the applications received. Esposito agreed to this suggestion.

3. Finalizing the Executive Director’s incentives package
 - i. Esposito expressed that incentivizing the Director to secure more funds, better contracts, and greater business outreach provides a method to more closely mirror the private sector.
 - ii. Shapiro cautioned that in the public sector such a package would need to detail hyper-specific goals to avoid any ethical quandaries.
 - iii. Esposito expressed that the details of the incentives package would still need to be finalized, but that it is not the Committee’s intent to create a package that mirrors that of a salesperson’s quota.
4. Finalizing the WDB’s office locations
 - i. Shapiro identified the former pharmacy space at Summit County’s Ohio Building as available to the WDB staff at no cost.
 - ii. Friedrich expressed that office space is available at Medina County’s Administration Building.
 - iii. Esposito expressed general office space, a conference room, and a private office for the Director should be created if these spaces are customizable.

II. GOOD OF THE ORDER

a. Notice of a meeting with consulting firm Rea & Associates on December 6, 2016 at 11:00 AM

- Nelsen expressed that Rea and Associates, a CPA firm located in New Philadelphia, OH, will be in Summit County on 12/6/2016 to discuss the SAMWA COG’s governance structure. Rea and Associates have worked with Summit County before, and given their familiarity in such matters, the County feels they are best equipped to examine the governance structure. Friedrich acknowledged his familiarity with the firm’s work.
- In addition to Rea and Associates’ Review, Matz expressed that it is Shapiro’s opinion that a structural review by an outside attorney would also be helpful. Marshall suggested contacting Area 6 regarding the legal counsel they used in the establishment of their new governance structure.

b. Recognition of Workforce Development Board Certification

- Marshall expressed that on 11/22/2016, the CEOs received a letter from ODJFS’ Office of Workforce Development confirming that Area 2’s WDB is now fully certified.

III. ADJOURNMENT

- Matz made a motion to adjourn the meeting. The motion was seconded by Friedrich and Shapiro. The meeting was adjourned at 9:38 AM.