



Buffalo County Resolution

Drafted by:
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County Department:
Administration

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RESOLUTION #26-01-02

A RESOLUTION FOR APPROVAL OF "CHIEF ELECTED OFFICIALS CONSORTIUM AGREEMENT OF THE WESTERN WISCONSIN WORKFORCE DEVELOPMENT AREA"

WHEREAS, pursuant to the federal Workforce Innovations and Opportunities Act (WIOA), federal funds are provided to states to provide job skills education and training and to help individuals find employment; and

WHEREAS, Wisconsin receives such funds through 11 Workforce Development Areas, and Buffalo County is in Workforce Development Area (WDA) 9 with seven other counties; and

WHEREAS, the federal WIOA requires that each region create a consortium formed by the counties contained within each region and that each consortium establish certain operating procedures, duties and responsibilities; and

WHEREAS, the consortium is required to appoint and oversee a Workforce Development Board (which oversees job centers and employment and training programs, etc.) and be responsible for program planning and oversight, including financial oversight; and

WHEREAS, the last consortium agreement was approved by the counties in 2015; and

WHEREAS, the State of Wisconsin Department of Workforce Development is requiring a review/update of all governance documents in Workforce Development Area 9; and

WHEREAS, the attached agreement forms the Western Wisconsin Counties Consortium (WWCC) and contains the operating procedures, duties and responsibilities of the WWCC.

NOW, THEREFORE, BE IT RESOLVED that the Buffalo County Board of Supervisors hereby authorizes the county's WWCC board appointee to sign the attached "Chief Elected Officials Consortium Agreement of the Western Wisconsin Workforce Development Area."



Buffalo County Resolution

Dated this 26th day of January, 2026.

A handwritten signature in cursive script, appearing to read "Lisa Schmitt", is written over a horizontal line.

Lisa Schmitt, County Clerk

ATTEST:

A handwritten signature in cursive script, appearing to read "Dennis Bork", is written over a horizontal line.

Dennis Bork, County Board Chairperson

**CHIEF ELECTED OFFICIALS CONSORTIUM AGREEMENT
of the
WESTERN WISCONSIN WORKFORCE DEVELOPMENT AREA**

under the
WORKFORCE INNOVATION AND OPPORTUNITY ACT (P.L. 113-128)

THIS AGREEMENT, made and entered into as of the ____ day of _____
by and between the counties of Buffalo, Crawford, Jackson, Juneau, La Crosse, Monroe,
Trempealeau and Vernon in the State of Wisconsin (hereinafter, the "Counties") and supersedes
and replaces any and all prior consortium agreements or charters between or among the Counties
related to the implementation of the Workforce Investment Act and/or its successor, the
Workforce Innovation and Opportunity Act.

WITNESSETH:

WHEREAS, the County Board of Supervisors of the aforementioned Counties did previously
adopt resolutions authorizing the County Board Chairperson to sign a Consortium Agreement
creating the Western Wisconsin Counties Consortium under Wis. Stat. 66.0301 in order to
administer the provisions of Public Law 105-220, the federal Workforce Investment Act; and

WHEREAS, the County Board of Supervisors of each of the aforementioned Counties has
adopted a resolution authorizing the County Board Chairperson or their designee to sign this
"Consortium Agreement of the Western Wisconsin Workforce Development Area" under the
Workforce Investment Act; and

WHEREAS, the Workforce Innovation and Opportunity Act (Public Law 113-128) was enacted
by Congress in replacement of the Workforce Investment Act.

NOW, THEREFORE, in consideration of the above premises and the mutual covenants of the
parties hereinafter set forth, the receipt and sufficiency of which each party acknowledges, the
Counties do hereby agree to the following:

AGREEMENT:

Section 1: That the Counties of Buffalo, Crawford, Jackson, Juneau, La Crosse, Monroe,
Trempealeau and Vernon, under the authority granted by Wis. Stat. 66.0301, do
hereby constitute themselves to be a consortium for the purposes of jointly
implementing and exercising their powers and duties under the Workforce
Innovation and Opportunity Act of 2014, 29 U.S.C. Chapter 32; Public Law 113-
128 (the "WIOA").

