



**Governing Board Meeting**  
**Frederik Meijer Gardens (Hauenstein Room)**  
**1000 East Beltline NE • Grand Rapids, MI 49525**  
**<https://westmiworks-org.zoom.us/j/95945276342>**  
**You can also dial in using your phone**  
**+1 (929) 436-2866**  
**Meeting ID: 959 4527 6342 Passcode: 981796**  
**Monday, December 13, 2021 • 11:00 a.m. – 11:30 a.m.**

### **AGENDA**

1. Call to Order
2. Public Comment – Agenda Items
3. Approval of the October 25, 2021 Minutes **Action Required**
4. WMW WDB Resignation and Nomination *(75% affirmative vote of members present)* **Action Required**  
*Jacob Maas, Chief Executive Officer*
5. Request for Closed Session: Chief Executive Officer Annual Review *(roll call vote)* **Action Required**  
*Jacob Maas*
6. Approval of the December 13, 2021 Closed Session Minutes **Action Required**
7. Chief Executive Officer Contract Changes *(75% affirmative vote of members appointed/serving)* **Action Required**  
*Jacob Maas*
8. Other Business **Information Item**
9. Public Comment
10. Adjournment

**Next Scheduled Governing Board Meeting:**  
**Monday, February 28, 2022 at 8:30 a.m. located at:**  
**Location: Westside Service Center**  
**215 Straight Ave NW, Grand Rapids, MI 49504**



**Governing Board Meeting  
Westside Service Center  
215 Straight Ave. N.W.  
Grand Rapids, MI 49504**

**<https://westmiworks-org.zoom.us/j/95353930021>**

**You can also dial in using your phone**

**+1 (929) 436-2866**

**Meeting ID: 953 5393 0021 Passcode: 876204**

**Monday, October 25, 2021 ▪ 8:30 a.m. – 10:00 a.m.**

## **MINUTES**

**Governing Board Members Present:** Commissioners Garcia, Lenear, Storey (Holland, MI), Gieger (Woodland, MI), Tiejema, LaGrand, Womack, Baker, Pego, Bergman, Reppart

**Governing Board Members Absent:** Commissioners De Young, Stek, Scolnik

**Staff Present:** Jacob Maas, Angie Barksdale, Bob Perkins, Laura Krist, Janette Monroe, Amy Lebednick (virtual), Brittany Lenertz (virtual), Melanie White (virtual), Tawanna Wright (virtual)

### **Guests Present:**

1. Call to Order by Commissioner Garcia at 8:34 a.m.

2. Public Comment- Agenda Items- None.

3. Approval of the August 23, 2021 Minutes

**Action Required**

**Motion – Com. Bergman**

**Second – Com. Lenear**

**Item Approved by Vote – All members present voted affirmatively. Motion carried.**

4. Report on Financial Activities: Notes to August 2021 Board Financials

**Information Item**

Bob Perkins, Chief Financial Officer, reviewed ACSET's statement of revenue and expenditures for the two months ending August 31, 2021. Brief discussion took place and staff answered board members' questions.

5. West Michigan Works! (WMW) Workforce Development Board (WDB) Activities:

a. WDB Member Resignation/Nominations *(75% affirmative vote of members present)* **Action Required**

Jacob Maas, Chief Executive Officer reviewed that in June 2021, staff were notified that Community Based Organization (CBO) representative Kiesha Guy had to step down from the WDB, and that Goodwill Industries has since had their new Chief Workforce Officer, Kristin Garriss apply to fill the open seat. The term of office for Keisha Guy's seat is open through October 31, 2022. WMW staff were also notified of three (3) other members will no longer be participating on the WDB at this time and one (1) additional member has retired. Jacob reported that on September 20, 2021, the Executive Leadership Committee of the WDB approved and supported the change. Jacob requested Governing Board approval to appoint Kristin Garriss to serve on the WDB.

