

**Contract Between High Country Council Of Governments
And The
High Country Workforce Development Board**

This agreement entered into as of this 28 day of June 2007, by and between the **Region D Council of Governments d/b/a High Country Council of Governments** (hereinafter referred to as the Council) and the **High Country Workforce Development Board** (hereinafter referred to as the **WDB**), witnesseth:

WHEREAS, the High Country Workforce Development Consortium, which consists of County Commissioners Chairs from each of the seven counties of; Alleghany, Ashe, Avery, Mitchell, Watauga, Wilkes and Yancey appoints members to the High Country Workforce Development Board in accordance to provisions of the Workforce Investment Act of 1998 WIA final Rule, 20 CFR, Part 652, et al. and State funded North Carolina Employment and Training Grant; and

WHEREAS the Consortium heretofore has designated the Council to act as its fiscal agent for purposes of the Workforce Investment Act;

Now, therefore, it is mutually agreed as follows:

The High Country Council of Governments, as Administrative Entity and Fiscal Agent, will:

- 1) Provide staff through its Workforce Development Department to assist the Workforce Development Board in implementing the provisions of the Workforce Investment Act of 1998, the NC Employment and Training Grant Program, and the provisions of pertinent federal regulations.
- 2) Provide financial management staff and general administrative staff to work under the oversight of the Workforce Development Board, such work to include the implementation and administration of contracts and disbursement of funds thereunder; the implementation of federal regulations, state policies, and Workforce Development Board decisions, including those calculated to prevent misuse of funds by sub-recipients; and the provision of oversight and administration calculated to eliminate program abuses by contractors and other recipients of funds.
- 3) Hold the Workforce Development Board and each of its officials harmless for alleged errors or omissions of the Council in the conduct of the Council's responsibilities.

The High Country Workforce Development Board will:

- 1) Act as an independent policy and governance Board on workforce development issues in accordance with the Workforce Investment Act of 1998, the High Country Workforce Development Consortium's Articles of Association and Agreement, the NC Commission on Workforce Development's Standards for High Performing Boards, and the Workforce Development Board's strategic plan;
- 2) Avoid conflicts of interest in accordance with the Workforce Investment Act of 1998 and the High Country Workforce Development Board By-laws;
- 3) Establish and provide for the implementation of the Workforce Development Strategic Plan and the Workforce Investment Act Local Area Plan through the action of the Board and its committees;
- 4) Delegate day-to-day oversight and responsibility to the High Country Council of Governments Workforce Development Department;
- 5) Hold the Council and its officials harmless for alleged errors or omissions of the Workforce Development Board in the conduct of the Workforce Development Board's responsibilities.

Each of the Boards has agreed to enter into this agreement and directed their authorized signatories to affix their signatures to this document. In witness whereof, the parties have affixed their signatures on the day and year as written.

High Country Council of Governments


by: Kenny Poter, Chairman

Date: 06/18/07

High Country Workforce Development Board


by: Doug Pratt, Chairman

Date: 6/23/2007

**Recruitment Addendum:
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Given that the Workforce Development Director employed by the High Country Council of Governments serves as the chief staff to the High Country Workforce Development Board, an independent policy-making body authorized under the federal Workforce Investment Act; and given that the High Country Council of Governments has been selected to serve as the administrative entity and fiscal agent on behalf of the High Country Workforce Development Board, it is agreed that it is to the mutual benefit of both parties to jointly participate in the selection and separation of the Workforce Development Director (hereinafter referred to as the Director).

To ensure that the individual selected for this position meets the needs of both the COG and the Workforce Development Board, the Board shall be represented by the WDB Chairman and/or designees, at the Chairman's discretion, in the following aspects of the hiring process:

- Identification of skills and attributes necessary for the position;
- Review of and input in description of key elements of job description;
- Participation in review of applications to select interviewees;
- Participation in candidate interviews;
- Joint review of finalists;
- Consultation upon completion of probationary period (or prior to, if necessary) to determine promotion to regular status.


At its discretion, the WDB may also conduct independent performance reviews of its chief staff, and will share the information contained in such reviews with the COG Executive Director.

In the event that either the COG or the WDB find the performance of the Director deficient, each will notify and consult with the other.

It is understood that the COG Executive Director and WDB Chair are the chief officers for their respective organizations, and as such, shall communicate with each other directly in matters pertaining to this document.

It is further understood that as the administrative entity, the High Country Council of Governments has ultimate decision-making authority in the selection and termination of staff in its employment.

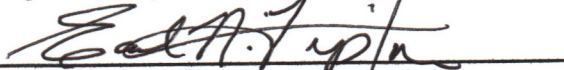
High Country Council of Governments



By: Rick Herndon, Executive Director

Date: 4-23-10

High Country Workforce Development Board



By Earl Tipton, Chairman

Date: 4-23-2010