- Section 2: The chief local elected officials (the Chairperson of the County Board of Supervisors) or the designees of said officials of the Counties in Section 1 shall constitute the Workforce Development Area Consortium of Commissioners (hereinafter, the "Consortium") which shall appoint the Workforce Development Board under the Workforce Innovation and Opportunities Act, Section 29 U.S.C. Chapter 32 and perform such other duties as outlined in Appendix A.
- Section 3: The Consortium shall elect from its membership a Chairperson, a Vice Chairperson, and such other officers as may be provided in the bylaws. Vacancies shall be filled by election for the remainder of the unexpired term. The Chairperson shall appoint a staff person of either one of the consortium member counties or the administrative entity to serve as consortium clerk.
- Section 4: The Chairperson of the Consortium shall serve as Chief Elected Official ("CEO") of the Consortium. This person shall have signatory authority and authority to speak for the Consortium in all matters regarding the WIOA, and shall perform the duties of the CEO identified in Appendix A. The term of this designation shall be stated in the bylaws.
- Section 5: Robert's Rules of Order, Newly Revised, shall govern the procedures of the Consortium insofar as they do not conflict with applicable law or administrative rules or bylaws duly adopted by the Consortium.
- Section 6: The Consortium may adopt operational and procedural bylaws consistent with this Consortium Agreement, applicable federal and state laws, and rules or regulations pursuant thereto, including bylaws with respect to the procedure for the selection of Workforce Development Board members. Bylaws or amendments thereto may be adopted by the affirmative vote of 2/3 of the entire membership of the Consortium at any regular meeting called for that purpose, provided that written copies thereof are delivered to each member 15 days prior to consideration.
- Section 7: The Consortium shall appoint the Workforce Development Board of the area. In accordance with the requirements established by the Governor and the criteria established under 29 U.S.C. § 3122(b), the Consortium appoints the members of the local board from the individuals nominated or recommended to be such members according to 29 U.S.C. § 3122(c)(1)(B).
- Section 8: The Consortium shall execute an agreement with the Workforce Development Board requiring the performance of the functions of a "local board" under 29 U.S.C. § 3122(d) (WIOA Section 107(d)), and shall in partnership with the Workforce Development Board, develop and submit Local Plans to the Governor that meet the requirements of 29 U.S.C. § 3123 (WIOA Section 108).
- Section 9: The Consortium shall perform all functions for local elected officials as contained in Public Law 113-128, the Workforce Innovation and Opportunities Act (see Appendix A).

- Section 10: The Consortium is the grant recipient of the WIOA funds and is liable for any misuse of the grant funds allocated to the local area under 29 U.S.C. §§ 3122(d)(12)(B)(i)(I) and (II) (WIOA Section 107(d)(12)(B)(i)(I) and (II)) unless the chief elected official reaches an agreement with the Governor to bear such liability. The Consortium shall require any administrative entity, local grant subrecipient and local fiscal agent to provide reasonable protection against liability claims by: requiring directors, officers, and CEOs be covered by errors and omissions insurance; ensuring that any administrative entity, including any fiscal agent, maintains appropriate internal controls over the use of grant funds; utilizing language in subcontracts regarding disallowed costs; and conducting routine annual independent audits.
- Section 11: In the case of any misuse (disallowances) of grant funds allocated to the local area, the Consortium agrees, in accordance with 20 C.F.R. 683.710(b)(2), to allocate liability to all members of the consortium proportionally based on each county's relative share of population.
- Section 12: This Consortium Agreement shall be effective when executed by the Local Elected Official of each County, following approval and authorization by each respective County Board of Supervisors thereof, and shall thereupon act to repeal and supersede any and all prior written or oral consortium agreements. Amendments to this Consortium Agreement may be adopted with the concurrence of the Board of Supervisors of each county party hereto.
- Section 13: The Consortium may be dissolved and this agreement may be rescinded only with the consent of all the Boards of Supervisors of the counties party hereto and the Governor.

Signature Page

APPENDIX A

Provisions on Chief Elected Official (CEO – aka LEO) Consortium Powers and Duties

- A. In cases where more than one unit of local government exists within a local area, the chief elected officials of such units may execute an agreement to describe their responsibilities for carrying out roles and responsibilities, including financial liability. Such agreement shall determine which official shall serve as the lead for the consortium, and therefore be the designated CEO for the local WDB.
- B. Designation and Membership of the Local Area Board
 - 1. The CEO is required to submit a request for initial designation of a workforce development area and consult with the Governor on the initial designation or redesignation of Workforce Development Area (29 U.S.C. §§ 3121(b)(2) and 3121(b)(1)(A)(ii); WIOA Section 106(b)(1)(A)(II) and (b)(2)).
 - 2. In accordance with the requirements established by the Governor, the criteria established under 29 U.S.C. § 3122(b), and the Consortium Agreement, the CEO shall facilitate appointments of the members of the local board from the individuals nominated or recommended to be such members (29 U.S.C. § 3122(c)(1)(B); WIOA Section 107(c)(1)(B)(i)(I)).
 - a. The CEO for each local WDB must establish bylaws, consistent with State policy that, at minimum, address the following:
 - i. The nomination process used by the CEO to elect non-DWD-appointed Local WDB members.
 - ii. The length of terms for local non-DWD-appointed WDB members, and the process by which term end dates will be staggered to ensure only a reasonable portion of the members' terms expire during any given year.
 - iii. The process by which the CEO will be notified of a vacancy on the local workforce development board to ensure prompt nomination for and filling of the position.
 - iv. The process that will be used when a board member is unable to attend a meeting and assigns a designee per the requirements at 679.110(d)(4).
 - v. The use of technology, such as phone and web-based meetings, to promote board member participation.
 - vi. The process to ensure workforce development board members actively participate in convening the workforce development system's stakeholders, brokering relationships with a diverse range of employers, and leveraging support for workforce development activities.
 - vii. A description of any other conditions governing appointment or membership on the local workforce development board as deemed appropriate by the CEO.

