

# Board of Crawford County Commissioners

## Commissioners' Journal

2016, [THIRTY-EIGHTH](#) MEETING

CRAWFORD COUNTY COURTHOUSE, COMMISSIONERS' BOARD ROOM  
Girard, KS [Friday, May 20, 2016, 10:00 AM](#)

The Crawford County Board of Commissioners met pursuant to Kansas Statutes

Annotated Chapter 19, Article 2, Section 18 in due and regular session with open doors.

Commissioner Tom Moody served as the presiding officer.

Commissioner Carl Wood was in attendance.

County Clerk Don Pyle and County Counselor Jim Emerson were seated with the Board.

Chairman Moody led the pledge of allegiance.

### **UNDER THE HEADING BUSINESS FROM A PREVIOUS MEETING**

#### **CONSENT AGENDA**

**On motion (16-168)** of Commissioner Wood and the second of Commissioner Moody that the consent agenda be approved including:

1. Approval of the [May 17, 2016](#) minutes of the Board of County Commissioners, and
2. Authorizing the Chairman to sign the previous week's vouchers.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

**The motion prevailed and the consent agenda was approved.**

### **SIGNING OF MOTIONS**

The County Clerk presented the following motions for Commissioners' signatures:

Motion 16	164	That the consent agenda be approved including: Approval of the May 13, 2016 minutes
Motion 16	165	To approve the Supplemental Agreement #1 between Michael S King, Secretary of Transportation, Kansas Department of Transportation and Crawford County, Kansas
Motion 16	166	To recess this open session and go into a closed executive session for a period of not more than 30 minutes to discuss matters that would be deemed privileged in the attorney-client relationship and to include the Board of County Commissioners and County Counselor Jim Emerson

## Board of Crawford County Commissioners

Motion 16	167	To recess this open session and go into a closed executive session for a period of not more than 10 minutes to discuss matters that would be deemed privileged in the attorney-client relationship and to include the Board of County Commissioners and County Counselor Jim Emerson
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### **UNDER THE HEADING NEW BUSINESS**

**CRAWFORD COUNTY BOARD OF HEALTH  
PUBLIC HEARINGS AND OPENING OF ANNOUNCED BIDS  
MESSAGES FROM THE PUBLIC  
MESSAGES FROM OTHER GOVERNMENTAL ENTITIES  
MESSAGES FROM ELECTED OFFICIALS  
MESSAGES FROM APPOINTED OFFICIALS  
PROCLAMATIONS AND ORDERS OF THE BOARD  
NEW BUSINESS**

**Item One:** Mr. Pyle stated that he received an email from KAC with a listing for each county for the KAC directory. He stated that KAC is asking the counties to look over the contact information for the county offices and make any changes necessary. A discussion was held on the listing and the Commissioners asked Mr. Pyle to make the changes and additions they requested and to email the directory to all the elected officials and department heads to make any changes they feel necessary.

**Item Two:** Mr. Emerson stated that the Chamber of Commerce's 1<sup>st</sup> Friday Luncheon will be June 3, 2016 at 12:00 noon at Watco Companies. He said that the Kansas Department of Transportation Secretary Mike King will be the featured speaker. Mr. Emerson stated that Watco Companies will be providing lunch with a required RSVP. Mr. Emerson, Mr. Wood and Mr. Moody stated that they will be attending. Mr. Wood also mentioned that the Chamber of Commerce Annual Banquet will be May 26, 2016 at 6:00 PM and he will be attending.

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Noon at Watco Companies  
Sponsored by Pittsburg State University

## Speaker: Secretary Mike King

The chamber is proud to welcome Kansas Department of Transportation Secretary Mike King as the featured speaker for our First Friday Luncheon on June 3. The chamber's First Friday Event Series is sponsored by Pittsburg State University.

The luncheon will begin at noon and will be hosted by Watco Companies, 315 West 3rd Street. Watco has graciously offered to cover the cost of lunch for attendees, but **RSVPs are required**. Please call the chamber at 231.1000 or respond to this e-mail to reserve your place at the luncheon.

Secretary King has led the Kansas Department of Transportation and its 2,400 employees since being named Secretary of Transportation by Gov. Sam Brownback in March 2012. His duties expanded in July 2013 when he also became Director of the Kansas Turnpike Authority.



Safety and support of economic development initiatives are priorities of the Hesston, Kan., native, who has private sector construction experience on highways, bridges, pipelines and large infrastructure projects. As a member of the Governor's Growth Team, Secretary King works closely with other state agencies to help Kansas seize economic opportunities.

