



CENTRAL VIRGINIA PLANNING DISTRICT COMMISSION **CHARTER AGREEMENT**

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CHARTER AGREEMENT OF THE

CENTRAL VIRGINIA PLANNING DISTRICT COMMISSION

This Charter Agreement to organize a regional commission made this first day of August, 2000, and subsequently amended, by and between the undersigned governmental subdivisions as authorized by the Regional Cooperation Act, 15.2-4200, et seq., Code of Virginia (1998), as amended);

NOW, THEREFORE, BE IT AGREED THAT:

ARTICLE I

Name, Location, Authority, Purpose

Section 1. The name of this organization shall be the Virginia's Region 2000 Partnership Regional Council, hereinafter called the "Local Government Council." Central Virginia Planning District Commission ~~(amendment approved 2005,~~ amendment approved 2018)

Section 2. The principal office of the LOCAL GOVERNMENT COUNCIL-Commission shall be in Lynchburg, Virginia. The location of the principal office may be changed by the concurrence of three-fourths of the LOCAL GOVERNMENT COUNCIL Commission —members present at a regular meeting, provided that the clerk of the governing body of each member governmental subdivision has been notified of the contemplated relocation in writing at least thirty days before such meeting.

Section 3. The LOCAL GOVERNMENT COUNCIL Commission shall be a public body corporate and politic with all the powers and duties granted to it by the Regional Cooperation Act.

Section 4. The purpose of the ~~LOCAL GOVERNMENT COUNCIL~~ Commission shall be to promote the orderly and efficient development of the physical, social and economic elements of the planning district by planning, and encouraging and assisting governmental subdivisions to plan for the future, and to carryout duties desired by the member jurisdictions, as permitted by law.

ARTICLE II

Membership

Section 1. ~~LOCAL GOVERNMENT COUNCIL~~ Commission members shall be appointed by the respective governing bodies of those political subdivisions which are parties to this charter agreement provided, however, that at least a majority of the ~~LOCAL GOVERNMENT COUNCIL'S~~ Commission's members shall be elected officials of the governing bodies of the governmental subdivisions, or members of the General Assembly, within the planning district.

Section 2. Each governmental subdivision which is either a city or county and a party to this charter agreement shall appoint two members to the ~~LOCAL GOVERNMENT COUNCIL~~ Commission, one of whom shall be the Chief elected member of the governing body, or their elected designee. The other appointee shall be the Chief Appointed Official of each governmental subdivision, or their appointed designee. Additionally, one member of the ~~Local Government Council~~ Commission shall represent Virginia's Region 2000 as appointed by that Board and two members shall represent Virginia's General Assembly. The General Assembly members shall serve two-year alternating terms so that all General Assembly members within the region shall be members of the ~~Local Government Council~~ Commission on a rotating basis on a schedule as approved by the ~~Local Government Council~~ Commission.

Section 3. Vacancies on the ~~LOCAL GOVERNMENT COUNCIL~~ Commission shall be filled for the un-expired term in the same manner as the original appointment was made.

Section 4. Any member of the ~~LOCAL GOVERNMENT COUNCIL~~ Commission shall be eligible for reappointment but may be removed for cause by the governing body which appointed him.

ARTICLE III

Terms of Office and Voting Rights

Section 1. The terms of office of ~~LOCAL GOVERNMENT COUNCIL~~ Commission members who are also elected officials shall be coincident with their elected terms of office or such shorter term as their governing bodies shall determine. The terms of office of the appointed members shall be as determined by the member jurisdiction and coincident with their appointment with the member jurisdiction. The term of office for General Assembly members shall be two-years. General Assembly members shall not succeed themselves.

Section 2. Each member of the ~~LOCAL GOVERNMENT COUNCIL~~ Commission shall have one equal vote in all matters before the LOCAL GOVERNMENT COUNCIL.

ARTICLE IV

Officers

Section 1. Officers of the ~~LOCAL GOVERNMENT COUNCIL~~ Commission shall consist of a Chairman, Vice-Chairman, and Treasurer who shall be elected by the membership of the ~~LOCAL GOVERNMENT COUNCIL~~ Council.

Section 2. ~~LOCAL GOVERNMENT COUNCIL~~ Commission officers shall be elected for terms of one-year or

until their successors are elected, and shall be eligible for reelection.

Section 3. The LOCAL GOVERNMENT COUNCIL Commission shall appoint an Executive Director who shall be an employee of the LOCAL GOVERNMENT COUNCIL Commission and shall serve at the pleasure of a majority of the membership.

ARTICLE V

Planning District Commission - Regional Consortium Merger

Section 1. Upon the ratification of this Charter Agreement of the Region 2000 Regional Local Government Council, the Central Virginia Planning District Commission and the Region 2000 Consortium shall merge and become the Region 2000 Local Government Council. All assets, liabilities, and personnel of the Central Virginia Planning District Commission shall be transferred to the Region 2000 Regional Commission.

Section 2. Upon the ratification of the 2018 amendment, all assets of the Virginia's Region 2000 Local Government Council shall become assets of the Central Virginia Planning District Commission.

ARTICLE VI

Addition or Withdrawal of Members

Section 1. Any governmental subdivision within Planning District Number 11 which is not a party to this Charter Agreement at the effective date thereof may thereafter join the LOCAL GOVERNMENT COUNCIL Commission provided that:
(a) any city, county or town of more than 3,500 population adopts and executes this agreement;
or (b) any town of 3,500 or less population, after petition to the LOCAL GOVERNMENT COUNCIL Commission and acceptance of the petition to

grant representation to such town by majority vote of the members of the LOCAL GOVERNMENT COUNCIL Commission, adopts and executes this agreement.

Section 2. Any governmental subdivision may withdraw from the LOCAL GOVERNMENT COUNCIL Commission by submitting to the LOCAL GOVERNMENT COUNCIL Commission in writing, at least 90 days before the end of the LOCAL GOVERNMENT COUNCIL'S Commission's then current fiscal year, a notice of intent to withdraw. Such withdrawal shall not become effective until the LOCAL GOVERNMENT COUNCIL'S Commission's fiscal year has ended.

ARTICLE VII

Appointment of an Executive Committee and Adoption of Bylaws

Section 1. The LOCAL GOVERNMENT COUNCIL Commission may designate an Executive Committee and delegate to it such powers as the LOCAL GOVERNMENT COUNCIL Commission may determine, provided that these powers are not inconsistent with provisions of the Regional Cooperation Act.

Section 2. The LOCAL GOVERNMENT COUNCIL Commission may adopt bylaws and such other rules as it deems necessary to govern its operations.

ARTICLE VIII

Meetings

Section 1. The LOCAL GOVERNMENT COUNCIL Commission shall hold regular meetings on a schedule which will be determined by the membership.

Section 2. Meetings of the LOCAL GOVERNMENT COUNCIL Commission shall be open to the public; however, the LOCAL GOVERNMENT COUNCIL Commission may hold closed meetings.

