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Workforce Development Board of Kanawha County

Annual Board Meeting August 22, 2023

Board Minutes

Present:

Aaron Alexander
Rachel Bowman
Carol Howerton
Sean Hill
Todd Jones
Dustin Vaughan
Chris Settles
Ellen Maxwell-Hoffman
Tim Morris
Jill Oliver
Greg Osbourne
Chanda Perry
Andy Richardson

Absent:

Commissioner Carper, CLEO
Paul Breedlove
Steve Collins
Travis Tarr
Derrick Thomas
Victoria Russo
Lee Roberts
Brett Matthews
Shane Wilson

Staff:

Derek Vance
Tamara Lee
Chelsea Meadows
Julie Norman
Michele Painter
Ray Walker
Nita Shafer
Makayla Pritt

Guests:

Two Citizens

Opening: Board Secretary, Aaron Alexander, called the meeting to order at 11:00 am. Derek did roll call of present members.

Approval of Minutes from May 25, 2023: Aaron asked if there were any questions or corrections for the minutes from the board meeting on 6/22/2023. Chris had one issue that he saw in the minutes at the end how they're laid out. It talks about how we went in during executive session in close of executive but then it has program year 23, fiscal year 24 budgets discussed during executive session and has a motion. How that reads, it makes it look like a motion was made during executive session and is now being reported. Chris said he thinks we need to clarify that so it doesn't cause any confusion if a year from now we have to look at those minutes or an outside entity looks at those minutes. It could look like that it was a motion made during executive session. Aaron said there were no motions or actions taken during executive session. Aaron spoke to Derek that some wordsmithing needed to be done to make the minutes clear that was a motion that was made outside of executive session.

Motion: Tim made a motion to approve the minutes. Andy seconded the motion. All were in favor, motion carried.



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Notation: Aaron wanted to make a note that the board will have an executive session to talk about whether to keep notes on those executive sessions or not, so those will be presented for approval at a later date. Aaron said we are not required to keep minutes of executive sessions, but it is something that needs to be weighed and have clarity of discussions this board has.

Finance Report: Michele reported that our audit is ongoing and going very smoothly. The auditors have asked for a lot of documentation, but Michele thinks that is fine for their first year of auditing the WDBKC. The auditors haven't expressed any concerns or problems so. Michele stated she usually works with the auditor 3 times a week. The audit completion is on schedule as of now for September 30th. The new SNAP E&T Grant has been awarded and starts October 1st. We have been awarded \$81,091. Michele must have the budget to DHHR by August 31st.

Executive Director's Report: Julie reported that the WDBKC has received a grant from Unicare in the amount of \$68,000, that will allow a year long minority youth academy. Julie spoke on the ARPA grant we received the help move into the Kanawha County American Job Center. There is a remaining balance of \$4,065 owed to the WDBKC, but the Kanawha County Commission will not be reimbursing for those expenditures. This raised concern to Julie that these expenses will become WIOA expenditures which is not allowed under WIOA. Chris wanted to update that the reimbursement was on the Kanawha County Commission agenda a week prior. Chris stated Commissioner Carper was for maintaining those expenditures and could keep the grant moving forward. Chris stated that one of the other commissioners said if they had to do it over again, they would not have approved the initial measure. Both other commissioner's stated don't anticipate approving anymore funds for this board until they've seen some dramatic changes. Aaron said I don't know where we go from here Julie, but I guess the question is we've got to pay some expenditures of \$4,065, coming from the ARPA grant, which we're not going to have, but what we need now is a plan with regard to those expenditures and where they can be placed in the budget without creating addition problems for us. Julie continued her report that her job comes with a lot of responsibility with regard to grants, executing the desires of the board, compliance, performance goals, and serving thousands of people in Kanawha County. Julie said she can say confidently say that she has tried to fulfill these responsibilities to the best of her ability. The weight of the responsibilities placed on this board and the CLEO is also considerable as outlined in the law and its thousands of pages of regulations. Julie said she has tried real hard to understand and implement those regs, but it's been a tumultuous path compounded by the leadership dynamics of too many chiefs. We've got this board, we've got the CLEO, we've got the state board, we've got Workforce WV, resiliency office, Governor's office, and DOL. I was offered this job two and a half years ago because I have 30 years' experience as a leader in workforce development. An offer was made in good faith but without legal counsel and without any foresight of any potential complications. I accepted the job offer and moved from South Carolina back to West Virginia with a vision that would involve challenging the status quo, and apparently that stirred some discomfort and the path that unfolded took unexpected turns. The disallowed cost that were sighted by the state in a routing monitoring with the result of an oversight predating my arrival that could have been prevented if more vigilance by more responsible parties at all levels.