As KTA Director, Secretary King's goals are to grow ridership, improve customer service and facilitate regional electronic tolling interoperability.

Secretary King is a 1981 graduate of John Brown University in Siloam Springs, Ark., from which he earned a degree in building construction. He and his wife Peggy have four children.



## Chamber Job Opening - Special Events Director

The Pittsburg Area Chamber of Commerce is accepting applications for the position of Special Events Director. Candidate must be a detail-oriented, organized self-starter with event planning experience. Bachelor's Degree in a related field preferred.

**Item Three:** Jim Emerson presenting a request to appoint Brenda Chappell to the Juvenile Corrections Advisory Board for a 3 year term ending May 14, 2019.



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to use water from a water conservation reservoir in case of drought. Mr. Emerson stated that the attorney assisting the buyer said that he believes that the language in the original document states if no reservoir or pond was built within 2 years the easement becomes automatically void but for title purposes he would rather have a signed document releasing the easement.

### **RELEASE OF WATER RIGHT OF WAY EASEMENT**

Upon Motion duly made and seconded, and passed by a majority of the Board of County Commissioners of Crawford County, Kansas, the said Board has resolved and does resolve as follows.

**WHEREAS**, a Water Right-of-way Easement was given to benefit Crawford County, Kansas through an indenture entitled "Water Right-of-way Easement" made on the 11<sup>th</sup> day of July, 1939, filed at Misc. Book W, Page 573; and

**WHEREAS**, said water right-of-way easement affected the following real property, to wit:

The South ½ of the SE ¼ of Section 1, Township 30 South, Range 24 East, Crawford County, Kansas.

**WHEREAS**, said easement was according to its terms conditioned upon the completion of a proposed reservoir or pond within two years from the date of the indenture; and

**WHEREAS**, there was no reservoir or pond completed within the time period stated, nor has any proposed reservoir or pond been completed since that time, and according to the terms of the easement it is null and void and of no effect under these circumstances;

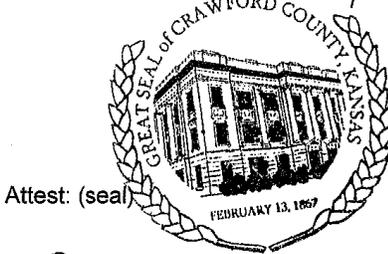
**NOW, THEREFORE**, the Board of County Commissioners of Crawford County, Kansas does hereby release the following indenture and right-of-way, to-wit:

Water Right-of-way Easement entitled "Water Right-of-way Easement" made on the 11<sup>th</sup> day of July, 1939, filed at Misc. Book W, Page 573 in the office of the Crawford County, Kansas Register of Deeds

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of record and waive any and all further interests thereto.

IN WITNESS WHEREOF, the Commissioners have unto set their hand  
and seal this 20<sup>th</sup> day of May, 2016.



Carl R. Wood  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attest: (seal)

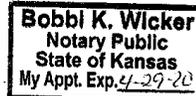
Donald Pyle  
County Clerk

## ACKNOWLEDGEMENT

This release of water right of way easement was acknowledged before me  
on this 20<sup>th</sup> day of May, 2016, by Tom Moody, Chairman and Carl R.  
Wood, Commissioner and was further attested to by Donald Pyle, Crawford  
County Clerk.

My appt. expires: 4-29-2020

Bobbi K. Wicker  
Notary Public



**On motion (16-170)** of Commissioner Wood and the second of Commissioner Moody to  
approve the Release of Water Right of Way Easement affecting the South ½ of the SE ¼  
of Section 1, Township 30, Range 24 East, Crawford County, Kansas.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

**The motion prevailed.**

**Item Five:** Mr. Wood said that he is trying to set up a meeting with Pittsburg City  
Manager, Daron Hall and Mr. Emerson regarding the Farmers' Market.

**Item Six:** Mr. Moody asked about bidding out county property & casualty insurance. A  
discussion was held on when to start asking for bids on this insurance.

## **UNDER THE HEADING OLD BUSINESS**

**Item One:** Mr. Pyle stated that County Appraiser Ryan Varsolona thought preliminary  
values will be ready in about 2 weeks. Mr. Pyle discussed the Pittsburg RHID with the  
Commissioners.