**Motion – Com. Lenear**

**Second – Com. Tiejema**

**Item Approved by Vote – Roll call vote taken. All 10 members present at the time voted affirmatively. Motion carried.**

- b. WMW WDB Term of Office Applications  
November 1, 2021 – October 31, 2023 *(75% affirmative vote of members present)* **Action Required**  
Jacob Maas, reviewed that at the end of June 2021, the WMW WDB had 19 members whose terms of office expire on October 31, 2021. Applications were reviewed by the Nomination Committee assigned by the Executive Committee. Jacob reviewed the slate of applicants and reported that the WDB would continue to meet State requirements with representation of 33 total board members. Jacob requested Governing Board approval of the slate of applicants to serve on the WDB with term of office dates commencing November 1, 2021 through October 31, 2023.

**Motion – Com. Lenear**

**Second – Com. Bergman**

**Item Approved by Vote – Roll call vote taken. All 10 members present at the time voted affirmatively. Motion carried.**

## 6. Governing Board (GB) Activities

- a. 2022 Meeting Calendar **Action Required**  
Jacob Maas, reported that staff would like to recommend the following dates for the 2022 Governing Board meeting schedule: February 28, April 22, June 27, August 22, October 24 and December 12. Jacob further noted that because the current Open Meetings Act (OMA) requires meetings to be held in person staff are prepared to host the GB meetings at the West Michigan Works! Westside Service Center. Jacob answered board members' questions.

**Motion – Com. Bergman**

**Second – Com. Pego**

**Item Approved by Vote – All members present voted affirmatively. Motion carried.**

- b. Governing Board Membership Presentation  
November 1, 2021 – October 31, 2023 **Action Required**  
Jacob Maas, stated that in accordance with the membership section of the Governing Board Bylaws, it is time to renew the structure and composition of the Board's membership. Jacob presented to board members the following: 1.) roster of current local elected officials, 2.) revenue funding from 2017-2020, 3.) number of clients served in each county from September 2015-September 2021, and 4.) population estimates from 2015 through 2020 for the WMW 7-county 4B region. Discussion took place, and Jacob answered board members' questions. Jacob requested Governing Board approval to affirm the existing board composition as currently established in the Interlocal Agreement. Discussion took place and staff answered board members' questions.

**Motion – Com. Tiejema**

**Second – Com. Pego**

**Item Approved by Vote – All members present voted affirmatively. Motion carried.**

## 7. Report on Administrative Activities

**Information Item**

- a. ACSET Personnel Actions Report  
Laura Krist, Human Resource Director, reported that there have been ten (10) appointments, ten (10) separations, and two (2) promotions.
- b. ACSET Operations Staffing **Information Item**  
Laura Krist reported that ACSET currently has 200 out of 232 positions filled and 32 vacancies. Laura indicated that staff are actively looking to fill the career coach, and floating career navigator positions.
- c. Top of Scale Pay **Action Required**  
Laura Krist reported that the Top of Pay Scale is a lump sum payment issued to employees who have been at Step 10 of the pay scale for more than 12 months. These employees at Step 10 of the

pay scale do not qualify for a raise, so they receive a lump sum payment which is based on a percentage of their annual salary and is paid out annually on the first payroll on or after November 1. Laura requested Governing Board approval to issue Top of Scale Pay at the first payroll following the completion of employee's evaluations instead.

