

PURSUANT TO A.R.S. § 38-431.01, THE GILA COUNTY BOARD OF SUPERVISORS WILL HOLD A MEETING AT THE GILA COUNTY COURTHOUSE, BOARD OF SUPERVISORS' HEARING ROOM, 1400 EAST ASH STREET, GLOBE, ARIZONA. ONE OR MORE BOARD MEMBERS MAY PARTICIPATE IN THE MEETING BY TELEPHONE CONFERENCE CALL OR BY INTERACTIVE TELEVISION VIDEO (ITV). THE MEETING IS ALSO TELEVIEWED TO THE GILA COUNTY COMPLEX, BOARD OF SUPERVISORS' CONFERENCE ROOM, 610 E. HIGHWAY 260, PAYSON, ARIZONA.

**NOTE:** Per the most recent guidelines from the federal government regarding COVID-19 and to protect citizens, no citizens will be allowed in the Board of Supervisors' hearing room at the Globe Courthouse or at the County Complex, Board of Supervisors' conference room in Payson. The only exception to this statement is for public hearings. Citizens may attend the public hearing in person, one at a time, in Globe or in Payson to provide comments. A face mask must be worn while in the building; however, it may be removed while addressing the Board of Supervisors.

Citizens may watch the Board meeting live-streamed at:

<https://www.youtube.com/channel/UckCHWVqrI5AmJKbvYbO-k2A/live>

Citizens may submit written comments related to the Special Meeting March 18th, 2022 Meeting agenda by no later than 5 p.m. on March 17th, by emailing to the Deputy Clerk of the Board at [mhenderson@gilacountyaz.gov](mailto:mhenderson@gilacountyaz.gov) or calling 928-402-4390. Citizens may also submit written comments during the meeting through YouTube. Please include the meeting date, agenda item number, your name, and residence address in the email.

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## **SPECIAL MEETING - FRIDAY, MARCH 18, 2022 - 10:00 A.M.**

1. **CALL TO ORDER - PLEDGE OF ALLEGIANCE - INVOCATION**
2. **REGULAR AGENDA ITEMS:**
  - A. Information/Discussion/Action to withdraw Gila County from the Northeastern Arizona Local Workforce Development Area Intergovernmental Agreement, effective June 30, 2022, and to authorize the Chairman's signature on the Termination Notice as per the 100-day termination clause. **(James Menlove)**
3. **CONSENT AGENDA ACTION ITEMS: (Any matter on the Consent Agenda will be removed from the Consent Agenda and discussed and voted upon as a regular agenda item upon the request of any member of the Board of Supervisors.)**

4. **CALL TO THE PUBLIC:** A call to the public is held for public benefit to allow individuals to address the Board of Supervisors on any issue within the jurisdiction of the Board of Supervisors. Board members may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(H), at the conclusion of an open call to the public, individual members of the Board of Supervisors may respond to criticism made by those who have addressed the Board, may ask staff to review a matter or may ask that a matter be put on a future agenda for further discussion and decision at a future date.
5. At any time during this meeting pursuant to A.R.S. §38-431.02(K), members of the Board of Supervisors and the County Manager may present a brief summary of current events. No action may be taken on information presented.

IF SPECIAL ACCOMMODATIONS ARE NEEDED, PLEASE CONTACT THE RECEPTIONIST AT (928) 425-3231 AS EARLY AS POSSIBLE TO ARRANGE THE ACCOMMODATIONS. FOR TTY, PLEASE DIAL 7-1-1 TO REACH THE ARIZONA RELAY SERVICE AND ASK THE OPERATOR TO CONNECT YOU TO (928) 425-3231.

THE BOARD MAY VOTE TO HOLD AN EXECUTIVE SESSION FOR THE PURPOSE OF OBTAINING LEGAL ADVICE FROM THE BOARD'S ATTORNEY ON ANY MATTER LISTED ON THE AGENDA PURSUANT TO A.R.S. §38-431.03(A)(3).

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING.