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**Item Two:** Mr. Emerson presented the Kansas Works Contract. He stated that Mr. Pyle found a contract that was signed in 2012 and the new contract has been changed quite a bit due to new laws enacted at the federal level. Mr. Emerson stated that it is okay to go ahead and approve the contract but we need to have someone come and explain how this Workforce Development Board works and discuss what will take place in the future. Mr. Wood stated that he would like to be appointed to the board.



May 16, 2016

Local Area V County Commissions

SUBJECT: Signature of Southeast KANSASWORKS, Inc. Local Area V Chief Elected Agreement

Dear County Commissions:

On behalf of the Chief Elected Official Board, we are requesting that each of the 17-county commissions review and sign the attached Chief Elected Official Agreement based on the Workforce Innovation and Opportunity Act (WIOA) as soon as possible. I have attached the current Chief Elected Official Board agreement under the Workforce Investment Act (WIA) that was previously signed by all 17-county commissions.

This request is based on the changes to the public workforce system due to the Workforce Innovation and Opportunity Act, which was signed into law on July 22, 2014, and Department of Commerce's WIOA Policy 5-01-01, Role of Chief Elected Officials. The law supersedes the Workforce Investment Act of 1998 and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973.

Under WIOA, we are required to submit a new LAV Local Area Workforce Development Plan to the Department of Commerce for approval by the Governor. Part of the local plan approval process includes having a signed CEOB agreement. In early April, we provided notification of the 30-day comment period along with a copy of the LAV Local Plan to the 17-County Commissions/Commissioners. In mid April, the Local Area V Chief Elected Official Board made notification of two public meetings that would be held on April 29, 2016, to discuss the Role of Chief Elected Officials, the opportunity for participation on the Chief Elected Officials Board, and the draft of the Chief Elected Officials Agreement to the 17-County Commissions/Commissioners.

#### **Chief Elected Official Board History:**

Recently, the Workforce Investment Act (WIA) of 1998 was replaced by the Workforce and Innovation Act (WIOA). Due to the change, we are required to update the Southeast KANSASWORKS, Inc., Local Area V Chief Elected Officials Board (CEOB) Agreement as part of the local plan process.

The CEOB represents the 17-county region in Southeast Kansas that makes up the Local Workforce Development Area V and includes the following counties:

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Allen, Anderson, Bourbon, Chautauqua, Cherokee, Coffey, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Miami, Montgomery, Neosho, Wilson and Woodson.

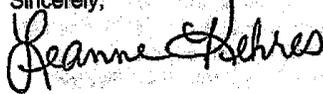
Under WIA, the 17-counties in Local Area V were subdivided into five (5) regions and comprised of one (1) elected representative from each of the Regions. Under the new CEOB WIOA agreement the regions will remain the same. The regions are listed below and include the name and contact information for the current commissioners serving on the CEOB:

- **Region I - Chautauqua, Elk and Montgomery**
  - CEO – K.R. Liebau, Elk County
    - Phone: (620) 550-1381
- **Region II - Cherokee, Labette, and Neosho**
  - CEO – Lonie Addis, Labette County
    - Email: [lcaddis@embarqmail.com](mailto:lcaddis@embarqmail.com)
    - Phone: 620-795-2138
- **Region III - Miami, Linn, Bourbon, and Crawford**
  - **CEO (Chair)** – Rob Roberts
    - Email: [roboberts@classic.net](mailto:roboberts@classic.net)
    - Phone: 913-256-8006
- **Region IV Anderson, Allen, Wilson, and Woodson**
  - CEO – Gene Highberger, Anderson County
    - Phone: 785-448-4421
- **Region V - Coffey, Greenwood and Lyon**
  - CEO – Bob Saueressig, Coffey County
    - Email: [ccc5@embarqmail.com](mailto:ccc5@embarqmail.com)
    - Phone: 620-203-1182

If you have questions, feel free to contact your Region Representative, CEOP Chair or myself at 620-366-0046 or [leanne@sekworks.org](mailto:leanne@sekworks.org).

Thank you for your consideration in this matter.

