

## LOCAL GOVERNANCE AGREEMENT

This AGREEMENT is for a period of one year, July 1, 2022 through June 30, 2023 by and between the West Central Region County Commissioner Consortium (herein after “CEO Consortium” or “CEOs”), and the Area 4 Workforce Development Board of Western Missouri, Inc. (hereinafter “WDB” or “Board”) serving as the Fiscal Agent.

WHEREAS, the West Central Region has been designated as Missouri Local Area 4 for purposes of the allocation of funds under the Workforce Innovation and Opportunity Act (hereinafter “WIOA”) in Missouri and

WHEREAS, the CEOs have been designated as the recipient of WIOA funds for AREA 4 and shall be held liable for any misuse of such funds. While the Consortium may designate an entity to serve as local grant sub-recipient and/or as local fiscal agent, such designation shall not relieve a CEO of the liability for any misuse of grant funds.; and

WHEREAS, the WDB has been appointed by the CEOs to provide guidance and support to the WDB’s Director in the development and implementation of policies and programs designed to accomplish the goals of the WIOA; and

WHEREAS, the WDB Director has been designated by the CEOs as the Administrative Entity, to be responsible for the administration and oversight of the activities of the WDB; and

WHEREAS, the Workforce Development of Western Missouri Inc., has been designated by the CEOs as the Fiscal Agent to be responsible for disbursement of the WIOA funds in Area 4; and

WHEREAS, Odle Management Group LLC., (hereinafter “OMGLLC”) serves as the One Stop Operator and provider of staffing services for the WIOA programs in order to meet the objectives of WIOA; and

WHEREAS, the WIOA requires that a local governance agreement be entered into to delineate the roles and responsibilities of the CEOs, WDB, Administrative Entity and Fiscal Agent.

NOW THEREFORE, in order to establish clear roles and responsibilities for each entity involved in the workforce delivery systems it is hereby agreed as follows:

### **ESTABLISHMENT OF THE WORKFORCE DEVELOPMENT BOARD**

- The local Workforce Development Board members will be appointed by the respective Presiding County Commissioners in compliance with WIOA section 107(c).
- The membership of the WDB will comply with WIOA requirements as outlined in WIOA section 107(b)(2).
- Bylaws for local WDB operations are established and approved to ensure compliance and effectiveness in fulfilling its duties and responsibilities.
- The CEOs will review the membership of the WDB as it relates to the requirements of the WIOA regarding categories of board members.

- When possible, business members of the WDB are recommended by a business organization subject to approval by the Chief Local Elected Official. In the absence of a suitable nomination from a business organization, CEOs may choose business representatives nominated by other organizations and entities. At a minimum, two members must represent small business as defined by the U.S. Small Business Administration.
- WDB Members attendance and participation will be monitored and the CEOs can remove a member from the WDB due to a sufficient deficiency in accordance with the WDB By-Laws.
- The Missouri Office of Workforce Development, Policy Issuance 19-2016 summarizes the federal and State laws, regulations, and contractual obligations governing transparency and integrity in decisions made, and actions taken, by the CEOs for their Local Workforce Development Area.

### **ROLE OF FISCAL AGENT**

- The West Central WDB, as Fiscal Agent, has been designated by the CEOs to perform accounting and funds management on behalf of the CEOs.
- WIOA formula allocations will be distributed as needed to best align with actual customer needs.
- The West Central Region WDB, as Fiscal Agent, will comply with state and federal reporting requirements and timelines as defined by OWD.
- The West Central WDB, as Fiscal Agent, will establish or maintain written fiscal policies relative to procurement, auditing, fiscal monitoring and overall fiscal administration.
- The West Central Region, as Fiscal Agent, will comply with federal and state requirements applicable to fiscal agreements i.e.; use of program funds, cost of allocation requirements, reporting requirements and audit requirement.

### **ROLE OF LOCAL WDB STAFF**

- The WDB staff will offer the necessary training and technical assistance to its subrecipient(s) on the documents, operating procedures, performance measures and the Missouri Database System requirements that are specific/unique to workforce development services.
- The WDB staff, through the Executive Director, will monitor and oversee the activities of its subrecipient(s) in all respects to ensure proper usage of WIOA funds.
- The WDB will evaluate the fiscal and program performance of its subrecipient(s).

