

Chief Elected Officials
Consortium Agreement

Of the

South Central Wisconsin Workforce Development Area

For the Wisconsin Counties of
Columbia, Dane, Dodge, Jefferson, Marquette and Sauk

Under the Workforce Innovation and Opportunity Act
Of 2014

Public Law – 113-128

This Agreement, made and entered into this _____ day of
_____ 2015, by and between the COUNTIES OF **Columbia, Dane,
Dodge, Jefferson, Marquette and Sauk** in the State of Wisconsin (hereinafter, the
Counties):

WITNESSETH:

WHEREAS, the County Board of Supervisors of the aforementioned counties did
Previously adopt resolutions authorizing the County Board Chairperson or the County
Executive to sign a Consortium Agreement creating the South Central Wisconsin Workforce
Development Area Consortium under section 66.0301(2), Wisconsin Statutes, in order to
administer the Provisions of Public Law 113-128, the federal Workforce Innovation and
Opportunity Act and

WHEREAS, the County Board of Supervisors of each of the aforementioned counties has
adopted a resolution authorizing the County Board Chairperson or County Executive to
sign this "Consortium Agreement of the South Central Wisconsin Workforce Development
Area Counties under the Workforce Innovation and Opportunity Act (P.L. 113-128)"
(hereinafter, the "CEO Consortium Agreement"):

NOW, THEREFORE, in consideration of the above premises and the mutual covenants
of the parties hereinafter set forth, the receipt and each party acknowledges
sufficiency of which for itself, the Counties do hereby agree to the following CEO
Consortium Agreement.

Agreement

SECTION 1: That the Wisconsin Counties of Columbia, Dane, Dodge, Jefferson,

Marquette, and Sauk, under Section 66.0301(2), Wisconsin Statutes, do hereby constitute themselves to be a consortium for the purposes of Section P.L. 113-128 (Workforce Innovation and Opportunity Act) as described in 29 USC chapter 32.

SECTION 2: The chief local elected officials (the chairpersons of the County Board of Supervisors or County Executives) or the designees of said officials of the Counties in paragraph 1 shall constitute the Workforce Development Area Consortium of Supervisors (hereinafter, the "Consortium") which shall appoint the Workforce Development Board under the Workforce Innovation and Opportunities Act, Section 29 USC Chapter 32.

SECTION 3: The Consortium shall elect from its membership a Chairperson, a Vice-Chairperson and such other officers as may be provided in the by-laws to serve for a term of **one year** or until a successor is elected and qualified. Vacancies shall be filled by election for the remainder of the unexpired term. The Chairperson may appoint the Executive Director of the administrative entity or a staff person of one of the consortium member counties to serve as Consortium clerk.

SECTION 4: Roberts Rules of Order, shall govern the procedures of the Consortium insofar as they do not conflict with applicable law or administrative rules or by-laws duly adopted by the Consortium.

SECTION 5: The Consortium may adopt operational and procedural bylaws consistent with this Charter, applicable federal and state laws, and rules or regulations pursuant thereto. By-laws or amendments thereto may be adopted by the affirmative vote of 2/3 of the entire membership of the Consortium at any regular meeting called for that purpose, provided that written copies thereof are delivered to each member 15 days prior to consideration.

SECTION 6: The Consortium shall appoint the Workforce Development Board of the area, In accordance with the requirements established by the Governor and the criteria established under 29 USC 3122(b), the CEO appoints the members of the local board from the individuals nominated or recommended to be such members according to 29 USC 3122(c)(1)(B). The Local Elected Officials may, by a majority vote as described in the Local Elected Official's Charter Agreement, remove any WDBSCW member, without having to show cause for removal, unless and to the extent that, such cause is required by applicable law. The WDBSCW may recommend to the local Elected Officials the removal of a member.

SECTION 7: The Consortium shall execute an agreement with the Workforce Development Board for the operation and functions of the Board under WIOA (29) USC Chapter 32). The Consortium is the grant recipient of the Workforce Innovation grant funds and shall be liable for any miss use of the grant funds allocated to the local area, unless the chief elected official reaches an agreement with the reaches an agreement with the Governor to bear such liability. 29 USC 3122(d)(12)(B)(i)(I) and (II). The Consortium will directs the Board to receive the Workforce Innovation and Opportunity Act funds on behalf of the Consortium

and serve as administrative entity and fiscal agent and disburse funds at the direction of the local board pursuant to the requirements of 29 USC Chapter 32, subchapter II. 29 USC 3122(d)(12)(B)(i)(III). In the role as grant administrator and fiscal agent the WDBSCW shall:

1. Conduct an annual agency-wide unqualified audit, per the requirements of the State of Wisconsin Department of Workforce Development and shall provide each Local Elected Official with a complete copy of the audit, including any management letter. A copy of any audit response by the WDBSCW shall also be provided to the Local Elected Officials.
2. Maintain both general liability and errors and omissions coverage for past and future liabilities to protect the local Elected Officials and their respective counties.
3. Maintain a \$20,000 undesignated fund to cover disallowed costs. In the case of any misuse of grant funds allocated to the local area beyond the parameters state above, the Consortium agrees to assume liability as follows (29 USC 3122(d)(12)(B)(i)(I) and (II): Liability will be determined based upon the particular facts of the situation as to the responsibility of individual Consortium members for the particular funds. For example, if WIOA funds are misused only by the employee(s) or subcontractor(s) of one member of the Consortium, then only that county shall be held liable for the repayment of the misused funds. If more than one Consortium member is involved, then the respective counties will attempt to reach an agreement as to relative liabilities based upon the facts of the situation. If the counties are unable to reach agreement, then DWD shall make the determination as to respective liabilities.