**ARF-7198**

**Regular Agenda Item 2. A.**

**Special BOS Meeting**

Meeting Date: 03/18/2022

Submitted For: James Menlove, County Manager

Submitted By: Mary Springer, Finance Director

Department: Finance

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Information

Request/Subject

Request to withdraw the Intergovernmental Agreement with Northeastern Arizona Local Workforce Development Area and for Chairman to sign the Termination Notice, on behalf of the Gila County.

Background Information

On July 1, 2015, the Workforce Development Board consisting of Gila County and Pinal County ceased to exist. On that same day, Navajo County, Apache County, and Gila County incorporated into a new Local Workforce Board per the Workforce Innovation Act (WIOA). The Northeastern Arizona Workforce Innovative Workforce Solutions (NEAZIWS) local area was formed. The Navajo County Board of Supervisors is the Chief Elected Official of the NEAZIWS Local Workforce Development Board. The Board's mission is to facilitate business retention and growth by partnering with education, service agencies, and the business community to empower individuals with skills that promote self-sufficiency. The IGA executed on August 16, 2021, replaced the IGA for Apache County, Gila County, and Navajo County that was effective July 1, 2015. Gila County has never received a fully executed copy of the agreement and further discovered that funds were used to renovate an old school in Show Low, which is out of the service area for Gila County residents. Per section XV of the current IGA, Gila County may withdraw from the agreement must provide notification of no less than 100 days prior to the beginning of a new program year.

Evaluation

Staff believes it is in the best interest of Gila County residents that the program be managed in such a manner that benefits Gila County residents.

Conclusion

Staff recommends that the Board of Supervisors send a Termination Notice to Northeastern Arizona Local Workforce Development to withdraw from the IGA, effective June 30, 2022.

### Recommendation

Staff recommends withdrawing from the IGA with Northeastern Arizona Local Workforce Development Area and for Chairman to sign the Termination Notice, on behalf of the Gila County.

### Suggested Motion

Information/Discussion/Action to withdraw Gila County from the Northeastern Arizona Local Workforce Development Area Intergovernmental Agreement, effective June 30, 2022, and to authorize the Chairman's signature on the Termination Notice as per the 100-day termination clause. **(James Menlove)**

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### Attachments

WIOA IGA

Termination VIOA Final Letter

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**Intergovernmental Agreement  
Apache County, Gila County, and Navajo County  
Northeastern Arizona Local Workforce Development Area**

**I. PURPOSE**

This document hereby replaces the INTERGOVERNMENTAL AGREEMENT FOR **Apache County, Gila County, and Navajo County Northeastern Arizona Innovative Workforce Solutions** fully executed and effective July 1, 2015.

This AGREEMENT is entered into for the purpose of continuing to have a single recognized entity to administer funding and perform the duties required under Title I of the Federal Workforce Innovation and Opportunity Act of 2014 (WIOA). Navajo County Board of Supervisors will serve in the roles of Chief Elected Officials (CEO), fiscal agent, and administrative entity for the Northeastern Arizona Local Workforce Development Area.

This AGREEMENT incorporates changes to comply with the Workforce Arizona Council WIOA Local Governance Policy #1 adopted June 5, 2019 which requires specific inclusions in the AGREEMENT.

**II. LIABILITY OF FUNDS**

Navajo County is designated by the Apache County, Gila County, and Navajo County Boards of Supervisors to serve as CEO, fiscal agent and administrative entity for the Northeastern Arizona Local Workforce Development Area

This AGREEMENT provides Navajo County the authority to administer WIOA Title IB Adult, Youth, and Dislocated Worker funds and to assign resources to meet the needs in each county.

Therefore, Navajo County, as CEO, fiscal agent and administrative entity for Workforce Innovation and Opportunity Act funds for Apache, Gila, and Navajo Counties, shall be liable for any disallowed or misuse of WIOA Title 1B funds. Chief Elected Officials in Navajo County are liable in their official capacity and are not personally liable for any misuse of WIOA Title 1B funds.

