

# NORTHEASTERN WORKFORCE DEVELOPMENT BOARD

26 FRANKLIN STREET, P.O.BOX 737  
BANGOR, ME 04402-0737  
207-992-0770

---

## CHIEF ELECTED OFFICIALS (CEO) BYLAWS

### ARTICLE I NAME OF THE BOARD

**SECTION 1. Chief elected official:** The term “chief elected official” means - the chief elected executive officer of a unit of general local government in a local area; and in a case in which a local area includes more than 1 unit of general local government, the individuals designated under the agreement described in WIOA section **107(c)(1)(B)**.

**SECTION 2. Name:** The name of the board shall be **Northeastern Workforce Development Board’s Chief Elected Officials Board** (hereinafter referred to as the “CEO Board”)

### ARTICLE II PURPOSE

**SECTION 1.** The CEO Board is established on this 17<sup>th</sup> day of December in 2018 to work in partnership with the Northeastern Workforce Development Board to develop and prepare workforce development programming in the counties of Aroostook, Hancock, Penobscot, Piscataquis and Washington Counties in Maine.

**SECTION 2.** The CEO Board hereby establishes bylaws, consistent with State of Maine’s Workforce Board policies that help improve operations of the Northeastern Workforce Development Board. Formed under the auspices of the Workforce Innovation and Opportunity Act of 2014 the CEO Board will comply and implement all requirements of the Act. The CEO Board will assure that all local workforce programs under the WIOA Act create a workforce development system enviable across the Nation.

**SECTION 3. Role of the CEO Board**

- a) Participate as a member of the State Board if appointed **101(b)(1)(C)(iii)(bb)**
- b) Appoint members to the Local Board according to requirements identified by the SWB on behalf of the Governor **109(b)(1) & 107(c)(1)**

- c) Execute an agreement with other CEOs in the Local Area or Region regarding the roles of individual CEOs in the appointment of Local Board Members and or other responsibilities assigned to CEOs under WIOA **107(c)(1)(B)(i)**
- d) Approve budget developed by the Local Board **107(d)(12)(A)**
- e) Serve as the local grant recipient for, and individual counties will be liable for any misuse of, the grant funds allocated to a local area under sections 128 and 133, unless the CEOs have reached an agreement with the Governor to act as grant recipient and bear such liability **107(d)(12)(B)(i)(I)**
- f) Designate an entity to serve as a local grant sub recipient or fiscal agent for the purpose of disbursing such funds. Such designation shall not relieve the CEO of the liability for any misuse of grant funds. **107(d)(B)(i)(II) and 108(b)(15)**
- g) Comply with applicable uniform cost principles of the OMB **184(a)(2)(A) and (3)(A)**

### **ARTICLE III CEO NOMINATION AND SELECTION PROCESS**

**SECTION 1.** The CEO members are representative of five different counties, Aroostook, Hancock, Penobscot, Piscataquis and Washington. One member for each county. Each of the counties listed above has three County Commissioners.

In each separate county the three County Commissioners serving that county will vote amongst themselves to select the Chief Elected Officials (CEO), who will serve on the CEO Board.

**SECTION 2.** All members of the CEO Board shall serve with no limit to the number of terms and will be at the discretion of the County Commissioners in each of the five counties of Aroostook, Hancock, Penobscot, Piscataquis and Washington.

**SECTION 3.** In the case that a CEO member is unable to attend a meeting where their vote is required, the CEO member can submit their vote in writing. The CEO member may also send an individual as proxy to vote in their place. The proxy will be required to submit a letter signed by the absent CEO member permitting them to vote.

### **ARTICLE IV CEO OFFICERS**

**SECTION 1.** The CEO Board will elect two officers of the Board: The Chair and the Vice-Chair. The Vice Chair will assume the duties of the Chair in the Chairperson's absence.

The Chairperson and Vice Chair will be elected annually at the first meeting of the Board following July 1 or when vacancies happen. The term of office is for two years, although the positions may be extended if the CEO Board approves.

**ARTICLE V**  
**DESIGN OF THE NORTHEASTERN WORKFORCE DEVELOPMENT BOARD IN**  
**ACCORDANCE WITH THE FEDERAL WORKFORCE INNOVATION AND**  
**OPPORTUNITY ACT OF 2014**

**SECTION 1.** The CEO Board will ensure that the five-county workforce development board shall be composed of members (hereinafter referred to as the Member) broadly representative of the business (**The WIOA requires that business members (employers) be those that provide employment opportunities in in-demand industry sectors or occupations.**), economic, social, political, cultural and governmental sectors of the five county areas.

**SECTION 2.** The five-county area is composed of Aroostook, Hancock, Penobscot, Piscataquis and Washington Counties. The members are recruited from this area and are known as the Northeastern Workforce Development Board.

**SECTION 3.** The NWDB shall have representation from each county and shall be made up of combination of at least 51% business (local employers) member representation and at least 20% of WIOA partner's member representation.

- a. The CEO Board will ensure that the local employer member representation be equitably from each of the five counties (Aroostook, Hancock, Penobscot, Piscataquis and Washington) with key industry clusters or economic sectors, both critical and emerging, and an appropriate mix of small (25 or fewer employees), medium (26 to 100 employees) and large (101 or more employees) firms adequately representing, to the extent possible, urban, suburban and rural interests.
- b. Local employer representatives will be comprised of owners of local area businesses, chief executives or operating officers of businesses, and other business executives or employers with optimum policy making or hiring authority.