ARTICLE IX

Amendments

Section 1. This Charter Agreement may be amended, supplemented or superseded only by concurring resolutions from any combination of member governmental subdivisions whose aggregate representation on the LOCAL GOVERNMENT COUNCIL Commission constitutes a quorum. All proposed amendments shall be submitted to the LOCAL GOVERNMENT COUNCIL Commission for its review and comment to the member governmental subdivisions.

ARTICLE X

Date of Organization

Section 1. The organization of the Region 2000 Local Government Council, now called the Central Virginia Planning District Commission, shall be effective on the fifteenth day of September, 2000, or at such time after this date when the Charter Agreement has been adopted and signed by that governmental subdivision whose population when added to the aggregate population of those who have already adopted and signed the Charter Agreement embraces the majority of the population within Planning District Number 11.

DATES OF ADOPTION/RESCISSION/AMENDMENTS TO THE CHARTER AGREEMENT

August 12, 1969	- Adopted by the Bedford City Council
September 2, 1969	- Adopted by the Campbell Board of Supervisors
September 8, 1969	- Adopted by the Bedford County Board of Supervisors
September 9, 1969	- Adopted by the Lynchburg City Council

- September 12, 1969 - Adopted by the Appomattox County Board of Supervisors
- June 7, 1971 - Adopted by the Amherst County Board of Supervisors
- June 4, 1980 - Rescinded by the Campbell County Board of Supervisors, effective July 1, 1981
- March 10, 1981 - Rescinded by the Bedford County Board of Supervisors, effective July 1, 1981
- April 24, 1981 - Readopted by the Campbell County Board of Supervisors
- July 1, 1982 - Automatically rescinded by the Campbell County Board of Supervisors because of non-payment of dues
- July 6, 1982 - Amended by the Amherst County Board of Supervisors to allow towns under 3,500 to become members, to designate town representation and to eliminate the ceiling on the number of elected officials as voting members
- July 9, 1982 - Amended by the Appomattox County Board of Supervisors to allow towns under 3,500 to become members, to designate town representation and to eliminate the ceiling on the number of elected officials as voting members
- July 13, 1982 - Amended by the Lynchburg City Council to allow towns under 3,500 to become members, to designate town representation and to eliminate the ceiling on the number of elected officials as voting members
- August 10, 1982 - Amended by the Bedford City Council to allow towns under 3,500 to become members, to designate town representation and to eliminate the ceiling on the number of elected officials as voting members
- September 7, 1982 - Readopted by the Campbell County Board of Supervisors
- October 11, 1982 - Adopted by the Appomattox Town Council
- October 13, 1982 - Adopted by the Amherst Town Council
- December 8, 1982 - Amended by the Amherst Town Council to allow member jurisdictions the option of having an elected official appointed in lieu of the non-elected member
- December 10, 1982 - Amended by the Appomattox County Board of Supervisors to allow member jurisdictions the option of having an elected official appointed in lieu of the non-elected member
- December 14, 1982 - Amended by the Lynchburg City Council to allow member jurisdictions the option of having an elected official appointed in lieu of the non-elected member
- January 4, 1983 - Amended by the Amherst County Board of Supervisors to allow member jurisdictions the option of having an elected official appointed in lieu of the non-elected member
- January 18, 1983 - Amended by the Campbell County Board of Supervisors to allow member jurisdictions the option of having an elected official appointed in lieu of the non-elected member
- February 8, 1983 - Amended by the Bedford City Council to allow member jurisdictions the option of having an elected official appointed in lieu of the non-elected member

Amendments to the Region 2000 Regional Commission Charter

- March 1, 2005 - Amended by the County of Amherst to change the name to the Virginia's Region 2000 Local Government Council
- March 9, 2005 - Amended by the Town of Amherst to change the name to the Virginia's Region 2000 Local Government Council
- March 21, 2005 - Amended by the County of Campbell to change the name to the Virginia's Region 2000 Local Government Council
- April 18, 2005 - Amended by the County of Appomattox to change the name to the Virginia's Region 2000 Local Government Council
- April 25, 2005 - Amended by the County of Bedford to change the name to the Virginia's Region 2000 Local Government Council
- April 26, 2005 - Amended by the City of Lynchburg to change the name to the Virginia's Region 2000 Local Government Council
- May 9, 2005 - Amended by the Town of Appomattox to change the name to the Virginia's Region 2000 Local Government Council
- May 10, 2005 - Amended by the Town of Altavista to change the name to the Virginia's Region 2000 Local Government Council
- June 14, 2005 - Amended by the Bedford City Council to change the name to the Virginia's Region 2000 Local Government Council
- June 14, 2005 - Amended by Town of Brookneal to change the name to the Virginia's Region 2000 Local Government Council

BYLAWS

VIRGINIA'S REGION 2000 LOCAL GOVERNMENT COUNCIL COMMISSION CENTRAL VIRGINIA PLANNING DISTRICT COMMISSION July 2018

ARTICLE I NAME AND AUTHORITY

Section 1 - Name. The name of the organization shall be the Virginia's Region 2000 Local Government Council Central Virginia Planning District Commission hereinafter referred to as the "Council Commission."

Section 2 - Authority. The Council Commission is established pursuant to the Regional Cooperation Act, 15.2-4200, et. seq., Code of Virginia, 1998, as amended), and by joint resolutions of the governing bodies of its constituent member jurisdictions adopting the Charter Agreement of the, Virginia's Region 2000 Local Government Council Central Virginia Planning District Commission, hereinafter referred to as "Charter Agreement."

ARTICLE II PURPOSE

The Council Commission shall be a voluntary organization of local governments to foster a cooperative effort in resolving problems, policies, and plans that are regional. The purpose of the Council Commission is to promote the orderly and efficient development of the physical, social, and economic elements of the Virginia's Region 2000 Local Government Council Central Virginia Region (referring to the geographic section of the Commonwealth of Virginia encompassing the counties of Amherst, Appomattox, Bedford and Campbell, and the cities of Bedford and Lynchburg), herein referred to as the "Central Virginia Region," by:

- a. Identifying and publicizing regional problems and recommending the policies needed for solving them;
- b. Preparing and adopting comprehensive regional plans and recommending the means for their implementation;
- c. Providing a policy mechanism which can be used to build consensus and negotiate conflicts among local leaders;
- d. Demonstrating innovative ways of meeting regional needs;
- e. Providing technical assistance to local governmental agencies to help them work toward meeting both local and regional needs; and

- f. Promoting cooperation and communication between all local governmental agencies within the district
- g. Providing regional services and oversight of regional initiatives as deemed appropriate by the member jurisdictions on an enterprise basis, and as permitted by law.

ARTICLE III MEMBERSHIP

Section 1 - Governmental Membership. Any governmental subdivision within the District may join the ~~Council~~Commission provided that such governmental subdivision is eligible for membership under the Regional Competitiveness Act and that it adopts and ascribes to the conditions set forth in the Charter Agreement. Virginia statutes require that a majority of ~~Council~~Commission members be elected officials.