**Motion – Com. Bergman**

**Second – Com. Womack**

**Item Approved by Vote – All members present voted affirmatively. Motion carried.**

**\*Com. LaGrand was not present for this item.**

- d. Compensation Schedule **Action Required**
- Laura Krist reported that in response to the compensation study that was completed by Pontifex Consulting, and after a review of the internal pay structure, staff have determined that changes to the compensation structure and current staff compensation would be appropriate. Laura reported that this change would allow necessary adjustments for current staff members as well as attract and retain future staff members.
- i. Compensation Charts
- Laura Krist reviewed that the consultant recommended removing the first two steps on ACSET's current compensation schedule and adding two new steps in increments of 3.8% to the top of pay scales. Per the consultant's recommendation, staff would like to remove the first two steps and add two additional steps, continuing to have 10 steps for each grade. Laura further reported that in order to bring current employees' compensation closer to the average market value outlined in the study, ACSET would like to implement a one-step pay increase to each employee effective November 1, 2021, and the subsequent increases would be in alignment with annual evaluations. Laura requested Governing Board approval to make the step changes and issue appropriate compensation as outlined above. Discussion took place and staff answered board members' questions.
- Motion – Com. Womack**
- Second – Com. Lenear**
- Item Approved by Vote – All members present voted affirmatively. Motion carried.**
- e. Request to Update Pay Grades **Action Required**
- Laura Krist reported that in response to the compensation study that was completed by Pontifex Consulting, and after a review of internal pay structure, staff have also determined that three (3) changes affecting the pay grade scale would be appropriate effective November 1, 2021.
- i. Create New Pay Grade
- Laura Krist reported that based on data provided in the study, there is a need to adjust the pay grades for some positions. Laura reported staff would like to add a new pay range between the current M3 and M4 pay grades, resulting in the addition of a M5 pay grade and then reclassify all pay grades as more fully explained in the memo. Laura reported this change would increase the M5 pay grade as well. Laura requested Governing Board approval to make these changes. Discussion took place and staff answered board members' questions.
- Motion – Com. Tiejema**
- Second – Com. LaGrand**
- Item Approved by Vote – All members present voted affirmatively. Motion carried.**
- ii. Restructuring Grade Scale
- Laura Krist reported that staff are requesting the removal of three (3) positions which are no longer used at ACSET, and that with removal of these positions and the reclassification

of the current positions, staff would like to rename the pay grades as outlined in the memo. Laura requested Governing Board approval to remove the three referenced positions and corresponding grades and to rename all pay grades.

**Motion – Com. Bergman**

**Second – Com. Womack**

**Item Approved by Vote – All members present voted affirmatively. Motion carried.**

iii. Reclassification of Positions

Laura Krist reported that there are twelve (12) ACSET positions with large variances between average market rate and current salary mid-point as outlined in the memo. Laura reported that staff took this data into account along with the scope of responsibilities and organizational structure. Laura requested Governing Board approval to move the twelve positions to the indicated pay grades outlined in the memo and reviewed the proposed new wage scale. Discussion took place and staff answered board members' questions.

**Motion – Com. Lenear**

**Second – Com. LaGrand**

**Item Approved by Vote – All members present voted affirmatively. Motion carried.**

f. Request to Update Staffing Chart

**Action Required**

Laura Krist reported that after reviewing the current staffing chart and assessing the needs of youth program across the region, staff have determined that adding an Assistant Manager to the current staffing chart is necessary. Laura reviewed that the Assistant Manager would report to the Youth Solutions Manager and will be responsible for the summer youth program as well as other projects in the department. Laura requested Governing Board approval to add this position to the staffing chart.

**Motion – Com. Lenear**

**Second – Com. Womack**

**Item Approved by Vote – All members present voted affirmatively. Motion carried.**

8. Dashboard and Solutions Driven Updates

**Information Item**

a. Dashboard

Angie Barksdale, Chief Operating Officer, reviewed the Service Summary for October 1, 2020 through September 30, 2021 with board members. The Summary provided data about the organization's progress toward fulfillment of its services in alignment with the 2020 Strategic Plan. Angie reviewed the Service Center Traffic and Call Volume, Diversity of Job Seekers, Employers Served, Diversity of Employers, Jobs filled by Industry, Training by Industry, and Training with Going Pro Talent Funds (GPTF), Hiring Events, Retention Solutions Network, and WorkReady Certificates. Angie further reported that WMW service centers are now open for walk-in traffic, and that social distancing is still in place.

b. **Grants/Funding Opportunities:** Angie stated that staff and partners are working to develop the processes and procedures for many of the grants and funding programs listed below.

i. Grand Rapids Community College's One Workforce Grant

Information provided in packet.

ii. Future of Work

Information provided in packet.

iii. MICA 3.0

Information provided in packet.