**ARTICLE VI**  
**VOTING PROCESS**

**SECTION 1. Voting -**

- a. CEO members present at any Northeastern Workforce Development Board (NWDB) meeting or NWDB committee meetings are not eligible for voting.
- b. Telephone, video conference, or other means of real-time electronic communications may be used to attend and vote at any CEO Board meeting.
- c. CEO Board members may give the right of written proxy to the Chairperson to vote in their absence. Vote by written proxy must indicate the member's decision on specific issues. Said right must be made in written word (or e-mail) from the Chair of the Board.

**SECTION 2. Quorum** - A quorum is required for binding votes of the CEO Board. A quorum will exist when at least three of the CEOs are able to cast a vote. In the case of a critical issue requiring an immediate action the CEO board may hold a conference call to discuss the issue at hand and if a quorum exists the CEO Chair will ask all CEO members for their votes on the specific issue. Information discussed during a conference call will be posted in the meeting minutes.

## **ARTICLE VII CEO BOARD MEETINGS**

**SECTION 1. Sunshine Provision** - The CEO Board shall make available to the public, on a regular basis through open meetings, information regarding the activities of the Board, including information regarding the local plan prior to submission of the plan, and regarding membership, the designation and certification of operators consistent with the State Plan, and the award of grants or contracts to eligible providers of youth activities, and on request, minutes of formal meetings of the Board.

**SECTION 1.1** In order to comply with the Sunshine Provision, each CEO Board member is authorized to take official action and engage in deliberations only at meetings open to the public. "Official action" includes making recommendations, establishing policy, making decisions, and/or voting on matters of CEO Board business. "Deliberations" are discussions of Board business necessary in order to reach decisions

**SECTION 2. Public Notice** - "Public notice" means the publication of the place, date and time of all CEO board meetings as well a listing of prescheduled annual meetings. Public notice must be given of the Board's first regular meeting of each calendar or fiscal year not less than five (5) days before the meeting, and at the time give public notice of the anticipated schedule of the Board's remaining regular meetings through the year. All meetings will be posted on the NWDB website. The CEO Board must also give public notice at least 24 hours in advance of any special meeting or rescheduled regular meeting. No public notice need be given of an emergency meeting called to deal with a real or potential emergency involving a clear and present danger to life or property.

**SECTION 2.1** The CEO Board also must, upon request, supply copies of a public meeting notice to any interested newspaper, radio or television station, and to any interested parties who provide the Board with a stamped, self-addressed envelope prior to the meeting.

**SECTION 2.2** Written minutes of all public meeting, members present, the substance of all official actions, a record of roll call votes, and the names of any citizens who appeared and gave testimony must be kept.

**SECTION 2.3** The CEO Board must ensure that votes of Board members be publicly cast and in the case of roll call votes, recorded.

**SECTION 3. Executive Sessions** - Executive sessions shall be closed to the public. An executive session may be held during or after an open meeting or may be announced for a future time. If any executive session is not announced for a specific time, Board members must be notified 24 hours in advanced of the date, time location and purpose of the executive session.

The reason for holding an executive session must be announced at the open meeting either immediately prior or subsequent to the executive session. Official action on any matter discussed at an executive session must be taken at an open meeting.

**SECTION 3.2** The CEO Board may hold a closed executive session to discuss the employment, termination, terms and conditions of employment, evaluation, promotion or disciplining of past, present or prospective Board employees (any such employee may request that discussion of such matters pertaining to him or her be held at a public meeting).

**SECTION 3.3** The CEO Board may hold a closed Executive session to discuss collective bargaining, labor relations or arbitration.

**SECTION 3.4** The CEO Board may hold a closed Executive session to discuss the purchase or lease of real property up to the time an option or agreement to purchase or lease is obtained.

**SECTION 3.5** The CEO Board may hold a closed Executive session to either present or anticipated litigation (discussion with the Board attorneys).

**SECTION 3.6** The CEO Board may hold a closed Executive session to discuss Board business which is lawfully privileged or confidential, including the conduct of an investigation of violations of the Workforce Innovation Opportunity Act.

In witness thereof, the parties have executed this agreement this December 17, 2018.

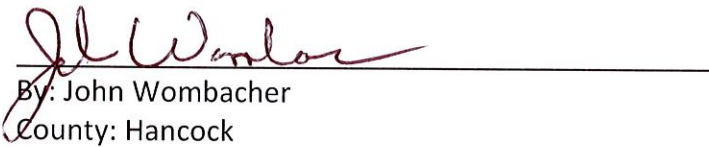
**Chief Elected Officials of Aroostook, Hancock, Penobscot, Piscataquis and Washington Counties**



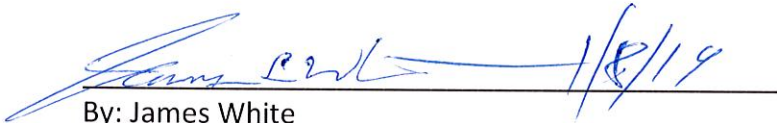
By: Peter Baldacci  
County: Penobscot



By: Paul Underwood  
County: Aroostook



By: John Wombacher  
County: Hancock



By: James White  
County: Piscataquis



By: Vinton Cassidy Christopher Gardner  
County: Washington