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The demand for reimbursement of these costs have since then have been retracted. Despite challenges of public scrutiny my commitment has never wavered, and we have achieved remarkable progress in transforming this organization. Our one-stop has become a model for others. It's the premiere AJC in the state. We are serving hundreds here every month, forging vital partnerships, and it's all because of hard work of a dedicated team, and we are applauded far beyond these walls. Amid these achievements, however, I have faced internal and external challenges that have tested my resolve. The public humiliation, personal attacks, degradation, loss of trust, and the financial impact of an unexplained salary reduction inflicted upon me has taken its toll. For several months, beginning in February, I have been intimidated, interrogated, humiliated, accused, disparaged, disrespected, berated, and defamed publicly, which caused damage to my professional reputation as well as my credibility and authority with my own staff resulting in organizational turmoil. I've also been hurt financially by individuals influencing this board and state board members which resulted in a severe reduction of my salary, the basis of which had zero merit and accomplished nothing. Add to that the disfunction rooted in a convoluted bureaucracy that has overshadowed our achievements and hindered progress. It was the reason I left Workforce WV 16 years ago and once again, I have no choice but to resign one year before full retirement. My decision to step down is not a reflection of my passion or dedication to workforce development, rather it's an acknowledgement of the toll this job has taken on my mental, emotional, and financial health. The role has evolved into a nightmare I could not have anticipated. You cannot bully people. You can't renege on agreements. You can't abuse authority. You can't develop policies on a whim. You can't just take 30% of someone's salary without reason when the law allows a salary 2.5 times higher than what I've been reduced to. It's disheartening to leave an organization I've worked tirelessly for especially when the potential for impact is so significant. I've been a dedicated public servant for 37 years and the last two, I've worked 60-70 hour weeks to secure grants and to insure our continuity of service and keeping people employed. No one did that before me. Nobody is going to do it after because the cost benefit analysis here just doesn't work. That's why I've accepted another position that aligns with my values and compensates me fairly for my skills and expertise. Beginning September 1, I will embark on a new chapter with a VP title of a national organization leading a team from the comfort of my home, traveling monthly to forbidden locations like Vegas, New Orleans, and sunny California with no board, no politicians, unlimited time off, AMEX card, and a significantly higher salary than what I am paid that many think I deserve. In closing, I want to emphasize that my decision is not about the salary alone. It's about my commitment to a role that reflects my worth. It's important to your decisions and actions have on the dedication and motivation of individuals and this job has crushed my soul. I thank you for the opportunity and the lessons and the support of those who recognize and appreciated my efforts and I wish this organization success going forward but my focus now turns to ensuring a smooth transition before my departure on August 31st.

Chris wanted the record to reflect that the disallowed cost Julie mentioned in her report has not been retracted and is still very well out there. If we do not meet the requirements Workforce WV

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has outlined the disallowed costs will go full force into effect.

Motion: Andy made a motion to accept Julie's resignation. Chris seconded the motion. All were in favor, motion carried.

Executive Committee Report: Aaron stated the Executive Committee met and discussed most of the items on the agenda for this board meeting. Aaron opened it up to questions and there was none.

Policy Committee Report: Ellen stated that Chris and Rachel were instrumental in working with the committee and Angela Johnson from the state office supported the committee. Ellen said the committee came up with an executive director compensation policy that acknowledges the statutory requirements both federally and the policy adopted by the state. Ellen stated the committee asked for an extension from Workforce WV for the Corrective Action Plan to get board approval of the executive director's compensation policy. Ellen stated they eliminated bonuses and instead utilized the statutory terminology of incentives as allowed by the federal regulation. This new policy also proposed that the executive committee make a recommendation as to what the compensation would be after informing the board as to the methodology that they utilized in coming to the compensation amount. Aaron asked if there is a motion to accept the policy. Derek stated he wasn't aware of a policy to be discussed. Ellen said she didn't send the policy to the full board but sent it to the working group, the committee, and the executive board. Aaron said there are two concerns. One is people voting on something without seeing it. Two, not voting on it and having it as an outstanding item with regard to our requirements under the state. Ellen and Aaron made the recommendation to have a special meeting to get the executive director's compensation policy approved.