Section 2 - Composition of the ~~Council~~Commission. Each member governmental subdivision shall be officially represented on the ~~Council~~Commission, subject to the conditions set from herein:

- a. The governing body of each political subdivision which is a party to this charter agreement shall appoint two members to the ~~Council~~Commission, one of which shall be the Chief elected member of the governing body or his designee and one of whom shall be either the Chief Administrator/Executive Officer or his designated administrative staff member.
- b. In addition, two members of the General Assembly, which represent a minimum of two PDC 11 local governments and one representative from Region 2000 be appointed as ~~Council~~Commission members. There are a total of 23 members, 12 of which are elected officials. General Assembly members shall be selected based upon a rotating chart developed by the ~~Council~~Commission for two-year terms and appointed by the ~~Council~~Commission.

Section 3 - Vacancies. Vacancies on the ~~Council~~Commission shall be filled for the unexpired term in the same manner as the original appointment was made.

Section 4 - Reappointment. Any ~~Council~~Commission member shall be eligible for reappointment.

Section 5 - Removal from Office. Any ~~Council~~Commission member may be removed for cause by the governing body which appointed him. A three-fourths majority of the full ~~Council~~Commission shall be required to recommend to the appointing governing body the removal of a ~~Council~~Commission member from office.

Section 6 - Withdrawal of Governmental Subdivision. Any governmental subdivision may withdraw from the [Council Commission](#) by submitting to the [Council Commission](#) in writing, at least ninety (90) days before the end of the [Council Commission](#)'s then current fiscal year, a notice of intent to withdraw. Such withdrawal shall not become effective until the [Council Commission](#)'s fiscal year has ended.

Section 7 - Suspension and/or Removal of Governmental Subdivision. In the event a member governmental subdivision allows its annual local contribution to become in arrears in excess of ninety (90) days after it is due, as defined in Article VI, Section 3 herein, the governmental subdivision shall:

- a. Forfeit its voting rights, as they relate to matters associated with the payment of dues, even though the appointed representatives may continue to attend and participate in [Council Commission](#) meetings;
- b. Forfeit the voting rights of its representatives on [Council Commission](#) policy and special committees, as they relate to matters associated with the payment of dues, even though the appointed representatives may continue to attend and participate in said committee meetings; and
- c. Not receive technical assistance from the [Council Commission](#) for those requests from the governmental subdivision requiring more than one (1) work-day, as they relate to matters associated with the payment of dues.

If the governmental subdivision remains in arrears by the end of the current fiscal year, the governmental subdivision shall be notified by the [Council Commission](#) that no services will be provided as they relate to matters associated with the payment of dues. However, any member jurisdiction shall be permitted to participate and vote on all matters not associated with the payment of dues. The matters associated with the payment of dues are those normally identified as "planning functions" and historically provided by the prior CVPDC. Services provided for dues will be identified annually by the [Council Commission](#) prior to the start of the new fiscal year.

ARTICLE IV TERMS OF OFFICE AND VOTING

Section 1 - Terms of Office. The terms of office of [Council Commission](#) members shall be as follows:

- a. [Council Commission](#) members who are also elected officials shall serve coincident with their elected terms of office.
- b. [Council Commission](#) members who are Local Government Chief Executive and Administrative Officers or their designees serve as [Council Commission](#) members at the pleasure of their local elected officials.

- c. [CouncilCommission](#) members who are General Assembly members will be appointed by the [CouncilCommission](#) for two-year terms rotating representation throughout the PDC legislative districts and be concurrent with their terms of elective office.
- d. The [CouncilCommission](#) member representing Region 2000 will be appointed for a two-year term.

Section 2 - Voting Rights. Each [CouncilCommission](#) member shall have one equal vote in all matters before the [CouncilCommission](#) and as provided under Article III, Section 7 herein.

Section 3 - Recorded Vote. The vote of each [CouncilCommission](#) member, both negative or affirmative, shall be recorded in the official minute book of the [CouncilCommission](#).

Section 4 - Proxy Votes. Voting by proxy shall be permitted only by the designated representative of the Chief Elected Official and Chief Appointed Official of member jurisdictions.

ARTICLE V OFFICERS

Section 1 - Types of Officers. Officers of the [CouncilCommission](#) shall consist of a chair, vice-chair, ~~secretary~~ and treasurer who shall be elected by the membership of the [CouncilCommission](#). The Immediate Past Chair, if eligible, will also be considered an officer of the [CouncilCommission](#).

Section 2 - Terms of Office. [CouncilCommission](#) officers shall be elected for terms of one (1) year or until his/her successor is elected and shall be eligible for reelection.

Section 3 - Succession to Office. Officers may be reelected to office, with the exception of the chair, who may not succeed himself, [if the chair has served a full twelve month term](#). This chair shall rotate on a one-year basis by governmental subdivision in alphabetical sequence until each governmental subdivision has had the opportunity of a [CouncilCommission](#) member to serve as chair before any governmental subdivision may again have representation in the chair's position. If the [CouncilCommission](#) is representing a governmental subdivision decline the chairmanship that particular governmental subdivision shall relinquish its turn until every other governmental subdivision has had the opportunity of a [CouncilCommission](#) member to serve as chair.

Section 4 - Election of Officers. The election of officers shall be held at the June regular meeting of the [CouncilCommission](#) and those [CouncilCommission](#) members elected to office shall assume their duties on the succeeding July 1. A majority vote of the entire [CouncilCommission](#) present shall be required for election to any office.

Section 5 - Removal of an Elected Officer. In the event a member governmental jurisdiction forfeits its voting rights as defined in Article III, Section 7 herein, any representative from that governmental subdivision who is an elected officer of the ~~Council~~Commission shall automatically be removed from said elected office and the vacancy shall be filled as prescribed in Article V, Section 6 herein.

Section 6 - Vacancies. If for any reason any office becomes vacant during the year, an election to fill the office shall be held at the next regular meeting of the ~~Council~~Commission, and the new officer so elected shall complete the un-expired term of the officer he succeeded.

Section 7 - Powers and Duties of the Officers. The powers and duties of the officers of the ~~Council~~Commission shall be as follows:

- a. The chair shall have the recognized and inherent duties and powers of the office of the chair; shall preside over all meetings of the ~~Council~~Commission; shall be eligible to vote on all issues regardless of a tie vote; shall appoint all committees necessary to the ~~Council~~Commission, with confirmation by the ~~Council~~Commission; shall execute all contracts authorized by the ~~Council~~Commission; shall have the authority to delegate any function to the Chief Appointed Official of the ~~Council~~Commission; and shall perform such other duties as may from time to time be assigned to him by the ~~Council~~Commission.
- b. The vice-chair shall, in the absence or inability of the chair, perform all the duties and exercise all the powers of the chair and such other duties assigned to him by the ~~Council~~Commission.
- c. The treasurer shall be the official custodian of the funds of the ~~Council~~Commission and shall exercise general supervision of the ~~Council~~Commission's financial affairs, keeping records and books as may be required for complete accountability; shall be responsible for the payment of all bills or of all warrants on requisition when payment is authorized; shall be bonded in an amount sufficient to cover his responsibilities; and shall present a financial report at each ~~Council~~Commission meeting. The treasurer may delegate any assigned duties and responsibilities to the paid staff of the ~~Council~~Commission.
- d. The secretary shall keep a record of all resolutions, proceedings and actions of the ~~Council~~Commission, and give notice of all meetings and perform such other duties as the ~~Council~~Commission may direct. ~~The secretary may delegate any assigned duties and responsibilities to the paid staff of the Council.~~

Section 8 - Line of Succession, At any given meeting when the chair is absent, the line of succession for acting chair shall be the vice-chair, immediate past chair, second past chair,

~~and~~ treasurer ~~and the secretary~~. If no officer of the ~~Council~~Commission is present, the first order of business at the meeting shall be the election of a temporary chair for that meeting.