**III. BOARD REPRESENTATION AND ADMINISTRATION**

A Local Workforce Development Board (LWDB) to be known as the Northeastern Arizona Local Workforce Development Board, certified by the Governor of Arizona, provides oversight of the local area.

The LWDB shall be comprised of up to 30 members. Nomination processes and procedures will follow the requirements of the WIOA law and regulations and the Workforce Arizona Council policies. Official appointments will be made by the Navajo County Board of Supervisors in their designated capacity as CEO. The chairperson and vice chairperson shall be selected by LWDB members and shall represent different counties.

**IV. WIOA SERVICES**

Navajo County in its role as CEO, fiscal agent, and administrative entity, shall

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ensure that services are delivered in accordance with the WIOA, including subsequent amendments, and related regulations including Workforce Arizona Council policies.

**V. WIOA RECORDS**

Navajo County shall maintain and secure, in accordance with established policies and procedures, all records required by Federal, state, and county regulations to administer WIOA programs.

**VI. WIOA REPORTING**

Navajo County shall be responsible for all required reporting of WIOA activities, performance and expenditures on behalf of the LWDB. Navajo County shall be responsible for all tracking and reporting activities required by Federal and state WIOA administration and shall provide annual performance reports, as well as quarterly updates to the Navajo County Board of Supervisors, the Gila County Board of Supervisors, and the Apache County Board of Supervisors with information on each county's actual service levels.

**VII. WIOA PERFORMANCE MEASURES**

The LWDB will be accountable for all required performance indicators, as established by the Governor and in policies by the Workforce Arizona Council.

**VIII. WIOA ASSETS**

Assets of the LWDB, such as vehicles, shall be purchased by Navajo County in accordance with its procurement policies and procedures. Each asset shall be added to the inventory of Navajo County and shall be the property of Navajo county. Liability and insurance coverage shall be provided by Navajo County. Because both counties are insured by the same carrier, Arizona Counties Insurance Pool, all WIOA staff who provide proof that they are licensed and insured will be approved to operate all LWDB vehicles.

**IX. WIOA CONTRACTS**

WIOA contracts shall be negotiated, authorized, and executed by Navajo County on behalf of the LWDB.

**X. WIOA EXPENDITURES**

Expenditures on behalf of the LWDB shall be processed by Navajo County in accordance with its financial policies and procedures. Responsibility for maintaining financial records and comply with audits shall be the responsibility of Navajo County.

**XI. FACILITIES**

Costs for leases, utilities, insurance, repairs and similar expenses shall be paid by Navajo County from the WIOA grant allocations. Navajo County will negotiate leases based on availability of funds and service needs.

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**XII. PERSONNEL**

LWDB staff will be employees of Navajo County and shall be subject to Navajo County personnel policies and procedures.

**XIII. LOCAL LWDB BUDGET APPROVAL**

The Northeastern Arizona Local Workforce Development Board will develop and approve an annual budget. In its role as Chief Elected Officials, fiscal agent and administrative entity, Navajo County Board of Supervisors will review and approve the Northeastern Arizona Local Workforce Development Board budget created for the purpose of carrying out the duties of the LWDB. This budget includes distribution of all WIOA Title 1B allocations including program operations and all sub-recipient activities.

**XIV. PARTICIPATING CHIEF ELECTED OFFICIALS, MODIFICATIONS, AMENDMENTS, OR CHANGES, AND NOTICES**

Any modifications, amendments, or changes to this agreement shall be signed by the current Chairperson for Apache County Board of Supervisors, the Chairperson for Gila County Board of Supervisors and the Chairperson for the Navajo County Board of Supervisors. This agreement will remain in effect and is not impacted by any changes in Supervisors as a result of elections. Any and all notices in connection with this AGREEMENT shall be delivered in person or by U.S. Mail, postage prepaid, to the intended recipient at the following address:

Northeastern Arizona Local Workforce Development Board  
Attn: Executive Director  
180 N. 9<sup>th</sup> Street  
Show Low, AZ 85901

Apache County Board of Supervisors  
Chairman of the Board of Supervisors  
PO Box 428  
St. Johns, Arizona 85936