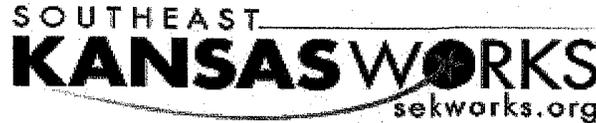
Sincerely,



Leanne Kehres  
Executive Director

cc: CEOP Board

# Board of Crawford County Commissioners



## LOCAL WORKFORCE DEVELOPMENT AREA V

### CHIEF ELECTED OFFICIAL BOARD AGREEMENT

This Chief Elected Officials' Agreement ("Agreement") is entered into by and among the Kansas Counties of Allen, Anderson, Bourbon, Chautauqua, Cherokee, Coffey, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Miami, Montgomery, Neosho, Wilson and Woodson, each of which is designated as a "Local Government", to define the rights and duties of the Local Governments in their cooperative oversight of workforce development programs authorized by the federal Workforce Innovation & Opportunity Act of 2014 ("WIOA"), Public Law 113-128. This Agreement is intended to comply with WIOA Section 107(c)(1)(B)(i) providing that, where there exist multiple units of local government within a "Local Area" (defined below), the chief elected officials of those governments are to enter into an agreement which defines their general rights, roles and responsibilities.

#### I. Establishment of Local Area

There is hereby established a Chief Elected Officials Board, hereinafter referred to as the CEOB, to provide for the effective planning, coordination and implementation of the employment and training system within the Kansas Workforce Development Area V, pursuant to the provisions of WIOA and applicable federal and state regulations. For purposes of representation on the CEOB, Local Area V is subdivided into five (5) regions: Region I consists of the counties of Chautauqua, Elk and Montgomery; Region II consists of the counties of Cherokee, Labette, and Neosho; Region III consists of the counties Miami, Linn, Bourbon, and Crawford; Region IV consists of the counties of Anderson, Allen, Wilson, and Woodson; and Region V consists of the counties of Coffey, Greenwood and Lyon. The CEOB shall be comprised of one (1) representative elected from each of the Regions. The term of CEOB members is two (2) years starting with January 1 of the even years and ending December 31 of odd years for representatives of Region I and Region IV, and from January 1 of off years and ending December 31 of even years for members from Region II, III and V. The above-listed Local Governments have together been approved by the State of Kansas as a local workforce development area ("Local Area"), for purposes of receiving WIOA funds from the State, establishing local service delivery systems and overseeing customer services authorized under WIOA. Should any other unit of general local government in a Local Area (defined as a political subdivision of the State that has the power to levy taxes and spend funds and has general corporate and police powers) petition for inclusion in this Local Area and receive approval therefor from the State of Kansas, this Agreement shall be amended. Such unit of general local government shall be identified a Local Government and the Local Area shall be adjusted accordingly. Should any Local Government petition for exclusion from this Local Area and receive approval therefor from the State of Kansas, this Agreement shall be amended and the Local Area adjusted accordingly.

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## II. Establishment of CEO Board

There is hereby established a Board of Directors of the Local Governments ("CEO Board"), which shall be and perform the duties of the "chief elected officials" described in WIOA, as further described herein. Records of CEO Board notices, actions, meetings or committee meetings or related documentation shall be retained at the administrative office of the fiscal agent for the Local Area.

## III. CEO Board Members and Alternates

The CEO Board shall be comprised of no more than one (1) elected official representative of each Local Government, which persons ("Board Members") shall be the Local Government's Board of County Commissioners' Chair or Mayor (or spokesperson representing a city government if the City Government does not have a Mayor) as may be appointed by the respective Board of County Commissioners or City Government. It is expressly acknowledged that a Local Government may or may not be represented by a Board Member, at the discretion of the Board of County Commissioners or City Government. Each Local Government also may select as an alternate Board Member another elected official from the Local Government, which Alternate shall be permitted to attend any CEO Board meeting and act on behalf of the Board Member in the Board Member's absence. Upon selection of its Board Member and Alternate, if any, the Local Government shall give written notice thereof to the CEO Board, as a condition to such Board Members or Alternates ability to exercise voting and other Board Member rights. Any Local Government which is not represented by either a Board Member or Alternate at three (3) successive meetings of the CEO Board shall thereafter be considered not to be represented on the CEO Board for purposes of establishing a quorum, until such time as either person attends another CEO Board meeting.

## IV. Quorum; Voting

A quorum of the CEO Board shall be a majority of its then-current membership. Each Board Member, including the Chair, shall have one (1) vote to cast on each matter coming before the CEO Board for action. Votes may be cast in person or via teleconference equipment. A quorum shall be required to approve any action, as further provided in the CEO Board's Bylaws.

## V. Election of Chair and Vice Chair

The Officers of the CEO Board shall be a Chairperson and a Vice Chairperson, who shall be elected by the CEO Board from among Board Members (not Alternates) for a term of one (1) year. Any Officer may serve successive terms upon election thereto, without limitation.