- iv. Michigan Learning and Education Advancement Program (MiLEAP)  
Information provided in packet.
  - v. Michigan Rural Enhanced Access to Careers in Healthcare (MiREACH)  
Information provided in packet.
  - vi. Regional Talent Innovation Grants  
Information provided in packet.
  - vii. State Apprenticeship Expansion (SAE) – West Michigan Works!  
Information provided in packet.
  - viii. State Apprenticeship Expansion (SAE) – Michigan Energy Workforce Development Consortium (MEWDC)  
Information provided in packet.
- c. Industry Talent Council Initiatives Angie Barksdale reviewed the following initiatives that the talent councils have been engaged in:
- i. MiCareerQuest 2022 Event Update  
Angie Barksdale reported that the MiCareerQuest Steering Committee has decided not to hold the traditional large in-person event at DeVos Place in 2022. The committee is seeking an alternative for engagement either in a classroom or virtual setting. Angie answered board members' questions.
  - ii. Construction Careers Council (CCC)  
Angie Barksdale reported that this council convened 4 months ago and is represented by many trades. This council works closely with the Construction Workforce Development Alliance led by the Associated Builders and Contractors (ABC). Additional information is provided in the packet.
  - iii. Discover Manufacturing (DM)  
Angie Barksdale reported that DM has several projects underway. SME Prime is a \$6 million Appropriation in the state's budget will support the SME Education Foundation's Partnership Response Initiative (PRIME) which will be used to provide Michigan high schools with opportunities to craft and run CTE programs for students interested in learning about manufacturing. Ionia, Ottawa, and Kent ISD have submitted applications for the funding. Angie further reported that Manufacturing Week registration is open and there will be both virtual and in-person small group tours available. The scholarship program will also be kicked off during this week. The Adopt a School has also been implemented and to-date, 11 schools have been "adopted" by a manufacturer. Additional information is provided in packet.
  - iv. West Michigan Health Career Council (WMHCC)  
Angie Barksdale reported that the Council is planning a Career Exploration event in January 2022 and that additional information will be forthcoming.
  - v. West Michigan Tech Talent (WMTT):  
Angie Barksdale reported that WMW has hired a new Industry Council Lead who comes from the IT Industry. The Council is working on rebranding the Hours of Code event to {Mi} Code Experience. This will be a hybrid event with an asynchronous option. Angie further reported that the Council, in partnership with the MiSTEM Network, is launching a [Congressional App Challenge](#), where high school students compete to develop an app and U.S. Representatives publicly recognize the winning teams, with the app being displayed at the U.S. Capitol Building for one year, with additional prizes available.

vi. Agribusiness Talent Council of West Michigan (ATC):

Angie Barksdale reported that a Career Ag-xploration project was approved at ATCs August Council meeting. The council is in the beginning stages of this initiative and additional information is included in the packet.

d. WMW Sponsored Registered Apprenticeships Program

Angie Barksdale reported that WMW holds registered apprenticeship standards for 28 occupations with 57 employers actively signed on to our standards. In the current year, 192 registered apprentices have completed their respective programs and there are 92 active apprentices assigned under our standards.

**Additional Initiatives**

e. Clean Slate Navigator

Angie Barksdale reported that the program has come with heavy lifting and that getting individuals through the process is a lengthy process. Angie reported that there have been significant roadblocks to this work, including adjournments of scheduled hearings due to the Michigan State Police and Attorney General's office failure to timely respond to court hearing deadlines. Discussion took place and Angie answered board members' questions. Board members offered to assist with support from legislators if there is anything they can do to assist further.

f. Learn, Earn and Provide (LEAP) Pilot

Angie Barksdale reported that WMW was invited by the State of Michigan to partner with the Muskegon County Friend of the Court to offer the LEAP pilot. The program aims to assist non-custodial parents in obtaining and maintaining employment and getting back on track with child support payments. Brief discussion took place, and staff answered board members' questions.

g. Launchpad:

Information provided in packet.

9. Strategic Workforce Solutions Update

**Information Item**

Not provided at this time.

10. Other Business

**Information Item**

a. MI New Economy

Jacob Maas reported that Governor Whitmer recently made announcements on American Rescue Plan (ARP) funding, including the MI New Economy Plan. Jacob Maas reported MI New Economy is a 3-year plan to address the structural challenges the state faced prior to and during the COVID-19 pandemic. Jacob reviewed the 3 pillars of the plan: 1.) Grow the Middle Class, 2.) Support Small Business, 3.) Build Strong Communities. Jacob reported that the first pillar is more closely tied to workforce development programs. Jacob noted that MI New Economy is anticipated to fund several initiatives, such as Going Pro Talent Fund, Future for Frontliners, MiReconnect, some new COVID funding, and college pipelines. Jacob stated that the plan will go through legislation. Additional information on the plan can be found here <https://www.michigan.gov/mineweconomy/>

b. December 13, 2021 Annual Joint Board Meeting

Jacob Maas reported that the December GB meeting will take place in person at Fredrick Meijer Gardens, beginning at 11:00 a.m. Jacob noted that a request to enter a closed session to review the ACSET/WMW CEO performance evaluation. Commissioner Garcia requested board members to submit any questions or comments to the Chair/Vice-Chairperson related to the CEO evaluation. Jacob reminded members that following at 11:30 a.m., is the annual joint meeting with the WDB. Additional details will be forthcoming.