### **MULTI-FUNCTION AGREEMENT CLAUSE**

WIOA requires that a written agreement be entered into where one entity performs multiple functions, as will be done by Eckerd Connects. In order to establish clear roles and responsibilities for each entity involved, the parties in this agreement hereby agree to the following:

### Definition of roles and duties per function

- Fiscal Agent

The Workforce Development Board of Western Missouri, Inc, will serve as the Fiscal Agent in Area 4 for WIOA funds. WDB as Fiscal Agent will procure contracts, written agreements, conduct financial monitoring of Eckerd Connects and will ensure the auditing of all employment and training programs. In addition, the Fiscal Agent will be responsible for the disbursement of WIOA funds to the sub-recipient. The WDB will implement specific policies and procedures regarding oversight, monitoring, and evaluation of performance of the One Stop Operator. The fiscal agent will also employ staff to the board.

- One Stop Operator

Eckerd Connects, will serve as the procured One Stop Operator, under contractual agreement with the Workforce Development Board, and will direct the work of the required partners in the MO Job Centers in the West Central Region. As One Stop Operator Eckerd Connects will not convene system stakeholders to assist in the development of the local plan; prepare and submit the local plan; be responsible for oversight of itself; manage or significantly participate in the competitive selection process for one-stop operators or the termination of a One-Stop Operator; career services, and youth providers; negotiate local performance accountability measures; and develop and submit the budget for activities of the WDB.

- The Local WDB requires that the OSO not establish practices that create disincentives to providing services to individuals with barriers to employment. 20 CFR 678.600(e)(2)

- Provider of Career and Youth Services

Eckerd Connects, will also serve as the procured Job Center staffing contractor who through its staff will provide WIOA career and youth services for the Nevada and Sedalia Job Centers. Eckerd Connects, through its supervisory model will allow the Functional Leader to conduct day-to-day supervision of WIOA staff but not will not have the Functional Leader complete performance appraisals, sign timesheets, or approve vacation days. Upper management, not the Functional Leader will handle the formal disciplinary action of WIOA staff.

### Description of the separation of duties under each role

- In performing as the Fiscal Agent for Area 4, WDB will appoint personnel whose duties will include responsibility for receipt of WIOA funds, payment for services and other authorized WIOA expenditures, ensuring sustained fiscal integrity and accountability for expenditure of such funds in accordance with the Uniform Guidance, WIOA and corresponding federal regulations and state policies, responding to financial audit findings, maintain proper accounting records and adequate documentation, preparation of financial reports and providing technical assistance to sub recipients regarding fiscal issues. Individuals under this role will not be permitted to engage in policy or service delivery issues or activities.

- In performing as the MO Job Center One Stop Operator role under WIOA, Eckerd Connects, will appoint personnel whose duties will include the coordination of service delivery among partners as defined in the One Stop Operator contract. Eckerd Connects, will implement WDB policies and report to the WDB on operations, performance accountability and continuous improvements.

- In performing as the provider of WIOA staffing Eckerd Connects, will have professional staff deliver Job Center program activities and services to job seekers; and will have the ability to adapt to change as economic conditions and operational needs evolve; and will support the need to move individual staff

members between Job Centers and Connection Sites as the need is identified; and will implement WDB policies and report to the WDB on program service delivery, performance accountability and continuous improvements.

Description of separation of budget authority, including separation of line item budgets for each function

- To ensure there is a proper separation of duties and functions and to ensure that staff duties of the various Eckerd Connects, personnel are delineated, they shall be delineated in two separate budgets and such personnel will be individually and collectively responsible for reporting compliance with WIOA and regulations, Uniform Guidance and the Workforce Development Board's policies regarding conflicts of interest, including how conflicts of interest will be minimized.
- Any changes to the budget, including any funding or costs shifted between the Fiscal Agent and the One Stop Operator or staffing provider budgets, will be presented to the WDB for review and authorization.

Description of how staff duties will be completed while demonstrating compliance with WIOA and regulations, the Uniform Guidance, and the West Central Region's policies on conflicts of interest, including how conflicts of interest will be minimized

- The WDB will monitor and oversee the activities of Eckerd Connects, in all respects to ensure proper usage of WIOA funds; proper and effective action by the Eckerd Connects designated staff delegated to handle the fiscal responsibilities and the performance of all other functions with respect to the One Stop Operations and actual service provision utilizing WIOA funds by Eckerd Connects staff.
- The WDB shall, through the Director, procure contracts or obtain written agreements, conduct financial monitoring of service providers, and ensure an independent audit is conducted of all employment and training programs.