## VI. Vacancies

Each vacancy on the CEO Board, shall be filled by the Local Government in the same manner as the original Board Member was appointed. Each Local Government shall make every reasonable attempt to fill a vacancy before the next CEO Board meeting. A vacancy shall be considered filled upon written notice from the Local Government to the CEO Board identifying the name and elective office of the appointed Board Member.

## VII. Appointment of LWDB Members

The CEO Board shall appoint members to the Local Workforce Development Board (LWDB) as provided by WIOA and the LWDB shall consist of the following Members:

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A. Representatives of business, who shall constitute a majority of the LWDB's membership. These LWDB Members shall be selected from among individuals with optimum policymaking or hiring authority representing businesses who provide employment opportunities which include high-quality, work-related training and development in in-demand industry sectors or occupations in the local area; nominated by local business organizations and business trade associations; and shall reasonably represent the industrial and demographic composition of the business community, including small business and minority business.

B. Not less than 20% of the members of each local board shall be representatives of the workforce within the local area who represent labor organizations, who have been nominated by labor federations; and representatives who shall be a member of a labor organization or a training director from a joint labor-management apprenticeship program if such a program exists in the area. Workforce representatives may also include community-based organization, which have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or provide or support competitive integrated employment for individuals with disabilities nominated by interested organizations. Workforce representative may include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.

C. Representatives of entities administering education and training activities in the local area who are representative of eligible providers administering adult education and literacy activities under title II; shall include a representative of institutions of higher education providing workforce investment activities (including community colleges); and may include representatives of local educational agencies, and of community based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment. Each of these shall be selected from individuals nominated by interested organizations.

D. Governmental and economic and community development entity representatives serving the local area who represent economic and community development entities; and appropriate representative from the State employment service office under the Wagner-Peyser Act serving the local area selected from individuals nominated by the Secretary of the Kansas Department of Commerce; and an appropriate representative of the programs carried out under title I of the Rehabilitation Act of 1973; may include representatives of agencies or entities administering programs serving the local area relating to transportation, housing, and public assistance; and philanthropic organization serving the local area. The LWDB may include such other individuals or representatives of entities as the chief elected officials in the local area may determine to be appropriate. Except the Wagner-Peyser representative, these representatives may be nominated by interested organizations.

The CEO Board shall receive nominations from businesses and organizations as stated in items A through D above and appoint LWDB members from nominations received during a regular or Annual Meeting of the CEO Board.

LWDB member terms of office shall be appointed for fixed and staggered terms for three years and shall serve until their successors are duly appointed and commence their terms of office. Members may seek reappointment at the expiration of their term, which will requires re-nomination. LWDB membership may be terminated by resignation received from the member or for cause or convenience as recommended by the CEO Board for reasons such as unexcused absences from meetings or required restructuring of LWDB representations.

The LWDB shall perform the duties of a "Local Workforce Development Board" as described in WIOA (Section 107(d)), including without limitation overseeing preparation of the Local Workforce Development

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Plan; workforce research and regional labor market analysis; engaging employers; development and implementation of career pathways; identify proven and promising practices for meeting the needs of employers and workers and jobseekers in the local workforce development system; utilize technology to maximize workforce development; selection of the Local One-Stop Operator and providers for youth, training and career services; negotiate local performance accountability measures; coordinate with education providers; develop a budget for activities of the local area; and ensure accessibility of all local area one-stop centers for individuals with disabilities.

## VIII. CEO Board Responsibilities

In addition to appointing the LWDB's Members, the CEO Board shall be responsible to fulfill the other duties of the "chief elected official" described in WIOA which include the following:

A. Serve as grant recipient and assume fiscal liability for grant funds for WIOA Title I adult, dislocated worker and youth activities; as well as other such federal or state workforce funds as may be awarded.

B. Approve budgets for carrying out the responsibilities of the Local Board.

C. Provide comprehensive oversight of the activities of the Local Board.

D. Ensure the Local Area partnerships are functioning effectively.

E. Conduct program oversight and evaluation.

F. In partnership with the LWDB:

1. Participate in the development of the Local Area Plan.
2. Conduct oversight of One-Stop delivery system, youth activities, and employment and training activities.
3. Select One-Stop operator(s) and eligible service providers and oversee compliance and continued improvement (may subsequently terminate these for cause).
4. Agree on Memorandums of Understanding between the Local Board and the One-Stop operators.
5. Negotiate and reach agreement on performance standards and any additional local performance measures.

