

## MEETING MINUTES

October 15, 2014

### GOVERNOR'S COMMITTEE FOR THE PURCHASE OF COMMODITIES AND SERVICES FROM THE HANDICAPPED

The meeting was called to order at 10:00 a.m. October 15, 2014 at the WVARF office located at 400 Allen Drive, Charleston, West Virginia.

**ATTENDANCE:** Kim Nuckles (Chairperson); Aaron Jones, Executive Director; Everette Sullivan, Carol Jarrett, Recording Secretary.

WVARF Staff: Aaron Jones  
Mark Jackson  
Gary Wolfe  
Roy Woodard

Attended by Conference Call: Jan Smith, OP Shop  
Brenda Bates, Division of Rehabilitation Services

Guests: Cedric Greene, WV Regional Jail Authority  
Carla Cleek, WV Division of Rehabilitation Services  
Joyce Birley, Goodwill Industries of Kanawha Valley  
Cheri Bever, Goodwill Industries of Kanawha Valley  
Debbie Birthisel, Green Acres  
Megan Cobb, Division of Administration

ABSENT: Phillip Mason

### **COMMITTEE CHAIR REPORT:**

Mr. Greene, good morning – Obviously I am no longer the Chairperson or part of this Committee. I decided I would come over and pass off the duties and responsibilities to Kim Nuckles the best way that I possibly can. For those of you who don't know Kim, her name is Kim Nuckles and she is the Coordinator for the State of West Virginia for the Americans with Disability Act (ADA) and she works in the office of Jason Pizatella, the Cabinet Secretary, Department of Administration. I recommended her to the outgoing Cabinet Secretary, Ross Taylor as well as to the new Cabinet Secretary for the Department of Administration, Mr. Pizatella that I thought Kim would be an absolute good fit. The only thing that she will have speed bumps and pot holes about is just learning the processes, but as far as understanding state government and as far as understanding the rights and responsibilities and duties that we have to try to uplift this program, she will catch on to that very quickly and as far as leadership I think she will be a phenomenal leader for this Committee. I wish that you guys will welcome her and try to assist her as best as you can so that she can be successful and so the program can be successful so that Aaron and his staff will work with Kim and help her and keep her on the paved road. I won't be involved at all make no mistake about that, I am not voting on anything, I will do nothing I will just kind of give Kim some administrative type things as we go along to help

keep her on track and I have given her some side notes as we talked yesterday. She will take that information and she knows I am available if I can assist her and she knows the rest of the Committee members are available to help her as well as Aaron. With no further ado, Kim is here and Kim do you have anything you want to say?

Ms. Nuckles, good morning, I'm excited to be here. This happened pretty quickly so I clearly haven't had the time that I would like to have to read the Code, the Statutes and the minutes and I am going to do all of that. By next meeting I am going to be up to speed with Purchasing, the process and like Cedric said in terms of learning the lay of the land and the rules and the process that is something I need to do. I need to take the time and research and figure it out which I will be able to do. I am happy to be here and I'm excited about this opportunity. I think this is a huge deal and I'm really proud of it and excited and I know you guys will help guide me along the way. Cedric actually said on the way over here, you know your first 30 or so days doing something, you kind of do a lot of learning, listening, kind of sitting back seeing how the process works and I thought that was great advice because I don't know, but I am going to learn and that is why I'm here and I know you guys will assist me if I need you and I appreciate that. I'm happy to be here.

Mr. Greene, I'm just here to help Kim through the process this time and then you guys won't see me anymore.

Ms. Nuckles, is there a motion to approve the minutes from last month's meeting?

**MOTION #1**

**Mr. Sullivan made a motion to approve the minutes, Ms. Smith seconded. Motion passed.**

**EXECUTIVE SECRETARY'S REPORT:**

We do not have a financial report for this month due to wvOASIS.

