AMENDMENT NO. 1
TO
WORKFORCE INVESTMENT AREA III
CHIEF LOCAL ELECTED OFFICIALS

This Amendment No. 1 to the Workforce Investment Area III Chief Local Elected Officials Charter Agreement is made this 11 day of August, 2015, by and among City of Covington, the City of Roanoke, the City of Salem, and the County of Alleghany, the County of Botetourt, the County of Craig, the County of Franklin, and the County of Roanoke (the "Member Jurisdictions").

RECITALS

A.   The Member Jurisdictions, via action through their respective mayors and chairmen of the board of supervisors, formed the Workforce Investment Area III Chief Local Elected Officials Consortium (the "Consortium") by the execution of the Workforce Investment Area III Chief Local Elected Officials Charter Agreement dated July 21, 2003 (the "Charter Agreement").

B.   Pursuant to the terms of the Charter Agreement, the Consortium agreed to work cooperatively to promote programs to support employment opportunities within Workforce Development Area III, as designated by the Commonwealth of Virginia ("Area III"), in a manner consistent with the provisions of the Workforce Investment Act, 29 U.S.C. §§ 2801, et seq. ("WIA") and the rules and regulations promulgated by the United States Department of Labor (the "Department").

C.   In July 2014, the United States Congress enacted the Workforce Innovation and Opportunity Act, 29 U.S.C. §§ 3101, et seq. ("WIOA") that repealed and replaced WIA.

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D.   Pursuant to Section 13 of the Charter Agreement, the Member Jurisdictions may amend the Charter Agreement with the authorization and concurrence of the governing bodies of each of the Member Jurisdictions.

E.   The Member Jurisdictions have the authority to enter into joint agreements pursuant to Section 15.2-1300, Code of Virginia (1950), as amended, and the Charter Agreement constitutes an agreement for the joint exercise of powers by participating political subdivisions of the Commonwealth of Virginia.

F.   Based upon a review of the Charter Agreement, and the recent enactment of WIOA, the Member Jurisdictions desire to amend the Charter Agreement in accordance with this Amendment No. 1 to Workforce Investment Area III Chief Local Elected Officials Charter Agreement ("Amendment No. 1").

G.   The governing body of each of the Member Jurisdictions has adopted an ordinance approving of, and concurring with this Amendment No. 1, and has authorized its respective mayor or chairman of its board of supervisors to execute this Amendment No. 1.

NOW, THEREFORE, based on the recitals set forth above, which recitals are a material part of this Amendment No. 1, and for other good and valuable consideration, the Member Jurisdictions agree and hereby amend the Charter Agreement as follows:

1.   Amendment to Purpose of the Agreement.

The preamble section of the Charter Agreement entitled "PURPOSE OF THE AGREEMENT" is amended to provide at the end of the section as follows:

The Consortium acknowledges the enactment of the Workforce Investment and Opportunity Act of 2014, 29 U.S.C. §§ 3101, et seq. ("WIOA") and agrees that the Consortium, in cooperation with the WDB, a Virginia non-stock corporation, will operate in accordance with the provisions of the WIOA and the regulations and rules

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promulgated and adopted by the United States Department of Labor to insure success of the programs operated under the WIOA comply with all applicable federal and state laws, rules, regulations, and guidelines, and with the terms of the local plan developed for Area III.

The Member Jurisdictions, through the CLEO, acknowledge, affirm, and agree that the Workforce Investment Area III Chief Local Elected Officials Charter Agreement dated July 21, 2003, as amended, constitutes an agreement authorized by Section 15.2-1300, Code of Virginia (1950), as amended, for the joint exercise of powers by participating political subdivisions of the Commonwealth of Virginia.

2.   Amend Section 8 of the Charter Agreement by deleting Section 8 in its entirety and replacing Section 8 with the following:

SECTION 8   Administration.

    8.1   Grant Recipient.

The Consortium designates from its membership the local government jurisdiction of the City of Roanoke as the grant recipient for all grants funds appropriated to the Consortium for Area III pursuant to the Act of the WIOA. The City shall ensure compliance with the terms and conditions of such grants.

    8.2   Fiscal Agent.

In order to facilitate and expedite the implementation and operation of the workforce development plan for Area III, the Consortium appoints the Roanoke Valley-Alleghany Regional Commission as the initial fiscal agent for the Consortium and WDB. The Consortium, with the advice and consent of the WDB and the Member Jurisdiction designated as the grant recipient, shall appoint any future fiscal agent pursuant to this Section 8.2.