c. Service Center Updates

Jacob Maas reported that staff recently procured Request for Proposals (RFP) for the service centers in Ionia and Ottawa Counties. Staff have since awarded the bids and the Ionia Service Center will now be moving into a larger facility (previously Family Dollar), which will provide additional space for partners to host classes etc. inside the center. WMW facilities staff are performing the structural work/redesign in the space. The Ottawa County Service Center will be moving into the Westshore Mall next to the newly opened Grand Rapids Community College (GRCC) lakeshore campus. The developer will perform the structural build out. Furthermore, the Fennville Library has offered space inside the library to relocate WMW Fennville satellite center. The library could be a good fit that alleviates safety concerns considering that the satellite center is open on a part-time basis and is staffed by one-staff member.

11. Public Comment- None.

12. Adjournment at 9:59 a.m. by Chairperson Garcia

Recorded by: \_\_\_\_\_ Received by: \_\_\_\_\_





**ADMINISTRATIVE OFFICE**

Area Community Services  
Employment & Training Council  
1550 Leonard NE  
Grand Rapids, MI 49505  
(616) 336-4100

**SERVICE CENTERS**

**Allegan County**

3255 122nd Ave  
Allegan, MI 49010  
(269) 686-5079

220 East Main St  
Fennville, MI 49408  
(269) 561-2001

**Barry County**

130 E State St  
Hastings, MI 49058  
(616) 649-9850

**Ionia County**

301 W Main St  
Ionia, MI 48846  
(616) 389-8525

**Kent County**

121 Franklin SE  
Grand Rapids, MI 49507  
(616) 336-4040

215 Straight Ave NW  
Grand Rapids, MI 49504  
(616) 336-4460

10075 Northland Dr NE  
Rockford, MI 49341  
(616) 228-6724

**Montcalm County**

114 S Greenville W Dr  
Greenville, MI 48838  
(616) 754-3611

**Muskegon County**

316 Morris Ave  
Muskegon, MI 49440  
(231) 724-6381

**Ottawa County**

121 Clover St  
Holland, MI 49423  
(616) 396-2154

## MEMORANDUM

**TO:** ACSET Governing Board

**FROM:** West Michigan Works! Staff

**DATE:** December 6, 2021

**RE:** WMW WDB Resignation and Nomination

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### Background

WMW staff were notified that Jim Edmonson needs to step down from his seat on the WDB. Jim has since made the recommendation for Morgan Carroll to serve as his replacement.

Morgan is the Director of Business Development with Greater Muskegon Economic Development. Morgan currently serves on the Norton Shores Planning Commission, Discover Manufacturing Leadership Committee, Kent Ottawa Muskegon Foreign Trade Zone Board, MCC Strategic Planning Committee, Muskegon County Wastewater Users Group and Thrive, as well as numerous boards in the past. Morgan has worked closely with West Michigan Works! and is knowledgeable on services offered.

### Action

WMW staff is seeking approval from the ACSET Governing Board to support the appointment of Morgan Carroll to fill the open seat as an Economic Development representative on the WDB with terms of office through October 31, 2022.