**EXECUTIVE DIRECTOR'S REPORT:**

Mr. Jones, I apologize for not having everything out to you but we did get the word that Cedric was stepping down and we all kind of went into a state of shock. When I got your email over the weekend then I knew we were in good hands going forward. Cedric had mentioned to me before that you would perhaps be his replacement when he did step down. I did note in the minutes of our last meeting that Cedric made the comment that he may not be here at the next meeting, he just kind of slipped that in on the last big paragraph. First of all, I would like to say it was been a pleasure working with Cedric and all the Committee. Our goal is to move forward with a smooth transition, we want to help you in any way we can. Any information you need we will be happy to help you. I sent an Executive Director's report out which is kind of day-by-day thing that I try to list major things that is happening. What we have tried to do during the month of October to step out and visit our CRPs. We had our first one this month as we visited Clay

County. I took the entire staff and we sat down with them and went over contract issues, etc. A lot of times they are not aware of programs that are available to them or jobs that they may be able to do in their area. We were concerned about Clay County because the rest area they have is one of the major rest areas (Servia) and it is a major contract. We were informed by them that they had word that it was going to be delayed for a couple of years so that relieved a little pressure. We are also looking for work for all of our CRPs. Later today we are going to visit SW Resources in Parkersburg.

Our staff is preparing to go to SUPRA Conference which is National and each state has a representative and it is a very valuable conference. They tell you everything, problems they have had and how to resolve those problems. It will be January 14- 16, 2015 and it will be in Scottsdale, Arizona and we will be making our plans for that with our staff and what we will need to do for the CRPs while we are there.

Ms. Nuckles, Aaron was just telling us and we wanted this on the record about the National Conference coming up in January (SUPRA).

Mr. Jones, at our last meeting we mentioned we were having issues with collecting money we tried to pull out all stops because we are getting the same excuse every time we call but they don't know how to put invoices in OASIS. We have told them that we don't care how you get us our money whether it goes through OASIS or not we just need some money. This past week we collected about \$600,000.00 which is still short. From the first of October we have collected \$800,000.00. Our accounts payable is like \$1,150,000.00 so we are still right on the border right now of having to borrow again. We had to borrow \$600,000.00 last month. We have gone to every source that we know to help with this and we have gotten great help from General Services and the Department of Administration. We have gotten some help from the Division of Highways; we have received some monies from different agencies. We had one agency that told us they had entered into OASIS and they couldn't pay us and they were three months behind and he said if you give me your account number I can transfer directly to you and I said I'll give you anything to get the money. We did get that money also. It is just a constant battle trying to get money out of the state because of OASIS. I guess they have probably been instructed that if somebody calls just tell them you are having problems with OASIS. This is four months into OASIS so we just have to deal with it any way we can. We have some other funds that have been promised this week so hopefully we can get everybody paid and get everything posted without having to tap into that line-of-credit again but we will if we have to. We will know that probably by tomorrow. It is frustrating and it is time consuming. We bill the state with an invoice and to get our money we have to re-invoice it, we have to make another copy of that invoice and do whatever to try to get paid. That is what we are facing.

Mr. Jones, I have been working with Dave Mullins in Finance and he has been pushing the invoices for us as fast as he gets them in. When you are looking at past due on Department of Health and Human Resources (DHHR) you are looking at \$750,000.00.

Mr. Greene, Kim for your information, he pays Goodwill and he tries to get his money back from the State – if he doesn't have the money to pay Goodwill then Cheri has got to send people home. You can't continue to have people come to work and not have a mechanism to pay them. She finds it entertaining that the state is not paying but she doesn't really care about that as long as she is getting her money from Aaron because Aaron has to get his money from us but once Aaron can't get his money from us then Aaron can't continue to pay Cheri and so then she will care that the state is not paying because then the whole system will break down and

she will have to send individual employees home. Cheri will not have a way to pay her employees and that is the bottom line.