ARTICLE VI FISCAL ADMINISTRATION

Section 1 - Fiscal Year Period. The fiscal year for the ~~Council~~Commission shall begin July 1 of each year.

Section 2 - Budget Submission and Adoption. The budget of the ~~Council~~Commission shall be submitted to the Executive Committee by the executive director on or before May 15 of each year. The annual budget and assessment schedule shall be adopted by the ~~Council~~Commission no later than June 30 of each year.

Section 3 - Annual Membership Assessment Period. Each year, upon adoption of the annual budget, the ~~Council~~Commission shall recommend per capita assessments for all member governmental subdivisions in amount sufficient to provide the funds required by the budget, for the services associated with the payment of dues. All other fees for services shall be negotiated with member jurisdictions and qualifying non-profits on a contracted, fee-for-service basis. ~~Each member governmental subdivision~~Counties and Cities shall contribute funds to the ~~Council~~Commission at the same per capita rate as every other member governmental subdivision, ~~for services associated with the payment of dues~~.

- a. The annual local contribution of ~~each governmental subdivision~~Counties and Cities for dues shall be based on a population estimate for July 1 of the current fiscal year as determined by the Weldon Cooper Center for Public Service, University of Virginia or the latest census data, whichever is more current.
- b. Towns will pay a fee as set in the annual budget.
- c. The annual local contribution of each governmental subdivision for dues is due on July 1 of the current fiscal year and shall be paid by each governmental subdivision prior to July 31st of the same year. If the annual local contribution for dues is not paid by that date, the governmental subdivision failing to make payment shall be in arrears and could eventually forfeit certain rights as prescribed in Article III, Section 7 herein.
- d. An additional assessment may be made upon a governmental subdivision for specific, local and/or additional services which are requested by said governmental subdivision, approved by the ~~Council~~Commission, and which are not included in the work program adopted by the ~~Council~~Commission. Such an assessment shall be agreed upon by and between the ~~Council~~Commission and the appropriate governmental subdivision(s), or

non-profit agency requesting such service or program, and as authorized by the [Council Commission](#).

Section 4 - Financial Aid from Other Sources. The [Council Commission](#) may receive contributions from the Commonwealth of Virginia in accordance with Section 15.2-4200, et seq, Code of Virginia, 1998, as amended. The [Council Commission](#) also may make application for and accept loans and grants of money or materials or property at any time from any [individual or](#) private or charitable source, or the United States of America, or the Commonwealth of Virginia, or any other agency or instrumentality thereof.

Section 5 - Annual Audit. The [Council Commission](#) shall cause an annual audit of the financial affairs of the [Council Commission](#) to be made by a Certified Public Accountant at the end of each fiscal year. The audit report shall be made available to the governmental subdivisions supporting the [Council Commission](#).

Section 6 - Check Signing and Bonding. All checks drawn on the account of the [Council Commission](#) shall be signed by the Chief Appointed Official and countersigned by one of the four officers of the [Council Commission](#). The prime countersigning officer shall be the treasurer. In the event the treasurer is unable to sign or cannot be contacted, the countersigning duties shall fall to one of the other officers. The four officers of the [Council Commission](#) and the Chief Appointed Official shall have their signatures properly registered with the bank or banks which handle [Council Commission](#) accounts and shall be bonded for appropriate amounts.

Section 7 - Execution of Contracts. All contracts relating to receipt of grant funds, hiring of special consultants, providing technical services to local governmental subdivisions, and other related instrumentalities shall require the signature of the chair of the [Council Commission](#), attested by the Chief Appointed Official with the appropriate [Council Commission](#) seal, provided the [Council Commission](#) has authorized the execution of such contract or instrumentality. The [Council Commission](#) may delegate to the Chief Appointed Official or the Executive Committee the power to authorize such execution.

Section 8 - Reimbursed Expenses for Council Commission. [Council Commission](#) members may be reimbursed for expenses incurred in [Council Commission](#) related activities.

Section 9 Council Commission Member Liability. [Council Commission](#) members shall not be personally liable for any loss of funds from the [Council Commission](#) as a result of acts performed in good faith while conducting the usual business of the [Council Commission](#).

ARTICLE VII COMMITTEES

Section 1 - Executive Committee. The [Council Commission](#) shall have an Executive Committee, consisting of the ~~four officers of the Council and the immediate past chair and the second past chair.~~ ~~In the event the past chairs are no longer~~

~~Council members, substitute appointments will be made by the chair. In addition to the officers identified and the two past chairs there shall also be one member from each of the localities not otherwise represented on the Executive Committee. The intent is that all Region 2000 localities be represented on the Executive Committee by an elected official or their designated alternate, who shall be a Council member and represent the locality that they serve. Chair and the appointed officials from each of the member jurisdictions. The Chair of the Commission shall serve as the Chair of the Executive Committee.~~

The Executive Committee shall exercise such powers as the ~~Council~~Commission may determine, provided that these powers are not inconsistent with the provisions of the Regional Cooperation Act, and which shall deal with all matters not specifically delegated to a standing or special committee.

- a. A quorum of the Executive Committee shall consist of four voting members of the ~~Council~~Commission and ~~include at least two of the Council's officers.~~
- b. Voting on routine matters in the Executive Committee requires a simple majority of those members present and voting.
- c. The Executive Committee may take action on behalf of the ~~Council~~Commission except that ~~approved subsequent approval~~ of the ~~Council~~Commission is required in the following areas:
 - 1) Adoption of a budget
 - 2) Obligations beyond the current fiscal year
 - 3) Disciplinary matters, including hiring and termination, regarding the Executive Director

Section 2 - Policy Committee. The ~~Council~~Commission may establish any and as many policy committees as it deems desirable. A motion to establish a policy committee shall receive a majority of the votes of the members present at a regular ~~Council~~Commission meeting after which the chair shall appoint members to the policy committee or committees with concurrence of the ~~Council~~Commission. One-half of the members of any policy committee shall constitute a quorum of the committee. The chair of the ~~Council~~Commission shall be an ex-officio member of all policy committees but without vote except for those committees to which he has been named as a regular member.