***Pursuant to Article I, Section 9 of Area Community Services Employment & Training (ACSET) Amended Bylaws dated April 26, 2021, a seventy-five percent (75%) affirmative vote of the members present is required for approval of appointment of members to the Workforce Development Board.***



**MEMORANDUM**

**TO:** ACSET Governance Board  
**FROM:** Kristen E. Guinn  
**DATE:** December 7, 2021  
**RE:** Revisions to Maas Employment Contract

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Dear ACSET Board,

Smith Haughey Rice and Roegge was tasked with updating the employment contract between ACSET and Mr. Jacob Maas. Per the request of the Board and Jacob Maas, the following changes have been made to the employment contract:

- **Paragraph 4(A)**
  - The applicable salary has been updated to reflect the current salary of Mr. Maas (\$190,000).
  - The date of salary increase has been updated to January 1, 2022.
- **Paragraph 4(B)**
  - Reference to the Employee Handbook has been added to simplify the summary of benefits that Mr. Maas shall receive under the contract, with mention of 224 hours of annual leave.
  - A direct reference to the “Top of Scale Pay” section of the Handbook was added to reflect Mr. Maas’ ability to receive this benefit.
- **Paragraph 4(C)**
  - The vehicle lease allowance was increased to \$600/month up until March 1, 2023, at which time the vehicle lease allowance shall increase to \$800/month. Language that Mr. Maas is responsible for personal taxes associated with the vehicle has been added as well.
- **Paragraph 5**
  - The effective date and term have been updated.
  - Language related to a 360-degree evaluation to occur every 3 years has been added. The review shall be conducted by an outside consultant.

A clean copy of the proposed employment contract, as well as a PDF copy showing the proposed changes, is attached to this memo.

These revisions have occurred based on discussions with Mr. Maas, the Chairperson, and the Vice Chairperson. I am happy to discuss any questions the Board may have.

Sincerely,

Kristen E. Guinn

## EMPLOYMENT CONTRACT

THIS AGREEMENT, is made \_\_\_\_\_, 2021, by and between the **AREA COMMUNITY SERVICES EMPLOYMENT AND TRAINING COUNCIL**, a Michigan Council, of 1550 Leonard NE, Grand Rapids, Michigan, 49505, hereinafter referred to as “ACSET”, and **JACOB MAAS**, of 1002 S. Otillia St. SE, Grand Rapids, Michigan, 49507, hereinafter referred to as “Mr. Maas.”

WHEREAS, ACSET desires to employ Mr. Maas as its Chief Executive Officer in accordance with the existing ACSET Interlocal Agreement; and, WHEREAS, the parties agree that it would be desirable to enter into a written Agreement.

NOW, THEREFORE, in consideration of the mutual promises to the parties hereto, IT IS AGREED AS FOLLOWS:

1. ACSET hereby employs Mr. Maas as its Chief Executive Officer.
2. Mr. Maas shall perform the duties of Chief Executive Officer of ACSET as directed by the Governing Board thereof. Mr. Maas agrees that he will at all times faithfully, industriously, and to the best of his ability, experience and talents perform all of the duties that may be required of and from him pursuant to the express and implicit terms hereof, to the reasonable satisfaction of ACSET.
3. Mr. Maas shall, unless otherwise specified, perform his duties during hours acceptable to ACSET, except when Mr. Maas is exercising his leave privileges under the ACSET fringe benefits program or hereunder.
4. Compensation:
  - A. Salary

Mr. Maas shall be paid an annual salary of One Hundred Ninety Thousand Dollars (\$190,000.00) beginning January 1, 2022, for his services as the Chief Executive Officer of ACSET.
  - B. Annual Leave and Fringe Benefits

Mr. Maas shall be granted two hundred and twenty-four (224) hours of annual leave during each year of service under this contract and fringe benefits and leave time (excluding annual leave time) as are available to ACSET employees. In lieu of unused credited annual leave, a cash payment not to exceed the equivalent of two hundred (200) hours shall be made to Mr. Maas (or his estate) upon termination without cause pursuant to Section 7, or termination of this Agreement pursuant to Sections 8 or 9, unless ACSET, or a successor organization, and Mr. Maas enter into another

employment contract. Other types of unused leave time may not be converted to cash, except pursuant to policies adopted by ACSET.

Additionally, Mr. Maas shall be eligible to qualify for “Top of Scale Pay,” as outlined in the employee handbook beginning on January 1, 2023.