G. In partnership with the Governor of Kansas:

1. Agree on whether the LWDB may serve as a One-Stop operator.
2. Negotiate waiver requests as needed.

The CEO Board's oversight processes to be performed include reviewing reports and audits against established goals and plans for reasonableness which reports will include an annual audit in compliance with generally accepted audit standards in the United States and OMB Circular A-133 performed by a procured CPA firm to assess financial and internal controls of the fiscal agent. The One-Stop Agent for the CEO Board and LWDB will be required to provide performance measure compliance reports quarterly or as requested by the Board(s). The CEO Board will have access to legal counsel procured by the fiscal agent as well as the Local Government's legal consultant as permissible through Local Government policies. The CEO Board will utilize the Kansas Dept. of Commerce for technical assistance related to the WIOA law.

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Local Governments in the Local Area shall be contacted as needed to afford each the opportunity to be involved in the local workforce development system and notify the CEOs regarding their WIOA responsibilities and new workforce development initiatives.

## IX. Responsibility for WIOA Funds

The Local Governments shall be liable to repay to the State or Federal governments from non-WIOA funds any amounts determined to have been a misappropriation of funds as provided in WIOA Section 184(d), upon a determination by the Secretary, United States Department of Labor, that the misappropriation was due to willful disregard of WIOA requirements, gross negligence, failure to observe accepted standards of administration or a pattern of misappropriation which determination is required by WIOA to be preceded by notice and opportunity for a hearing.

To manage any such required repayment of misappropriation(s), all of the counties represented hereby assume responsibility to make the required payment(s) required under WIOA. Reimbursement from each Local Government in proportion to the total population of each such Local Government in comparison to the total population of the Local Area at the time the misappropriation(s) occurred; provided that the population of a smaller Local Government (i.e., a city) which is contained within the jurisdiction of another larger Local Government (i.e., a county) shall be deducted from the larger Local Government's population for purposes of determining proportionate payments.

The fiscal agent for Local Area V CEO Board is Allen, Gibbs & Houlik, L.C. (AGH). The Executive Director for Southeast KANSASWORKS, Inc. is employed by the LWDB with CEO Board approval.

## X. Term of Agreement

This Agreement shall be effective for the period ("Term") which commences on July 1, 2016, and shall continue in effect for five years ending June 30, 2020, so long as two or more Local Governments continue to participate in CEO Board activities; provided that it shall automatically terminate upon proper State action removing designation of the Local Area under WIOA.

## XI. Amendments.

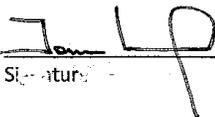
This Agreement may be amended only upon compliance with the following procedure:

A. The text of the proposed amendment shall be presented to the CEO Board for review at a properly noticed meeting thereof, and shall thereafter be provided to each Local Government, at least thirty (30) days before the meeting of the CEO Board at which the amendment is to be acted upon;

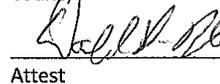
B. The amendment shall be discussed and acted upon at a properly-noticed meeting of the CEO Board, with approval requiring the vote in person or by written ballot of no fewer than two-thirds (2/3) of the then-current CEO Board membership; provided that no such amendment shall be approved if, before the CEO Board meeting at which action is to be taken, any Local Government submits to the CEO Board a written objection to the proposed amendment.

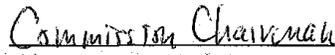
## XII. Severability

The invalidity or unenforceability of any provisions of this Agreement shall not affect the validity or enforceability of any other provision of this Agreement, which shall remain in full force and effect.

  
\_\_\_\_\_  
Signature

Crawford  
County

  
\_\_\_\_\_  
Attest

  
\_\_\_\_\_  
Commissioner Chairman  
Title

5/20/2016  
\_\_\_\_\_  
Date

# Board of Crawford County Commissioners

## Kansas Department of Commerce Workforce Development Policy and Procedures Manual

**Policy Number:** 5-01-01

**Originating Office:** Workforce Development

**Subject:** Role of Chief Elected Officials

**Issued:** - August 3, 2015

**Revised:** - N/A

**Program:** -Workforce Innovation and Opportunity Act (WIOA)

**Purpose:** To transmit state policy and guidance on the role of Chief Elected Officials (CEO) in local workforce development area governance.

**Reference:** None.

**Background:** This policy describes local area activities that must take place to develop initial CEO Agreements, as well as the process to modify existing CEO Agreements.