SECTION 8: The Consortium shall perform all functions for local elected officials as contained in P.L.113.128, the Workforce Innovation and Opportunities Act including:

1. Submit a request for initial designation of a workforce development area and consult with the Governor on the initial designation and future redesignation of a Workforce Development Area. 29 USC 3121(b)(2). 29 USC 3121(b)(1)(A)(ii).
2. Work with the local board to:
 - a) Develop and submit to the Governor a comprehensive 4-year local plan for the region that is consistent with the State plan. 29 USC 3122 (d)(1) and 3123(a).
 - i. Consult with the State to identify regions, consistent with the considerations described in 29 USC 3121(b)(1)(B). 29 USC 3121 (a)(1).
 - ii. Engage in a regional planning process and prepare, submit, and obtain approval of a single regional plan consistent with the requirements in 29 USC 3121 (c).
 - b) Use funds available as described in section 29 USC 3163(b)(4) and use nonfederal funds available to the local area that the CEO and local board determine are appropriate and available for that use. 29 USC 3131.

- c) Annually, review and approval of the local board's budget for the activities of the local board. 29 USC 3122(d)(12)(A).
 - d) Work with the local board to conduct oversight with respect to local programs of youth activities authorized under 29 USC 3164(c), local employment and training activities authorized under 29 USC 3174(c) and(d), and the one-stop delivery system in the local area.; and ensure the appropriate use and management of the WIOA funds provided for these activities and one-stop delivery system; and for workforce development activities, ensure the appropriate use, management and investment of funds to maximize performance outcomes under section 29 USC 3141. 29 USC 3122(d)(8).
 - e) In cooperation with the local board, competitively designate or certify One Stop Operators, as described in 29 USC 3151(d)(2)(A) or terminate for cause the eligibility of such operators. 29 USC 3122(d)(10)(A).
 - f) Review and approve a Memorandum of Understanding (MOU) between the local board and the One Stop Partners, relating to the operation of the One Stop delivery system in the local area, consistent with the requirements in 29 USC 3151(c)(2). 29 USC 3151(c)(1).
 - g) In agreement with the local board, conduct oversight of the one-stop delivery system. 29 USC 3151(a)(3) and consult with the State as it establishes objective criteria and procedures used to evaluate the operation of the one-stop center as described in 29 USC 3151(g).
 - h) Consult with the local board, the One Stop Operator, and the One-Stop Partners regarding funding of the One-Stop infrastructure as described in 29 USC 3151(h).
3. Engage in Consultation with Governor as described in 29 USC 3151,3162, 3173
- a) Consult with the Governor as he or she establishes guidance for infrastructure one stop funding (29 USC 3151(h)(1)(B) and determines funding as described in 29 USC 3151(h)(2)(C).
 - b) Consult with the Governor as he/she determines funding allocation for youth activities and a statewide workforce investment activities under 29 USC 3162(b)(1)(C). 29 USC 3163(b)
 - c) Consult with the Governor as he/she determines funding allocation for adult employment and training activities and a statewide workforce investment activities under 29 USC 3172(b)(1)(B). 29 USC 3173(b)(1).

4. Performance Measurements

- a) Work with the local board and the Governor to negotiate and reach agreement on local performance measures. 29 USC 3122(d)(9).
- b) Determine whether to appeal a gubernatorial reorganization determination made under 29 USC 3141(g)(A) to the Governor under 29 USC 3141(g)(B)(i) and to the Secretary of the U.S. Department of Labor under 29 USC 3141(g)(B)(ii).

SECTION 9: This Consortium agreement shall be effective when approved by Resolutions adopted by the County Board of Supervisors of each county party hereto and executed by the chief elected official thereof pursuant to said resolution and shall thereupon act to repeal and supersede any and all prior written or oral consortium agreements under P.L. 113-128, the Workforce Innovation and Opportunity Act.

SECTION 10: Amendments to the Consortium agreement may be adopted with the concurrence of the Board of Supervisors of each county party hereto. The Consortium may be dissolved and this agreement may be rescinded only with the consent of all the Boards of Supervisors of the counties party hereto and the Governor.

IN WITNESS WHEREOF, the parties hereto have caused this Charter Agreement to be executed by the Chairperson of the County Board of Supervisors or the County Executive of the aforementioned Counties.

For Columbia County:
By: Vern E. Gove
Columbia County Board Chair

Signature: _____ Date: _____

For Dane County:
By: Joseph P Parisi
Dane County Executive

Signature: _____ Date: _____

For Dodge County:
By: Russell Kottke
Dodge County Board Chair

Signature: _____ Date: _____

For Jefferson
By: James Schroeder
Jefferson County Board Chair

Signature: _____ Date: _____

For Marquette County
By: Robert Miller
Marquette County Board Chair

Signature: _____ Date: _____

For Sauk County
By: Marty Krueger
Sauk County Board Chair

Signature: _____ Date: _____