Mr. Jones, at this time last year we had to borrow on our line-of-credit, I think in July we borrowed \$250,000.00 and we paid it off the first part of August. Then in August we borrowed \$200,000.00 and we paid that back quickly also. We have borrowed the 4<sup>th</sup> or 5<sup>th</sup> of September, \$600,000.00 and we have not been able to pay a dime of that back. All that interest is absorbed by WVARF. The State doesn't care, the CRPs really don't care because they are getting their money but that is eating into our budget and it is costing us right now, it is costing us about \$50.00 + per day in interest. That is going to add up pretty quickly. If you have to borrow more then it is going to increase even more.

Mr. Greene, there is no mechanism for them to recoup that interest.

Ms. Nuckles, who **has** worked it out?

Mr. Greene, Department of Administration (DOA) and that tells you it is not all OASIS.

Mr. Jones, Division of Natural Resources (DNR) is figuring it out as they did a lot of training.

Ms. Bates, I think we have.

Ms. Cleek, we have some heads nodding Brenda.

Ms. Bates, we are getting things out but it is slow. I will work with our Chief Financial Officer (CFO) to get paid on our end.

Ms. Cleek, it sounds as though on our end WVARF is working with Charlyn and there is confirmation that it is very slow.

Ms. Bates, I think a lot is on the procurement side in general. We are having trouble getting things through procurement more than through fiscal and I don't understand it at all. We, (management) have not been trained on it at all. If you will let me know where there are problems I can try to push it through on our end.

Ms. Nuckles, are there different contact people?

Mr. Jones, a lot of people we contact does not have a clue but we are getting contacts within each department now as to who can help us to process this.

Mr. Jackson, I think John Slater with DNR has a handle on it.

Mr. Jones, we have had calls from people in the Northern part of the state and they have not been trained at all. It is backing up now and getting worse.

Mr. Jones, we have been working with Starla in DHHR and she has a good relationship with Dave Mullins and he has been working with her in trying to process; however, it is my understanding they have a big stack of invoices about three feet high all across the wall in their office. You call and they have to go dig it out.

Mr. Jones, we researched the minimum wage issue as well as the minimum requirements. Anyone that is not being paid the minimum wage we will bring them up to \$8.00 an hour. We had looked at the possibility if a lead worker was currently making \$8.00 an hour and the other worker was making \$7.35 we bring him up to \$8.00 then now the lead worker is being paid the same as your start up individual. If you will look at your (handout) sheet, we have all the janitorial contracts that we currently have and if you will look at the ones in the salmon and pink colors those are the ones that will be changing because you can see on the green column that is the current rate that we are paying them – that will have to be increased. On the final page on a monthly basis it will cost about \$9,000.00 – that is what the minimum wage increase will be and annually \$108,915.12. This is the janitorial contracts. We have some other contracts – commodities that we are going to take a look at because they may be affected too. At the December meeting we will have change orders in place to sign off on for all the 86 contracts to get the increase put into the current contracts.

Ms. Smith, if our workers have been working say for five years, I am sure they need an increase also.

Ms. Bates, I agree with Jan and Everette, if it is possible the increases need to be across-the-board.

Mr. Sullivan, is it 2% or 3%?

Ms. Smith, do we want to do a percentage or .75 cents an hour because it is going from \$7.25 to \$8.00.

Ms. Bates, I think that would be less confusing.

Mr. Jones, are we talking about all contracts or are we talking about those who are affected by this minimum wage increase?

Ms. Nuckles, just the ones affected by the minimum wage?

Mr. Jackson, I think it should be all of them.

Mr. Sullivan, I think it should be all of them.

Ms. Smith, we are trying to get wages up for people with disabilities. If the state comes back to us and says we can't do that then that is another thing. Our priority should be trying to increase wages across the board by .75 cents an hour, which is where we need to start.

Mr. Sullivan, if you don't you are going to have all kinds of confusion, continuity of having a good relationship with one another. That would create confusion that you don't need. I agree with .75 cents across-the-board and if the state doesn't agree with it then we will work with it then. I don't think we should go into an issue of making a difference.

Mr. Jackson, something we might consider would be information from the Bureau of Labor and Statistics, some areas may have more movement toward it than others.