**Action:** Make this policy available to all interested parties.

**Contact:** Questions should be directed to WIOA Administrator, (785) 296-0607, TTY: 711, email [workforcesvcs@kansasworks.com](mailto:workforcesvcs@kansasworks.com).

**Attachment:** None.

### Role of Chief Elected Officials

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The designation of the CEO of a city would depend on the form of government for that city. If the particular form of city government has a multi-member body as its CEOs (i.e., a council or a commission instead of a mayor), it is recommended such city government choose a spokesperson from among the elected officials to act on its behalf.

To ensure units of general local government and the respective CEOs are afforded the opportunity to be involved in the local workforce development system, every effort should be made to notify the CEOs regarding their WIOA responsibilities and the new workforce development initiative. This may be accomplished by direct letter, meetings, newspaper announcements, or other means of notifying CEOs of the need for their involvement. While the participation of CEOs is voluntary, it is essential that those who are interested be allowed to participate.

Once the CEOs have expressed an interest in participating and have had the opportunity to meet and discuss their responsibilities, it is possible they may designate another individual CEO, or a group of CEOs, within the local area to act on their behalf. This must be agreed to and specified in the CEO Agreement to include the name of the individual(s) selected.

The local areas must document their efforts to contact eligible units of government and their respective CEOs and to identify those who wish to participate. It is suggested that the local area administrative entity, in partnership with the WIA CEOB establish contact and assist in the development of an initial WIOA CEO Agreement among those who wish to participate. The agreement is to specify the respective roles of the individual CEOs. In establishing these roles it is necessary to inform the CEOs of their respective responsibilities, including liability for any misuse of grant funds whether or not the units of general local government elect to participate.

### **Responsibilities of the CEOs**

The responsibilities of the CEOs under WIOA include, but are not limited to, the following:

1. Appoint members to the Local Board;
2. Serve as grant recipient and assume fiscal liability for grant funds for WIOA Title I adult, dislocated worker and youth activities; as well as other such federal or state workforce funds as may be awarded,
3. Approve budgets for carrying out the responsibilities of the Local Board;
4. Provide comprehensive oversight of the activities of the Local Board;
5. Ensure that local area partnerships are functioning effectively;

In partnership with the Local Board --

# Board of Crawford County Commissioners

6. Participate in the development of the Local Area Plan;
7. Conduct oversight of One-Stop delivery system, youth activities, and employment and training activities;
8. Select One-Stop operators and eligible service providers and oversee compliance and continuance improvement (may subsequently terminate these for cause);
9. Agree on Memorandums of Understanding between the Local Board and the One-Stop operator(s);
10. Negotiate and reach agreement on performance standards and any additional local performance measures;

In partnership with the Governor --

11. Agree on whether the Local Board may provide core services, intensive service, or both;
12. Agree on whether the Local Board may serve as a One-Stop operator; and
13. Negotiate waiver requests as needed.

## Requirements for CEO Agreements

When the CEOs execute an agreement pursuant to WIOA Section 107(c)(1)(B), a fully executed copy must be forwarded to the Department of Commerce for inclusion in the Local Area Plan. This agreement should describe how the CEOs of units of local government in an area will carry out their respective roles. If, after a reasonable effort, the CEOs are unable to reach agreement that specifies the respective roles of the individual chief elected officials, the Governor may appoint the members of the Local Board from the individuals so nominated.

At a minimum the CEO Agreement must include the following:

- a. CEO Selection Process
  - i. Representation, e.g., one or more elected executives to represent multiple units of general local government of a defined county or sub region of a local area.
  - ii. Terms
  - iii. Vacancies
- b. Specification of roles:
  - i. Appointment process for the Local Board
    1. Nomination process
    2. Responsibility or authority of specific CEOs to appoint specific Board seats
    3. Term limits
      - a. Staggered terms
    4. Reappointment
      - a. Require re-nomination?
    5. Removal/replacement of Local Board members
      - i. For cause
      - ii. For convenience
      - iii. Resignation
  - ii. Fiscal responsibility, including
    1. Identification a fiscal agent or sub recipients
    2. Process for repayment of disallowed costs
      - a. How liability is assigned and how funds will be collected and repaid

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- i. may be any number of agreed upon methodologies
- iii. How federally required roles will be accomplished
  1. Oversight
  2. Consultation
  3. Local approvals
- iv. Term/time limit of the CEO Agreement
  1. Not more than five years
    - a. Must be a specific date
- v. Modification/amendments to the CEO Agreement
  1. Including ratification by member units of general local government.
- vi. Severability
- vii. Signature of each participating CEO