The terms, conditions, duties, and responsibilities of fiscal agent shall be set forth in an agreement among the Consortium, WDB, the grant recipient designated by the Consortium, and the party designated by the Consortium as fiscal agent.

3.   Amend the Charter Agreement by adding a new Section 14 to follow Section 13 and to read and provide as follows:

SECTION 14. Changes in the Act.

The Member Jurisdictions acknowledge and agree that the WIOA repeals and replaces the Act. For purposes of this Charter Agreement, the Member Jurisdictions agree that references to "the Act" or sections of "the Act," and regulations and rules adopted pursuant thereto, contained in this Charter Agreement shall hereafter include or refer to the WIOA, relevant and corresponding sections of the WIOA, and the rules, regulations, and guidelines adopted pursuant to the WIOA, as they currently exist or may be amended.
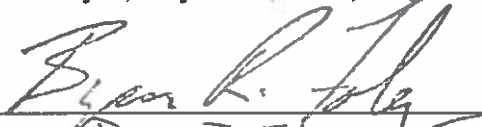
4.   Effect.

Except as amended by this Amendment No. 1, the Charter Agreement remains in full force and effect in accordance with its original terms. The Member Jurisdictions acknowledge, agree, and ratify that the Charter Agreement, as amended by this Amendment No. 1, constitutes the entire charter for the establishment of the Consortium. Capitalized terms not defined in this Amendment No. 1 shall have the meaning ascribed to such terms as set forth in the Charter Agreement. This Amendment No. 1 shall take effect as of the latest date on which the governing bodies of the Member Jurisdictions have approved and concurred to this Amendment No.1.

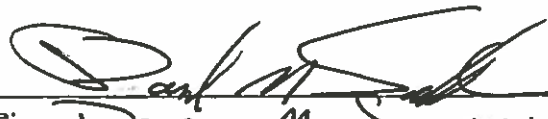SIGNATURES APPEAR ON THE FOLLOWING PAGES

IN WITNESS WHEREOF, the chief local elected officials of the respective Member Jurisdictions have executed this Amendment No.1 on behalf of their respective Member Jurisdictions.

Date: _____8 / 11_____, 2015

Name: _Tom Sibold_
Title: Mayor, City of Covington, Virginia

Date: _____8/6_____, 2015

Name: David A. Bowers
Title: Mayor, City of Roanoke, Virginia

Date: __23 July__, 2015

Name: _Byron R. Foley_
Title: Mayor, City of Salem, Virginia

Date: _____8-11_____, 2015

Name: _Stephen A. Bennett_
Title: Chairman, Board of Supervisors
County of Alleghany, Virginia

Date: _____7-28_____, 2015

Name: _Donald M Scothorn_
Title: Chairman, Board of Supervisors
County of Botetourt, Virginia

Date: _____7-28_____, 2015

Name: _Fred C. Craft_
Title: Chairman, Board of Supervisors
County of Craig, Virginia

Date: ___7-31-15___, 2015

Name: _E Cline Brubaker_
Title: Chairman, Board of Supervisors
County of Franklin, Virginia

Date: __July 24,__, 2015

Name: _____
Title: Chairman, Board of Supervisors
County of Roanoke, Virginia

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APPROVED AS TO FORM:

(signature) Date: 7/22/15 , 2015
Name:_____
   City of Covington Alleghany, Virginia

(signature) Date: 08.05.20 , 2015
Name: Daniel J. Callaghan, City Attorney
   City of Roanoke, Virginia

(signature) Date: July 23 , 2015
Name: Steven Yost, City Attorney
   City of Salem, Virginia

(signature) Date: 7-27 , 2015
Name: Jon H. Guynn, Jr.
   County of Alleghany, Virginia

(signature) Date: 7/28 , 2015
Name: Michael W.S. Lockaby
   County of Botetourt, Virginia

(signature) Date: 7-28-2015 , 2015
Name: Fred C. Craft
   County of Craig, Virginia

(signature) Date: 7.31-2015 , 2015
Name: B. James Jefferson
   County of Franklin, Virginia

(signature) Date: 8.10.15 , 2015
Name: Paul Mahoney, County Attorney
   County of Roanoke, Virginia