Section 3 - Special Committees. The chair may from time to time establish such special committees as deemed desirable for the effective promulgation of ~~Council~~Commission affairs and shall appoint the members thereto with concurrence of the ~~Council~~Commission or the Executive Committee if so delegated.

Section 4 - Nominating Committee. The chair of the ~~Council~~Commission shall appoint a nominating committee of three members of the ~~Council~~Commission no later than thirty (30) days prior to the regular ~~Council~~Commission meeting at which time the election of ~~Council~~Commission officers is held. The nominating committee shall present, as a minimum, a single slate of candidates for Commission officers following the sequence described in Article V, Section 3, ~~including the at-large member of the Executive Committee if the immediate past chair will not be a member of the Council at the time his or her term of office on the Executive Committee would take effect.~~

ARTICLE VIII MEETINGS

Section 1 - Regular Meetings. Regular meetings of the full ~~Council~~Commission shall be held on the third Thursday of each month in a location to be specified by the ~~Council~~Commission, and established annually, unless otherwise specified by a majority vote of members.

Section 2 - Special Meetings. Special meetings may be called at the chair's discretion or must be called by the chair on petition of one-third of the ~~Council~~Commission members.

Section 3 - Public Hearings. In addition to all public hearings required by law, the ~~Council~~Commission may hold public hearings when it decides a hearing will be in the public interest.

Section 4 - Meetings Open to the Public. Meetings of the ~~Council~~Commission (including the Executive Committee) shall be open to the public. The ~~Council~~Commission (including the Executive Committee), however, may hold closed sessions in accordance with the Virginia Freedom of Information Act.

Section 5 - Quorum. Six members of the full ~~Council~~Commission shall be required to be present in order to constitute a quorum. Any governmental subdivision that has forfeited its voting rights as prescribed in Article III, Section 7, herein, shall not be included in the determination of a quorum, for purposes of conducting business associated with the payment of dues.

ARTICLE IX STAFF

Section 1 - Appointment of Executive Director. The ~~Council~~Commission may appoint an executive director (Chief Appointed Official) who shall be the administrative officer of the ~~Council~~Commission responsible for its records and for carrying out the policies and programs of the ~~Council~~Commission in accordance with the charter agreement and bylaws and the policies of the ~~Council~~Commission. The Chief Appointed Official shall be appointed for an indefinite time and serves at the pleasure of the ~~Council~~Commission.

Section 2 - Duties and Responsibilities of the Chief Appointed Official. The Chief Appointed Official shall have the responsibility for coordinating all staff and consultant services provided to the ~~Council~~Commission; providing and administering the annual work

program and budget; employing, retaining, and removing all other staff personnel as may be necessary; and performing all other duties delegated by the [Council Commission](#) and Executive Committee. The Chief Appointed Official keeps the [Council Commission](#) and Executive Committee advised about the needs and affairs of the [Council Commission](#), makes periodic reports about its activities, and makes recommendations in conjunction with other staff. [The Chief Appointed Official serves as the Secretary for the Commission.](#)

Section 3 - Non-Discrimination Clause. There shall be no discrimination against any employee of the [Council Commission](#) or an application for employment because of race, color, religion, sex, or national origin.

ARTICLE X PARLIAMENTARY PROCEDURE

Except as herein provided, all matters of procedures shall be governed by Roberts Rules of Order, latest revised edition.

ARTICLE X1 AMENDMENTS

Any proposed amendment to these bylaws shall be presented in writing to the members of the [Council Commission](#) and read at a regular [Council Commission](#) meeting. The members of the [Council Commission](#) shall have at least thirty (30) days to review the proposed amendments. At a regular meeting of the [Council Commission](#) thereafter, a majority vote of the full [Council Commission](#) shall be required to adopt any proposed amendment to the bylaws.

ARTICLE XII LEGAL STATUS

All prior bylaws and amendments thereto are hereby revoked and shall become null and void immediately upon adoption of these bylaws. These bylaws shall become effective immediately upon adoption by the [Council Commission](#).

Adopted:	9/25/75	(Res. #76-8)
Amended:	9/22/77	(Res. #78-14)
Amended:	1/26/78	(Res. #78-40)
Amended:	4/26/79	(Res. #79-63)
Amended:	9/24/81	(Res. #82-15)
Amended:	4/28/83	(Res. #83-47)
Amended:	9/02/92	(Res. #93-xx)
Amended:	12/17/98	(Res. #99-01)
Amended:	10/17/01	(Res. #)

Amended:

Amended and Restated Workforce Development
Area Agreement

July 2018

~~REGION 2000~~ Central Virginia

WORKFORCE DEVELOPMENT AREA

(LWDA 7)

COUNCIL AGREEMENT

April, 2000

Page 1 of 14

~~Region 2000~~ Central Virginia Workforce Development Area Council Agreement

Revised July 21, 2000

~~Proposed~~ Revision October, 2015

Proposed Revision July, 2018

Council Agreement

~~REGION 2000~~CENTRAL VIRGINIA WORKFORCE DEVELOPMENT AREA

PREAMBLE

The ~~communities~~Central Virginia Region of ~~Region 2000~~Lynchburg and the surrounding communities recognize that the development of a vibrant, effective workforce is important to the economic competitiveness and resiliency of our communities. We understand that workforce development is an educational process occurring at all ages and is lifelong. We recognize that by working together we can build a stronger workforce development program.

The communities of this region seek to create organizations which will be the focal point of the region's workforce development initiatives. We look for these organizations to both utilize federal Workforce Development funds and also seek other partner organizations to develop a well-rounded, successful program to provide training and education programs appropriate for all ages and for the skills needed by the community's businesses and industries.

To implement this effort, we authorize the creation of the ~~Region 2000~~Central Virginia Workforce Development Area and the ~~Region 2000~~Central Virginia Workforce Development Board in accordance with the WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)(Public Law 113-128), hereinafter referred to as the "ACT", and all federal and state guidelines for the ACT. It is Made and Entered into by and between the County of AMHERST, the County of APPOMATTOX, the County of BEDFORD, the County of CAMPBELL and the City of LYNCHBURG.

WITNESSETH:

WHEREAS, the respective Boards of Supervisors of the Counties of AMHERST, APPOMATTOX, BEDFORD and CAMPBELL and the City Council of the City of LYNCHBURG in the Commonwealth of Virginia, have adopted resolutions authorizing the execution of this Council Agreement;

NOW THEREFORE THIS AGREEMENT FURTHER WITNESSETH: That for and in consideration of the promises and of the mutual benefits to be derived hereunder, that each and all of the jurisdictions enumerated immediately above, do hereby reciprocally agree as follows:

SECTION 1: CREATION OF THE COUNCIL.

THERE IS HEREBY CREATED, by the undersigned Chief Local Elected Official of the Counties and City, the ~~REGION 2000~~CENTRAL VIRGINIA WORKFORCE DEVELOPMENT AREA COUNCIL, hereinafter referred to as the "COUNCIL ", which shall exist under and be subject to the terms and conditions of this Council Agreement, and which shall be deemed to constitute the agreement authorized by Section 15.2-1300 of the Code of Virginia (Repl. Vol. 1997) as amended, for the joint exercise of powers by participating political subdivisions of the Commonwealth of Virginia.