Update on staff performance evaluations, resignations, and modifications of duties: Aaron said he would move this to the end of the meeting. Aaron stated that Julie had gone through and changed job descriptions and asked Julie to go over those. Julie said in part of the annual performance evaluation and in light of resignations of the performance coordinator and office coordinator, as part of the performance evaluation of the rest of the staff, we went through item by item of that individual's job description and determined whether something was still applicable and discussed what items of those two resigning individuals could be absorbed by existing staff. In agreement with the remaining staff, we revised the job descriptions. For example, Courtney handled board matters, it's now Derek. Summer handled performance related issues that will be with Michele. Tamara has previously handled the eligible training provider list and she will do that as well as the monitoring. Nita will take over some procurement that Courtney did and will be the EO Officer.

Update on the Corrective Action Plan received on June 7, 2023: Aaron said we've discussed that but beyond the two items discusses, he asked if we've met everything else? Aaron asked if there are any additional questions or concerns. There were none.

Update on the LWDB Director's Association MOU: Andy wanted to make a suggestion, in the form of a motion. Andy made a motion to defer the Update on the LWDB Director's Association MOU, Discussion of re-establishing a LEO Board, Discussion of re-establishing a Youth Committee, and Discussion of potential Bylaws Modifications to the regular scheduled board meeting on



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October 17th. Aaron asked if there were any other questions.

Motion: All board members were in favor, motion carried.

PY23 MOUs with AJC Partners requiring signatures: Julie stated we have a good many signatures from partners but require signatures from the CLEO and the board chair. Julie said we have hard copies for Aaron to sign, then we will send them off to Mr. Carper for digital signature. Aaron asked Julie if we have met the requirements of our required one-stop partners with regard to the one-stop. Julie said, yes, we have met all the requirements of that certification which is another document for Aaron to sign. Aaron stated we have four partners that have not signed the MOU and those are, Workforce WV, DHHR, Job Corps, and Adult Education. Chanda wanted to update that the Adult Education MOU is with their executive director and should be coming in soon. Aaron asked if we have received refusals from anyone, and Julie answered no. Aaron asked Derek to make a note in the minutes of those who has not signed their MOU and the statement Chanda made about the Adult Education MOU. Aaron asked if there was any objection to continuing to monitor and work with our partners to get the MOUs completed. No one objected.

Discussion of re-establishing a LEO Board: Rescheduled to October 17th due to a prior motion made by Andy.

Discussion of re-establishing a Youth Committee: Rescheduled to October 17th due to a prior motion made by Andy.

Appointment of two new Executive Committee Members: Julie said we need to have a minimum of 7 on the Executive Committee and missing one person from labor and one person from business. Aaron said he needed to reach out to board members to fill these positions. Aaron asked if there were any questions from the board. No questions were asked.

One-Stop Certification for approval and signature: Aaron said in the packets, board members were provided a copy of certification for one-stop. Aaron asked how often these need to be completed and who prepares the one-stop certification. Julie answered, every year for how often and Michael Austin, the One-Stop Coordinator prepares the one-stop certification. Aaron asked if Julie had reviewed the certification and found everything correct. Julie answered yes. Ellen said on the very first item under Attachment: Administration and Funding of One-Stop is a Memorandum of Understanding that has been developed and agreed upon by one-stop partners as outlined in WIOA 121c. Ellen said we would need to look at that provision, but in any event, we don't have a Memorandum of Understanding agreed upon because it hasn't been signed by all the partners. Julie said she's not sure if anyone doesn't agree, but just hasn't signed the document. Aaron made a suggestion to the board if there is no concern on the certification other than the four missing signatures, if the board is comfortable voting on the certification pending the four signatures coming in. Andy said he was comfortable with that and would make that motion. Ellen stated she wasn't sure what WIOA 121c is and could make a difference to her vote. Aaron said the board could look at 121c. Chris read what 121c is. Chris said there was one thing this board hasn't done and hasn't gotten agreement with the CLEO. Aaron said let's get the review from the CLEO and table the certification for the special meeting. Derek asked Aaron who he would like to send the MOU for CLEO review and Aaron asked Derek to send that to Chris Settles. Aaron asked if there were any other questions or discussions. No one has questions or anything

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for discussion.

Discussion of potential Bylaws Modifications that may be necessary for compliance (LEO Board, Roles of Committees, and Authority of Executive Director: Rescheduled to October 17th due to a prior motion made by Andy.

Discussion of Salary Allocations among Grants: Aaron said this was an issue dealing with the executive director, but since the executive director resigned, this issue would be taken off the agenda.

Move into Executive Session to Discuss Personnel Matter: Aaron looked to seek a motion to move into Executive Session.

Motion: Andy made a motion to move into Executive Session. Tim seconded the motion. All were in favor, motion carried.

The meeting was adjourned at 12:23 p.m.

Respectfully Submitted by: Derek Vance
Community Outreach/Office Manager 09/14/2023