Additional topics addressed in the CEO agreement may include, but are not limited to:

1. Identification of support staffing including their roles and responsibilities
2. Identification of Local Board Roles/responsibilities
3. Competitive process for designation/certification of One-Stop Operator and/or providers of service(s).
4. Meetings
  1. Schedule
  2. Quorum
  3. Notice
  4. Records

## **Procedures to Develop Initial CEO Agreements**

All CEOs of units of general local government must be given the opportunity to participate in the CEO Agreement. At a minimum, each CEO must receive a letter notifying them of the role of the CEOs in WIOA, including their liability for grant funds allocated to their respective local areas under the Act, and be offered the opportunity to participate. Evidence of such notification must be retained. In addition, a public meeting should be held with notice of the meeting published in local area newspapers and the Kansas Register. All meetings to develop this CEO Agreement and all subsequent meetings of the CEOs are subject to the Kansas Open Public Meetings Law.

The Chief Elected Officials Board (created under WIA), with assistance from the local area administrative staff, is responsible for developing the initial WIOA CEO Agreement. The CEO Agreement is to be completed (on or before July 1, 2016) and submitted to the address below:

Kansas Department of Commerce  
1000 S.W. Jackson Street, Suite 100  
Topeka, Kansas 66612-1354

The time period of the initial CEO Agreement is not to exceed June 30, 2020; however, agreements of shorter duration may be negotiated.

If after a reasonable effort, the CEOs are unable to reach agreement that specifies the respective roles of the individual chief elected officials, the Department of Commerce may appoint members from individuals so nominated.

## **Procedures to Modify CEO Agreements**

When modifying a CEO Agreement such agreement must describe any changes made to the minimum requirements of a CEO Agreement and the specific time period for the modified CEO Agreement. Changes to the CEO Agreement require a Category 2 Local Area Plan Modification described in Policy No. 3-10-00.

Category 2 Local Area Plan modifications must be submitted to the Kansas Department of Commerce at least 30 business days before the effective date of the modification to the following address:

Kansas Department of Commerce  
1000 S.W. Jackson Street, Suite 100  
Topeka, Kansas 66612-1354

## Board of Crawford County Commissioners

**On motion (16-171)** of Commissioner Moody and the second of Commissioner Wood to approve the Southeast Kansas Works Local Workforce Development Area V Chief Elected Official Board Agreement.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

**The motion prevailed.**

**On motion (16-172)** of Commissioner Moody and the second of Commissioner Wood to appoint Carl Wood as the Crawford County Representative to the Southeast Kansas Works Area V Chief Elected Official Board.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

**The motion prevailed.**

**Item Three:** Mr. Moody addressed the Farmers Market. Mr. Wood stated that he is trying to contact Daron Hall, Pittsburg City Manager and meet with him to see what can be done to help out.

### EXECUTIVE SESSION

### UNDER THE HEADING FUTURE BUSINESS AND ANNOUNCEMENTS FUTURE BUSINESS:

**Item One: May 24, 2016 – 9:00 AM** Work Session with Mr. Ray Ryan and Mr. Mike Ryan, Ryan Insurance and all Department Heads and Elected Officials.

**Item Two: May 24, 2016 –** Mark Lehman, Chairman and Diana Hartog, District Manager, Crawford County Conservation District presenting budget.

### ANNOUNCEMENTS:

**Item One: May 30, 2016 –** The Courthouse will be closed in observance of the Memorial Day Holiday.

### UNDER THE HEADING MOTION TO ADJOURN MOTION TO ADJOURN

**Item One:** Adjournment

**On the motion** of Commissioner Moody and the second of Commissioner Wood to adjourn the [May 20, 2016](#) meeting of the Board of Crawford County Commissioners at 10:58 [AM](#) and to reconvene at the next regularly scheduled time with open doors.

Yeas: Commissioners Moody and Wood

Nays:

Present but not voting:

Absent or not voting: Commissioner Murphy

## Board of Crawford County Commissioners

The motion prevailed.

In Testimony whereof, I have hereunto set my hand and caused to be affixed my official seal and submitted these minutes for the approval of the Board of Crawford County Commissioners.

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**Don Pyle**  
County Clerk

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**This submission completed at the Crawford County Courthouse in Girard.**

Taken by [BKW 5/20/16 10:58AM/amended BKW 5/23/16 2:12 PM](#)