C. Vehicle Usage

Mr. Maas shall be furnished a leased American-made automobile of his choice to be used for ACSET and personal purposes. ACSET shall pay the full cost of such lease up to a maximum of \$600 per month until March 1, 2023, at which time ACSET shall pay the full cost of such lease up to a maximum of \$800 per month. This lease shall be in the name of ACSET. ACSET shall insure and maintain the vehicle with the exception that Mr. Maas shall purchase fuel for the vehicle when used for personal purposes. Mr. Maas shall be solely responsible for determining the amount of fuel to be purchased for personal uses, as well as any applicable personal taxes related to the vehicle in accordance with IRS guidelines.

D. Retirement Benefits

In addition to ACSET’s retirement contribution plan, Mr. Maas shall be granted 5% contribution towards ACSET’s Roth IRA plan.

5. This agreement shall be effective as of January 1, 2022 (the “Effective Date”) and shall continue indefinitely unless sooner terminated pursuant to the terms of this Agreement (the “Term”). The period in which Employee is employed with Employer, including the original Term of this Agreement and any extensions of the term shall be referred to as the “Employment Period.” Notwithstanding the foregoing, every three (3) years from the Effective Date, Mr. Maas shall undergo a 360-degree performance review conducted by an outside consultant and to be approved by the Governing Board. Such review shall be conducted for the purpose of renewing and/or revising this Agreement.
6. The parties of this Agreement understand and agree that the continuance of this Agreement shall be contingent upon the continuance of funding from ACSET’s grantor agencies.
7. This Agreement may be terminated by Mr. Maas provided a thirty (30) calendar days advance notice is given in writing to the Chairperson of ACSET. This Agreement may be terminated by ACSET at any time with cause, and no additional salary or unused annual leave shall be due or payable. This Agreement may also be terminated without cause provided ninety (90) calendar days advance notice is given in writing to Mr. Maas. Should ACSET not provide ninety (90) calendar days advance notice of Agreement Termination without cause to Mr. Maas, it agrees to provide Mr. Maas with the salary he would have earned during ninety (90) calendar days of employment.

8. This Agreement shall be terminated automatically upon Mr. Maas' death. ACSET shall be obligated to pay to Mr. Maas' estate the amount of the salary that is earned but unpaid as of the time of Mr. Maas' death. Mr. Maas' designated beneficiary or estate, as the case may be, shall be entitled to receive any unused annual leave accrued at the time of Mr. Maas' death.
9. Mr. Maas may separate from the employ of ACSET at his option, or be separated at ACSET's option, if Mr. Maas is disabled, either mentally or physically, and unable to perform his duties. For purposes of this Agreement, (a) such disability must first have prevented Mr. Maas from performing his duties for a period of at least ninety (90) calendar days in any twelve (12) consecutive month period; and (b) a physician mutually agreed upon by Mr. Maas and ACSET shall certify that Mr. Maas is not able to perform his duties. ACSET shall pay for any examination fee or other charges that may be incurred in connection with such certification. If the physician certifies that Mr. Maas is disabled as defined by this section, then either party may terminate this Agreement upon thirty (30) days' prior written notice to the other party and Mr. Maas shall be entitled to the amount of salary that is earned but unpaid as of the date of termination and any unused annual leave accrued at the time of termination.
10. No modification or waiver of this Agreement or any covenant, condition or provision herein contained, shall be valid unless in writing and duly executed by the party to be charged therewith.
11. All agreements and covenants herein are severable, and in the event any of them, with the exception of those contained in Sections 1, 2 and 4 hereof, shall be held to be invalid by any competent court, this Agreement shall be interpreted as if such invalid agreements or covenants were not contained herein.
12. No party to this Agreement shall assign any of the rights or obligations contained herein without the prior authorized written consent of the other party.
13. This written Agreement embodies the whole Agreement between the parties and there are no inducements, promises, terms, conditions, or obligations made or entered into by ACSET, or Mr. Maas, other than contained herein.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed the day and year first above written.

**AREA COMMUNITY SERVICES EMPLOYMENT AND  
TRAINING COUNCIL**

Dated: \_\_\_\_\_  
COMMISSIONER FRANK GARCIA, CHAIRPERSON

Dated: \_\_\_\_\_  
COMMISSIONER SENITA LENEAR, VICE-CHAIRPERSON

**CHIEF EXECUTIVE OFFICER**

Dated: \_\_\_\_\_  
JACOB MAAS