Description of fiscal and program monitoring

- Fiscal and program monitoring will be conducted by the WDB staff and results will be presented to the CEO Consortium and the Workforce Development Board at least annually.

**DISPUTE RESOLUTION**

In the event of any dispute, claim, question, or disagreement arising out of or relating to this Agreement or the breach thereof, the parties hereto will use their best efforts to settle such disputes, claims, questions, or disagreement. To this effect, they will consult and negotiate with each other, in good faith and, recognizing their mutual interests, attempt to reach a just and equitable solution satisfactory to both parties. If they do not reach such solution within a period of sixty (60) days, then upon notice by either party to the other, disputes, claims, questions, or differences shall be finally settled by mediation or arbitration in accordance with all applicable federal and/or state law and/or rules.

**DURATION AND MODIFICATION**

This Agreement will be in effect for one (1) consecutive year from July 1, 2022 until June 30, 2023 and will automatically be renewed for one (1) year periods unless a majority vote from the CEO Consortium acts to terminate this agreement. This Agreement shall only be modified with consent of the CEO Consortium.

## LOCAL GOVERNANCE AGREEMENT

### SIGNATURE PAGE

Organization Name	Chief Elected Official – West Central Region
Date	05/16/2022
Title of Signatory	Presiding Commissioner of Bates County
Printed Name	Jim Wheatley
Signature	<i>Jim Wheatley</i>
Organization Name	Eckerd Connects
Date	05/16/2022
Title of Signatory	Chief Financial Officer
Printed Name	Tony Van Slyke
Signature	<i>J. Anthony Van Slyke</i>
Organization Name	Workforce Development Board of Western Missouri Inc
Date	05/17/2022
Title of Signatory	Executive Director
Printed Name	Missy Eidson
Signature	<i>M. Eidson</i>

**SIGNATURE CERTIFICATE**


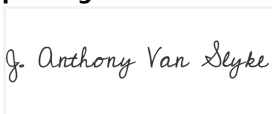


**REFERENCE NUMBER**

6ACB7E2D-088A-430D-9310-6F7D7A1FC3E8

TRANSACTION DETAILS	DOCUMENT DETAILS
<p><b>Reference Number</b> 6ACB7E2D-088A-430D-9310-6F7D7A1FC3E8</p> <p><b>Transaction Type</b> Signature Request</p> <p><b>Sent At</b> 05/16/2022 05:00 EDT</p> <p><b>Executed At</b> 05/17/2022 08:14 EDT</p> <p><b>Identity Method</b> email</p> <p><b>Distribution Method</b> email</p> <p><b>Signed Checksum</b> 97fb5ddf93fe56e85adcc3736be1e97812121f34e60449b0d53f539fb85b07df</p> <p><b>Signer Sequencing</b> Enabled</p> <p><b>Document Passcode</b> Disabled</p>	<p><b>Document Name</b> Local Governance Agreement 22-23</p> <p><b>Filename</b> local_governance_agreement_22-23.pdf</p> <p><b>Pages</b> 5 pages</p> <p><b>Content Type</b> application/pdf</p> <p><b>File Size</b> 110 KB</p> <p><b>Original Checksum</b> 24ffb78aad0c28a3ffa7cbe39bdadadec20613dd28fa67332ca311a4d964f9cb9</p>

**SIGNERS**

SIGNER	E-SIGNATURE	EVENTS
<p><b>Name</b> Missy Eidson</p> <p><b>Email</b> m.eidson@wcregion.org</p> <p><b>Signer Sequence</b> 2</p> <p><b>Components</b> 2</p>	<p><b>Status</b> signed</p> <p><b>Multi-factor Digital Fingerprint Checksum</b> b6e3a1063d390b9344a239b1bdb0847169b9c09af4c2a25a8fa16ff2aef075e2</p> <p><b>IP Address</b> 68.188.68.250</p> <p><b>Device</b> Firefox via Windows</p> <p><b>Typed Signature</b> </p> <p><b>Signature Reference ID</b> 4853BFC6</p>	<p><b>Viewed At</b> 05/17/2022 08:14 EDT</p> <p><b>Identity Authenticated At</b> 05/17/2022 08:14 EDT</p> <p><b>Signed At</b> 05/17/2022 08:14 EDT</p>
<p><b>Name</b> Tony Van Slyke</p> <p><b>Email</b> tvanslyke@eckerd.org</p> <p><b>Signer Sequence</b> 1</p> <p><b>Components</b> 2</p>	<p><b>Status</b> signed</p> <p><b>Multi-factor Digital Fingerprint Checksum</b> cc016e22a24433196949fca4b72facbe4111915af2f6347625fe0c8a0eb4dfcf</p> <p><b>IP Address</b> 209.155.220.50</p> <p><b>Device</b> Chrome via Windows</p> <p><b>Typed Signature</b> </p> <p><b>Signature Reference ID</b> 33ABECDE</p>	<p><b>Viewed At</b> 05/16/2022 16:19 EDT</p> <p><b>Identity Authenticated At</b> 05/16/2022 16:20 EDT</p> <p><b>Signed At</b> 05/16/2022 16:20 EDT</p>
<p><b>Name</b> Jim Wheatley</p> <p><b>Email</b></p>	<p><b>Status</b> signed</p> <p><b>Multi-factor Digital Fingerprint Checksum</b></p>	<p><b>Viewed At</b> 05/16/2022 14:28 EDT</p> <p><b>Identity Authenticated At</b></p>