The purpose of the COUNCIL shall be to plan, establish, and operate a LOCAL WORKFORCE DEVELOPMENT AREA and Workforce Development Services Delivery System according to the provisions of the ACT, and the Federal Regulations hereinafter referred to as the "Regulations", issued by the U.S. Department of Labor, for the implementation of the ACT together with any and all other subsequent and relevant federal and Commonwealth of Virginia statutes, policies and interpretations.

SECTION 2: AREA AND POPULATION TO BE SERVED.

The area to be served shall be called the ~~REGION 2000~~CENTRAL VIRGINIA WORKFORCE DEVELOPMENT AREA, hereinafter referred to as the "WDA", and shall include the jurisdictions noted in this section and consisting of the 2,000 square miles of land in the Counties of Amherst, Appomattox, Bedford and Campbell and the City of Lynchburg (Lynchburg Area). The Weldon Cooper Center for Public Services Demographics Research Group population estimates published on January 27, 2015 indicates the Lynchburg Metro Area has a population of 259,487.

SECTION 3: RESPONSIBILITIES OF THE COUNCIL.

On behalf of each and all parties hereto, the COUNCIL powers shall include, but not be limited to the following:

- A. Providing overall governance for implementing the provisions of the ACT and Regulations for the WDA to include creation of, and appointment of all members to, the ~~REGION 2000~~CENTRAL VIRGINIA WORKFORCE DEVELOPMENT BOARD, hereinafter referred to as the "BOARD".
- B. Approving policies, priorities, goals, and objectives of the BOARD and the

programs and services to be provided by the BOARD, either directly or by contract with political subdivisions or public or private service providers.

C. The COUNCIL, in partnership with the Board, shall submit to the Governor a regional strategic workforce development plan that meets the requirements in Section 108 of the ACT.

D. The COUNCIL shall approve the Board budget annually and receive the BOARD's annual report.

E. The COUNCIL shall enter into an agreement with the BOARD that clearly details the partnership between the two entities for the governance and oversight of activities under the ACT.

3.01: MEMBERSHIP.

The voting members of the COUNCIL shall be the Chief Local Elected Official of each of the jurisdictions that are party to this agreement, or that official's duly appointed elected designee.

3.02: TERMS OF OFFICE.

The term of office for each COUNCIL member shall coincide with the term of office for which the member was elected to public office in the particular jurisdiction the member represents.

3.03: VOTING RIGHTS.

Each COUNCIL member shall have one (1) equal vote on all matters before the COUNCIL. Voting by proxy shall not be permitted except when the Council member is represented by a duly appointed elected designee.

3.04: MEETINGS.

The COUNCIL shall hold meetings from time to time as may be required in order to conduct the affairs of the COUNCIL. At least one meeting shall be held each year.

3.05: BY-LAWS.

The COUNCIL may adopt by-laws and such other rules as it deems necessary to govern its operations.

SECTION 4: WORKFORCE DEVELOPMENT BOARD.

4.01: CREATION of the ~~REGION 2000~~CENTRAL VIRGINIA WORKFORCE DEVELOPMENT BOARD.

There is hereby created, the ~~REGION 2000~~CENTRAL VIRGINIA WORKFORCE DEVELOPMENT BOARD, referred to as the "BOARD".

4.02: APPOINTMENT of MEMBERS to the BOARD.

The COUNCIL, shall appoint the members of the BOARD in accordance with the process required by Section 107 of the ACT pertaining to Local Workforce Development Boards and related Commonwealth of Virginia Policy as described immediately below.

The COUNCIL, acting together, shall appoint representatives from each of the following categories:

- A. A majority of the members of each local Board shall be representatives of business in the local area, who shall reflect, to the extent possible, employment opportunities in the region and who:
 - (i) Are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority;
 - (ii) Represent businesses, including small businesses, or organizations representing businesses described in this clause, that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area; and
 - (iii) Are appointed from among individuals nominated by local businesses, business organizations and business trade associations;

- B. Not fewer than twenty (20) percent of the members of each Board shall be representatives of the workforce within the local area, who:
 - (i) Shall include representatives of labor organizations (for a local area in which employees are represented by labor organizations), who have been nominated by local labor federations, or (for a local area in which no employees are represented by such organizations) other representatives of employees;
 - (ii) Shall include a representative who shall be a member of a

- labor organization or a training director, form a joint labor-management apprenticeship program, and if no such joint program exists in the area, such a representative of an apprenticeship program in the area, if such a program exists;
- (iii) May include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive integrated employment for individuals with disabilities; and
 - (iv) May include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training or education needs of eligible youth, including representatives of organizations that serve out-of-school youth;

C. Each local Board shall include representatives of entities administering education and training activities in the local area, who:

- (i) Shall include a representative of eligible providers administering adult education and literacy activities under Title II;
- (ii) Shall include a representative of institutions of higher education providing workforce development activities (including community colleges);
- (iii) May include representatives of local educational agencies, and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment;
- (iv) If there are multiple eligible providers serving the local area by administering adult education and literacy activities under Title II, or multiple institutions of higher education serving the local area by providing workforce development activities, each representative on the Board shall be appointed from among individuals nominated by local providers representing such providers or institutions, respectively;

- D. Each local Board shall include representatives of governmental and economic and community development entities serving the local area who:
- (i) Shall include a representative of economic and community development entities;
 - (ii) Shall include an appropriate representative from the State employment service office under the Wagner-Peyser Act (29 U.S.C. 720 et seq.), other than section 122 or part C of that title (29 U.S.C. 732, 741) serving the local area;
 - (iii) May include representatives of agencies or entities administering programs serving the local area relating to transportation, housing, and public assistance; and
 - (iv) May include representatives of philanthropic organizations serving the local area; and
- E. Each local board may include such other individuals or representatives of entities as the chief elected official in the local area may determine to be appropriate.

4.03: PURPOSE AND POWERS.

The functions and responsibilities of the BOARD shall include, but are not limited to:

- A. Development of all plans and priorities for service and subsequent modifications.
- B. Development and implementation of policies and operating guidelines as required by the Cooperative Agreement by and between the BOARD and the COUNCIL for the administration of the workforce development programs operated, or proposed, within the WDA.
- C. Approval of all proposed program designs and delivery systems for the purpose of providing workforce development services for the WDA.
- D. Evaluation of the performance of individual services providers pursuant to relevant federal and state statutes, regulations and policy interpretations as revised or amended.
- E. Development of the vision, goals, objectives, and policies for the regional workforce development area. The vision should be aligned with both the region's Comprehensive Economic Development Strategy and the Virginia Board of Workforce Development's goals. The Board shall solicit support and comment

from the general public in providing a comprehensive plan for workforce development programs for this local workforce development area.