Ms. Nuckles, I think we have gotten a little off, I think it is a little more complicated than what we are prepared to do right now. I think making a motion, it is not going to change until January, making a motion right now to be honest I think I need to think about this in terms of the wording and making it a little more solid and I think based on statistics I maybe don't know enough, does the board feel, would it harm anything to wait until the November meeting?

Mr. Greene, the problem with waiting respectfully, when you start going in and saying this employee should get a pay raise and the person on the other side of the door that is on a different contract but doing the same kind of thing, they are not being acknowledged – we would be remiss in just focusing on a particular contract. The conversation should have always been about all employees to cover what Everette is saying, as he is the main advocate for that to make sure all employees are treated equally and that is why he is sitting on the Committee because he is that voice. We have to be careful not to allow it to get off the paved road and we start kicking up gravel because once you start kicking up gravel, respectfully the administration will say you are halfcocked.

Ms. Nuckles, it started to do that a bit in the five minutes.

Mr. Greene, that is us being remiss and going at one contract when we should have gone with them all and treated all employees the same.

Mr. Jones, we were focusing on those that would be affected by the minimum wage increase which is what we were told. That is the starting point and that is the minimum that we have to do.

Ms. Nuckles, this is new to me but making a motion, this is a serious thing and we want to make sure it is right and worded correctly and we have all our ducks in a row and we know all the facts.

Mr. Sullivan, I would just say I don't think that the delay would be advisable because the way things work with the state the sooner you get the subject matter to them the better off we are going to be and I think we ought to simply say that we are making a motion that we recommend that all employees be in compliance with the minimum wage and also that we would give across- the- board to every employee to prevent compression.

Mr. Sullivan, we are dealing with the handicapped people, I'm handicapped and I shouldn't be discriminated against because we get a raise, we should all get the same to keep everything going for a smooth operation. These poor people they don't make any money to start with. I think time is of the essence and I think we should get this to the state as soon as we should and let them react whichever way they want to.

Mr. Greene, I was here before 2010 and I can never recall us giving any raise.

Mr. Sullivan, we have stayed in compliance with the minimum wage. Depending on who had the responsibility of being leaders, bosses, supervisors, they were compensated with a little more money and if you don't keep that distance between the minimum wage and leadership you are not going to have anybody that wants to get out there and take any responsibility so it is really going to create a lot of problems. If I'm being responsible to make sure all these boxes get out at 9:00 and he is making the same money as I am and he doesn't care whether they get out or not so why should I worry about it.

Ms. Nuckles, so what about, in order to ensure continued financial growth among the disability community and to prevent compression in salaries we recommend 0 – 75 cents raise across the board?

Mr. Sullivan, I wouldn't put 0 - .75 cents, I would just put .75 cents across-the-board.

Ms. Smith, I would put .75 cents – period.

Ms. Bates, minimum wage is going up .75 cents, is that correct?

Ms. Smith, correct.

Ms. Bever, and it goes up again .75 cents in January of the next year. So, in January, 2016 we will be having this same conversation.

Ms. Nuckles, now am I allowed to say for the record that I am making this motion, I don't feel completely comfortable with it at this point?

Mr. Greene, what do you not feel comfortable about it?

Ms. Nuckles, I'm a researcher, there has been a lot of discussion about this particular motion.

Mr. Greene, I think on balance be mindful too that we have been talking about this for the last four (4) months and you are coming in at chapter #34.

Ms. Nuckles, and I have not and I don't have enough background and that makes me uncomfortable.

Mr. Jones, the starting wage right now is \$8.19 and with this minimum wage we have right now it makes us behind anyway.

Ms. Nuckles, I certainly don't want anyone here to think I would never recommend this, that is not it at all – I wouldn't want you to think that at all. Like you said I haven't been in this discussion so I don't know.

Mr. Greene, we are in chapter 34 and you are in chapter 1 that is why we are so much further down the road than what you are.