batescountycommissioners@gmail.com

b5e6126d81e2ebb4e0c014d63b193a6d16fddd49562e6026df25d4c173807068

05/16/2022 14:29 EDT

**Signer Sequence**

0

**IP Address**

67.128.226.3

**Signed At**

05/16/2022 14:29 EDT

**Components**

2

**Device**

Chrome via Windows

**Typed Signature**



**Signature Reference ID**

E6E29863

## AUDITS

TIMESTAMP	AUDIT
05/16/2022 05:00 EDT	Missy Eidson (m.eidson@wcregion.org) created document 'local_governance_agreement_22-23.pdf' on Firefox via Windows from 68.188.68.250.
05/16/2022 05:00 EDT	Jim Wheatley (batescountycommissioners@gmail.com) was emailed a link to sign.
05/16/2022 14:28 EDT	Jim Wheatley (batescountycommissioners@gmail.com) viewed the document on Chrome via Windows from 67.128.226.3.
05/16/2022 14:29 EDT	Jim Wheatley (batescountycommissioners@gmail.com) authenticated via email on Chrome via Windows from 67.128.226.3.
05/16/2022 14:29 EDT	Jim Wheatley (batescountycommissioners@gmail.com) signed the document on Chrome via Windows from 67.128.226.3.
05/16/2022 14:29 EDT	Tony Van Slyke (tvanslyke@eckerd.org) was emailed a link to sign.
05/16/2022 14:31 EDT	Tony Van Slyke (tvanslyke@eckerd.org) viewed the document on Chrome via Windows from 209.155.220.50.
05/16/2022 14:38 EDT	Tony Van Slyke (tvanslyke@eckerd.org) viewed the document on Samsung Browser via Android from 174.205.100.246.
05/16/2022 14:56 EDT	Tony Van Slyke (tvanslyke@eckerd.org) viewed the document on Chrome Mobile via Android from 174.211.164.248.
05/16/2022 14:56 EDT	Tony Van Slyke (tvanslyke@eckerd.org) viewed the document on Chrome Mobile via Android from 174.211.164.248.
05/16/2022 15:09 EDT	Tony Van Slyke (tvanslyke@eckerd.org) viewed the document on Chrome via Windows from 174.211.164.248.
05/16/2022 15:28 EDT	Tony Van Slyke (tvanslyke@eckerd.org) viewed the document on Chrome via Windows from 174.211.164.248.
05/16/2022 16:19 EDT	Tony Van Slyke (tvanslyke@eckerd.org) viewed the document on Chrome via Windows from 209.155.220.50.
05/16/2022 16:20 EDT	Tony Van Slyke (tvanslyke@eckerd.org) authenticated via email on Chrome via Windows from 209.155.220.50.
05/16/2022 16:20 EDT	Missy Eidson (m.eidson@wcregion.org) was emailed a link to sign.
05/16/2022 16:20 EDT	Tony Van Slyke (tvanslyke@eckerd.org) signed the document on Chrome via Windows from 209.155.220.50.
05/17/2022 08:14 EDT	Missy Eidson (m.eidson@wcregion.org) viewed the document on Firefox via Windows from 68.188.68.250.
05/17/2022 08:14 EDT	Missy Eidson (m.eidson@wcregion.org) authenticated via email on Firefox via Windows from 68.188.68.250.
05/17/2022 08:14 EDT	Missy Eidson (m.eidson@wcregion.org) signed the document on Firefox via Windows from 68.188.68.250.