F. Serve as sub recipient of all funds disbursed under the ACT for the local WDA and the subsequent disbursement of such funds to designated service providers and/or subcontractors in accordance with the approved Workforce Development Plan and, pursuant to approved procedures as provided for in the Cooperative Agreement by and between the COUNCIL and the BOARD.

G. Advising the COUNCIL of problems that may arise from time to time that may impact policy considerations of the COUNCIL and recommend corrective action.

H. Reporting at least annually to the COUNCIL on the state of the Workforce Development Program and the matters related to carrying out the requirements of the Workforce Development Plan.

I. Such other functions as the BOARD may deem appropriate provided such functions are allowable under the ACT and Regulations, as amended.

4.04: NOMINATION PROCESS.

The Chief Local Elected Officials must contact the appropriate entities in the local area for nominations to appoint members and/or to fill vacancies on the local Board from business, local educational entities, and labor representatives. Chief Local Elected Officials may also design a process for nominations of individuals and other types of representation the officials would like to include on the local Board. Vacancies subsequent to the establishment of the local Board must be filled in the same manner as the original appointments.

Private sector representatives are to be selected from among individuals nominated by local business organizations (ex. business trade associations, chamber of commerce, economic development agencies). Individual businesses may also nominate themselves or provide nominations of other businesses to the Chief Local Elected Officials. Private sector representatives can include owners of businesses, chief executives or operating officers of businesses, and other business executives with optimum policy making or hiring authority.

Local educational entity representatives must be selected from among individuals nominated by regional or local educational agencies, institutions, or organizations representing such local educational entities including local school boards, entities providing vocational education, entities providing secondary adult education and literacy activities, and postsecondary educational institutions (including representatives of community colleges, where such entities exist). Members of the board that represent organizations, agencies, or other entities shall be individuals with optimum policymaking

authority within the organizations, agencies, or entities. The members of the board shall represent diverse geographic areas within the local area.

Labor representatives must be selected from among individuals nominated by local labor federations (or in a local area in which no employees are represented by such organizations, other representatives of employees, such as employee organizations and/or the state AFL-CIO).

For all other members, local chief elected officials should consult with the appropriate groups in the local area for possible individuals to serve including:

- Representatives of community-based organizations, including organizations representing individuals with disabilities and veterans where such organizations exist in the area.
- Representatives of local economic development agencies, including private sector economic development entities.

Nomination for membership to the BOARD shall be accomplished in accordance with the provisions of the ACT and Regulations, as amended. The nomination process under this agreement shall be for the Member Jurisdictions, as defined in Section 2, to seek and receive nominations and submit the list of nominees to the COUNCIL. The COUNCIL shall review the nominations and any other recommendations from member jurisdictions that may be received and make the appointments in accordance with Section 4.02 herein above.

4.05: TERMS OF OFFICE.

The term of office for BOARD members shall be two (2) years and members may be eligible for reappointment. The initial terms of members of the BOARD shall be staggered and the manner and method of staggering the term of office shall be set forth in the by-laws of the BOARD. Individuals serving on the local Board who subsequently retire or no longer hold the position that made them eligible board members may not continue to serve on the local Board. The entity affiliated with the vacating board member may nominate a new representative to the local Board. Vacancies resulting from resignations or removal of mandatory members should be filled within ninety (90) days.

4.06: VOTING RIGHTS.

Each BOARD member shall have one (1) equal vote on all matters before the BOARD. Voting by proxy shall not be permitted.

4.07: OFFICERS.

A Chair and Vice Chair shall be elected by and from the membership of the BOARD; and, shall serve for terms of one (1) year and may be eligible for re-election for one additional term of one year. Eligibility for election of both the Chair and Vice Chair shall be limited to the private sector business category of BOARD membership as referenced in Section 4.02(A) of this Agreement. The Chair serves as the Executive committee chair and selects the Chairs for all standing committees and special committees of the BOARD.

4.08: MEETINGS.

The BOARD shall hold regular or called meetings at such times, dates, and places as may be established in the by-laws of the BOARD.

4.09: STANDING COMMITTEES.

A. IN GENERAL.—the BOARD may designate and direct the activities of standing committees to provide information and to assist the local board in carrying out activities under this section. Such standing committees shall be chaired by a member of the local board, may include other members of the local board, and shall include other individuals appointed by the local board who are not members of the local board and who the local board determines have appropriate experience and expertise. At a minimum, the local board may designate each of the following:

(i) A standing committee to provide information and assist with operational and other issues relating to the one-stop delivery system, which may include as members representatives of the one-stop partners.

(ii) A standing committee to provide information and to assist with planning, operational, and other issues relating to the provision of services to youth, which shall include community-based organizations with a demonstrated record of success in serving eligible youth.

(iii) A standing committee to provide information and to assist with operational and other issues relating to the provision of services to individuals with disabilities, including issues relating to compliance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding providing programmatic and physical access to the services, programs, and activities

of the one-stop delivery system, as well as appropriate training for staff on providing supports for or accommodations to, and finding employment opportunities for, individuals with disabilities.

B. ADDITIONAL COMMITTEES.—The Board may designate standing committees in addition to the standing committees specified in subparagraph (A).

4.10: BY-LAWS.

The Board shall adopt by-laws and such other rules or operational procedures as it deems necessary to govern its operations.

SECTION 5: ADMINISTRATION.

5.01: GRANT RECIPIENT.

The City of Lynchburg has been designated by the COUNCIL to be the grant recipient for the ~~Region 2000~~Central Virginia Workforce Development Area COUNCIL, and is responsible for ensuring compliance with the terms and conditions of the WDA grant. Therefore, the City shall have the ability, for cause, to terminate the appointment of the fiscal agent selected if the City, in its sole discretion, determines there is good cause to do so by giving written notice of termination and specifying the cause for the termination and the effective date thereof. In the event the City terminates the appointment of the fiscal agent as provided herein, the fiscal agent will be paid for the reasonable services provided and the allowable expenses incurred by the fiscal agent prior to the termination of the appointment. If the City terminates the appointment of the fiscal agent the BOARD with the advice and consent of the COUNCIL shall appoint a new fiscal agent.

5.02: FISCAL AGENT.

In order to facilitate and expedite the process of implementing the workforce development system in ~~Region 2000~~Central Virginia, the COUNCIL has determined it to be appropriate to make the initial appointment of the Fiscal Agent for both the COUNCIL and the BOARD. Future appointment of the Fiscal Agent shall be by the BOARD with the advice and consent of the COUNCIL. Pursuant to the ACT, this Agreement, and the Cooperative Agreement between the COUNCIL, and the BOARD, the Fiscal Agent shall be the responsible to the BOARD for management and control. The Fiscal Agent shall provide administrative and staff support to both the COUNCIL and the BOARD performing those duties and responsibilities as may be required to carry out the requirements of the ACT as prescribed by the BOARD and approved by the COUNCIL. Additionally, the ACT prohibits the Fiscal Agent from providing direct services.

Accordingly, the COUNCIL does hereby appoint the ~~Virginia's Region 2000 Local Government Council (Region 2000)~~Central Virginia Planning District Commission as the Fiscal Agent for the WDA.