C. Local and Regional Planning

1. Work with the local workforce development board to develop and submit to the Governor a comprehensive four-year local plan that is consistent with the State plan and meets the requirements of 29 U.S.C. § 3123 (29 U.S.C. §§ 3122(d)(1) and 3123; WIOA Sections 107(d)(1) and 108).
2. Consult with the State to identify regions, consistent with the considerations described in 29 U.S.C. §§ 3121(a)(1) and (b)(1)(B); WIOA Sections 106(a)(1) and (b)(1)(B).
3. Engage in a regional planning process and prepare, submit, and obtain approval of a single regional plan consistent with the requirements in 29 U.S.C. § 3121(c); WIOA Section 106(c).

D. Budget and Grant Administration Responsibilities

1. Use funds available as described in 29 U.S.C. § 3163(b)(4) [WIOA Section 128(b)(4)] and use non-federal funds available to the local area that the CEO and local board determine are appropriate and available for that use (29 U.S.C. § 3131(b); WIOA Section 111(b)).
2. Review and approve the local workforce development board's budget for the activities of the local workforce development board (29 U.S.C. § 3122(d)(12)(A); WIOA Section 107(d)(12)(A)).
3. Serve as a local grant recipient or designate an entity to serve as the local grant subrecipient or a local fiscal agent (29 U.S.C. § 3122(d)(12)(B); WIOA Section 107(d)(12)(B)).
4. In cooperation with the local workforce development board, the CEO as local grant recipient (or the local grant subrecipient designated by the CEO) shall disburse funds for WIOA activities at the direction of the local board pursuant to the requirements of 29 U.S.C. Chapter 32, subchapter II (29 U.S.C. § 3122(d)(12)(B)(i)(III); WIOA Section 107(d)(12)(B)(i)(I)).

E. Program Oversight

1. Work with the local workforce development board to conduct oversight with respect to local programs of youth activities authorized under 29 U.S.C. § 3164(c) (WIOA Section 129(c)), local employment and training activities authorized under 29 U.S.C. §§ 3174(c) and (d) (WIOA Section 134(c)), and the one-stop delivery system in the local area under 29 U.S.C. § 3151 (WIOA Section 121); ensure the appropriate use and management of the WIOA funds provided for these activities and one-stop delivery system; and for workforce development activities, ensure the appropriate use, management, and investment of funds to maximize performance outcomes under 29 U.S.C. §§ 3141 and 3122(d)(8) [WIOA Sections 116 and 107(d)(8)].
2. Consistent with 29 U.S.C. § 3151(d) (WIOA Section 121(d)), in cooperation with the local workforce development board, competitively designate or certify One-Stop Operators, as described in 29 U.S.C. § 3151(d)(2)(A) or terminate for cause for

eligibility of such operators (29 U.S.C. § 3122(d)(10)(A); WIOA Section 107(d)(10)(A)).

3. Review and approve a memorandum of understanding (MOU) between the local workforce development board and the One-Stop partners, relating to the operation of the One-Stop delivery system in the local area, consistent with the requirements in 29 U.S.C. §§ 3151(c)(1) and (2) [WIOA Sections 121(c)(1) and (2)].
4. In agreement with the local workforce development board, conduct oversight of the One-Stop delivery system (29 U.S.C. § 3151(a)(3); WIOA Section 121(a)(3)) and consult with the State as it establishes objective criteria and procedures used to evaluate the operation of the One-Stop center as described in 29 U.S.C. § 3151(g) [WIOA Section 121(g)].
5. Consult with the local workforce development board, the One-Stop Operator, and the One-Stop partners regarding funding of the One-Stop infrastructure as described in 29 U.S.C. § 3151(h) [WIOA Section 121(h)].
6. Consult with the Governor as they establish guidance for infrastructure One-Stop funding (29 U.S.C. § 3151(h)(1)(B); WIOA Section 121(h)(1)(B)) and determine funding as described in 29 U.S.C. § 3151(h)(2)(C) [WIOA Section 121(h)(2)(C)].
7. Consult with the Governor as they determine funding allocations for youth activities and statewide workforce investment activities under 29 U.S.C. §§ 3162(b)(1)(C) and 3163(b) [WIOA Sections 127(b)(1)(C) and 128(b)].
8. Consult with the Governor as they determine funding allocations for adult employment and training activities and statewide workforce investment activities under 29 U.S.C. §§ 3172(b)(1)(B) and 3173(b) [WIOA Sections 132(b)(1)(B) and 133(b)].

F. Performance Measurements

1. Work with the local workforce development board and the Governor to negotiate and reach agreement on local performance measures (29 U.S.C. § 3122(d)(9); WIOA Section 107(d)(9)).
2. Determine whether to appeal a gubernatorial reorganization determination made under 29 U.S.C. § 3141(g)(A) to the Governor under 29 U.S.C. § 3141(g)(2)(B)(i) and to the Secretary of the U.S. Department of Labor under 29 U.S.C. § 3141(g)(2)(B)(ii) [WIOA Section 116(g)(2)].