Navajo County Board of Supervisors  
Chairman of the Board of Supervisors  
PO Box 668  
Holbrook, Arizona 86025

Gila County Board of Supervisors  
Chairman of the Board of Supervisors  
1400 E Ash Street  
Globe, Arizona 85501

**XV. TERM/TERMINATION**

This agreement shall supersede the Intergovernmental Agreement signed and

**Intergovernmental Agreement  
Apache County, Gila County, and Navajo County  
Northeastern Arizona Local Workforce Development Area**

effective July 1, 2015. The effective date of this agreement is July 1, 2021 and it shall remain in effect until such times a County withdraws. A county may withdraw by giving at least 100 days' notice of withdrawal prior to the beginning of a new program year. Program years are July 1 through June 30. Upon notice of withdrawal, each county will be responsible for notifying the DES WIOA Section and Workforce Arizona Council and submitting a plan within 30 days outlining the assumption of programmatic and financial responsibilities. On the effective date of withdrawal, the LWDB shall cease to exist and Navajo County's authority as CEO, fiscal agent, and administrative entity shall end, except insofar as Navajo County may be required to act in order to wrap up the affairs of the LWDB.

**XVI. MAINTENANCE OF AGREEMENT**

This AGREEMENT and any modifications shall be maintained and available for monitoring at the Navajo County Administrative Entity office.

**XVII. COMMUNICATION**

LWDB meeting notices and minutes of meetings will be posted on the ARIZONA@WORK Northeastern Arizona website. Apache County, Gila County, and Navajo County Boards of Supervisors will be invited to a joint meeting with the LWDB annually wherein performance information and financial information will be shared.

**XVIII. REQUIRED SIGNATURES**

**Chairperson, Apache County Board of Supervisors:**

\_\_\_\_\_  
**Dr. Joe Shirley** **Date**

**Chairperson, Navajo County Board of Supervisors:**

\_\_\_\_\_  
**Daryl Seymore** **Date**

**Chairperson, Gila County Board of Supervisors:**

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**Intergovernmental Agreement  
Apache County, Gila County, and Navajo County  
Northeastern Arizona Local Workforce Development Area**

**Tim R. Humphrey**

**Date**

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**Steve Christensen, District I**  
610 E. Hwy 260, Payson, 85547  
(928) 474-7101  
[schristensen@gilacountyaz.gov](mailto:schristensen@gilacountyaz.gov)

**Tim R. Humphrey, District II**  
(928) 402-8753  
[thumphrey@gilacountyaz.gov](mailto:thumphrey@gilacountyaz.gov)

**Woody Cline, District III**  
(928) 402-4401  
[wcline@gilacountyaz.gov](mailto:wcline@gilacountyaz.gov)



**GILA COUNTY**  
**BOARD OF SUPERVISORS**  
1400 E. Ash Street  
Globe, Arizona 85501

**W. James Menlove**  
**County Manager**  
(928) 402-4257  
[jmenlove@gilacountyaz.gov](mailto:jmenlove@gilacountyaz.gov)

**Marian Sheppard,**  
**Clerk of the Board of Supervisors**  
(928) 402-8757  
[msheppard@gilacountyaz.gov](mailto:msheppard@gilacountyaz.gov)

March 18, 2022

Northeastern Arizona Local Workforce Development Area  
PO Box 668  
Holbrook, Arizona 86025  
Attention: Stephanie Ray

Re: Notice to Withdraw Participation in the IGA

Dear Ms. Ray,

On Friday, March 18, 2022, the decision was made by the Gila County Board of Supervisors to cancel the contract between our organizations. Per the cancellation clause in the Intergovernmental Agreement identified as "Apache County, Gila County, and Navajo County Northeastern Arizona Workforce Development Area", Section XV Termination, notice is hereby given that effective June 30, 2022. This letter serves as our 100 day written notice. Gila County will no longer be a party to this IGA or a member of this organization.

Regards,

Tim R Humphrey  
Chairman, Gila County Board of Supervisors

Cc: Navajo County Board of Supervisors  
Apache County Board of Supervisors