5.03: DUTIES AND RESPONSIBILITIES OF THE FISCAL AGENT.

The FISCAL AGENT shall have the following duties and responsibilities and such other duties as may be assigned by the COUNCIL initially and the BOARD subsequently:

- A. Prepare the Workforce Development plans as directed by the BOARD;
- B. Develop a program budget for submission to the BOARD prepared in accordance with federal and state guidelines and provisions of the ACT;
- C. Develop an Administrative Budget for submission to the BOARD for the purpose of carrying out the responsibilities as may be assigned by the BOARD;
- D. Provide professional, technical, and clerical support to the COUNCIL under the direction of the BOARD on all matters relating to planning, operation, monitoring, oversight, and evaluation of Workforce Development programs and activities in and for the WDA;
- E. Develop and carry out monitoring procedures necessary to meet the requirements of the Workforce Development Plan and the ACT;
- F. Provide for the operation of all programs and activities which are carried out for the COUNCIL under the authority of the BOARD; and
- G. To perform such other duties as may be assigned from time to time.

SECTION 6: SPECIAL COMMITTEES.

The BOARD and the COUNCIL, jointly or separately, shall from time to time establish such special committees as deemed necessary to effectively plan for and efficiently respond to the workforce needs of the WDA.

SECTION 7: RESOLUTION OF CONFLICT.

In the event there is an unresolved dispute between the BOARD and the COUNCIL, the Governor of the Commonwealth of Virginia shall exercise the authority vested in the state governor by the ACT and Regulations, as amended.

SECTION 8: LIABILITY.

The COUNCIL as a unit and distinguished from the sum or any number of its individual members shall indemnify, and hold harmless, the individual members of the BOARD and COUNCIL from the restitution of any funds required by the misapplication, erroneous expenditure or other action by the BOARD or COUNCIL which results in a claim against any individual member or combination of members of the COUNCIL or the BOARD to the extent allowed by law; this duty to indemnify is subject to all immunities that inure to any individual COUNCIL member as an officer, agent or employee of any political subdivision of the Commonwealth of Virginia and to the immunities that inure to the benefit of any political subdivision of the Commonwealth of Virginia who is a party hereto or a beneficiary hereof, its officers, agents and employees to include sovereign immunity.

8.01: LIMITATION OF LIABILITY.

The extent of liability of any single jurisdiction in this COUNCIL, for any of the funds appropriated to the WDA, shall be limited to the prorated share of the total funds allocated the particular jurisdiction during the particular fiscal year in which an issue of liability may arise.

8.02: INSURANCE REQUIREMENT.

The Fiscal Agent shall procure and maintain appropriate Public Liability and Errors and Omissions Insurance policies sufficient to protect the COUNCIL from potential errors and omissions in the ordinary administration and use of these particular public funds and provide proof thereof to the COUNCIL prior to entering into its duties as Fiscal Agent.

SECTION 9: DURATION.

This Council Agreement shall be terminated upon the repeal of the ACT and other related legislation regarding Workforce Development or upon mutual consent of at least two-thirds (2/3) of the members of the COUNCIL.

SECTION 10: MEMBERSHIP ADDITIONS AND WITHDRAWALS.

10.01: ADDITIONS.

Any local jurisdiction which is not a party to this Council Agreement on the effective date thereof may thereafter join the COUNCIL provided that such local jurisdiction is made a part of a Local Workforce Development Area designated by the Governor of the Commonwealth of Virginia in accordance with the provisions of the ACT and Regulations, as amended; and that, that jurisdiction adopts and executes this Council Agreement.

10.02: WITHDRAWALS.

Any party to this Council Agreement shall have the right to withdraw at any time after written notification of at least ninety (90) days to the COUNCIL of the party's intention to withdraw from the Council Agreement. In the event that any locality that is a party to this agreement exercises its right to withdrawal then the term of any BOARD member appointed by such locality as well as the term of the Chief Elected Official representing the locality on the COUNCIL shall end on the date of the withdrawal.

10.03: DISPOSITION OF PROPERTY UPON TERMINATION.

Upon termination of this agreement any property owned by the Council or the Fiscal Agent shall be distributed to the local jurisdictions on a proportionate basis equal to the amount of funding through grant receipts or otherwise during the period of time when the agreement was in effect.

SECTION 11: AMENDMENTS.

This Council Agreement may be amended only by concurring resolutions by the governing bodies of two-thirds (2/3) of the members of this Council Agreement.

SECTION 12: EFFECTIVE DATE.

This Council Agreement shall become effective on the ~~final date appearing immediately below~~ that two-thirds (2/3) of the members agree.-

**AMENDMENT TO
REGION 2000 EMERGENCY COMMUNICATIONS
REGIONAL COOPERATIVE AGREEMENT
IN ORDER TO CHANGE THE NAME TO
CENTRAL VIRGINIA EMERGENCY COMMUNICATIONS
REGIONAL COOPERATIVE AGREEMENT**

This Agreement is entered into by and between Amherst County, Virginia, Bedford County, Virginia, the Town of Bedford, Virginia, and the City of Lynchburg, Virginia, collectively the "Member Jurisdictions", and Central Virginia Planning District Commission ("CVPDC"), all political subdivisions or public bodies corporate and politic of the Commonwealth of Virginia, and all of which collectively may be referred to as the "Parties".

RECITALS

WHEREAS, the Parties previously entered into the Region 2000 Emergency Communications Regional Cooperative Agreement in order to create and operate the Region 2000 Radio Communications Board; and,

WHEREAS, the parties have determined to change the name of the Region 2000 Radio Communications Board to the Central Virginia Radio Communications Board; and,

WHEREAS, the Parties, by their execution hereof, have approved and made the change of the Region 2000 Radio Communications Board to the Central Virginia Radio Communications Board.

NOW, THEREFORE, THIS AGREEMENT FURTHER WITNESSETH:

That upon the execution hereof by all Parties, the Region 2000 Radio Communications Board shall be and become, by change of name, the Central Virginia Radio Communications Board.

In all other respects, the aforesaid Region 2000 Emergency Communications Regional Cooperative Agreement shall continue in full force and effect until otherwise agreed to by the Parties or as required by law.

IN WITNESS WHEREOF, the Parties have each caused this Amendment to the former Region 2000 Emergency Communications Regional Cooperative Agreement to be executed and dated as follows:

AMHERST COUNTY, VIRGINIA

By: _____
Chair, Board of Supervisors

Date signed

BEDFORD COUNTY, VIRGINIA

By: _____ Date signed _____
Chairman, Board of Supervisors

TOWN OF BEDFORD, VIRGINIA

By: _____ Date signed _____
Mayor

CITY OF LYNCHBURG, VIRGINIA

By: _____ Date signed _____
City Manager

**REGION 2000 LOCAL GOVERNMENT COUNCIL
(now CENTRAL VIRGINIA PLANNING DISTRICT COMMISSION)**

By: _____ Date signed _____
Executive Director