Ms. Cleek, this discussion has been very good even discussing about it – should it be the contracts for just the minimum wage versus not. The motion is going to be made is why we are not including just the minimum wage.

Mr. Greene, the last couple of meetings it was just focused on that one contract and as a good rule of thumb so you will know Kim, no one other than the people on the Committee should ever be talking.

Ms. Nuckles, I thought so unless they are on the agenda, Roberts rule.....

Mr. Greene, that doesn't work with this Committee because the reason it doesn't work with this Committee is because there is so much value in what the CRPs bring to the table and you can wait and if you look at the agenda it has the guests at the end "Public Speaker" it won't do you any good because Cheri had mentioned to you at that point that you ought to consider all the

contracts because you have already made a motion just to focus on that one singular thing. From that you should learn that we don't know it all and it is so much value that they are respectful and courteous to you as the Chairperson but they bring great value in chiming in respectfully what their comment is because it adds value. It is a good rule of thumb that the Committee members are the only ones who speak during the meeting unless you are on the agenda. This meeting is a little different because there is so much value in what they bring to the table. This is 10% of your job, Cheri's job is 100% as she is living it every day, so you are jumping into her lane of traffic for 10% of the time and you have got to do all this catch up to get caught up to what they live every day.

Ms. Nuckles, we are making a motion in order to ensure continued financial growth among the disability community and to prevent compression salaries, we are recommending a .75 cent raise across the board.

**MOTION #2**

**Mr. Sullivan, I so move Madam Chairperson, Ms. Smith seconded. Motion passed**

Ms. Bates, I would also like to make a suggestion. Not having Purchasing present at the Committee meetings is a huge disadvantage because a lot of times questions that we have related to the contract could be answered very quickly by the representative from Purchasing. I would recommend Kim that you talk to the Secretary about appointing someone from the Purchasing Division as soon as possible.

Ms. Nuckles, I will absolutely do that as that is a great idea. We will get that done.

Mr. Jones, there are two other positions that we need to fill also as we have two vacancies on the Board.

Ms. Nuckles, can we make that part of new business?

Mr. Jones, sure

**CONTRACT PRESENTATIONS:**

Mr. Jackson,

- 1) Camp Dawson in Kingwood, West Virginia. This is a service agreement for an extension with the same terms and conditions which is for grounds maintenance for another month. Contract period from October 1, 2014 – November 1, 2014. Billing rate of \$1,754.49 per day, not to exceed \$7,017.96.
- 2) WV DNR Fish Hatchery at Apple Grove. This is a new contract as we did an RFI. We had two (2) CRPs that were interested in the work. The matrix is something we should discuss going forward. There is too much subjectivity in the matrix as it is now. Using the information that we had and doing it every which way we could think of, the closest we could get and it was a tie between the two CRPs. The one that has the least contracts is the one who gets awarded the contract. In this case it was Jackson County



Developmental Center. It is for up to 40 days for three (3) people not to exceed \$13,739.78. The work to be performed is grounds maintenance such as weed eating, cleaning fish ponds when they are drained – raising the fish. Obviously, both of these have gone through the state agencies also and they have been approved. This contract period is October 1, 2014 – June 30, 2015. They are planning to do 15 days in November and 15 days sometime in the spring. This is a new type of work we are doing with them to see how we can help them out as they really need another person but they don't have the money to hire anyone. They want help in getting the fish ponds cleaned out and it is contingent on the weather also.

Ms. Nuckles, is there a motion to approve Camp Dawson and DNR for the Apple Grove Fish Hatchery?

**MOTION #3**

**Mr. Sullivan made a motion to approve the contracts. Ms. Bates seconded. Motion passed.**

**FINANCIAL REPORT:**

Mr. Woodard, Budget vs. Actual you can see we are pretty much on track with everything. We have budgeted for the year. We had a net change in assets of \$119,180.45. There were some invoices that got posted to the wrong date and this is where we were when I did the report.

See the A/R Summary on page 13. We have collected for our 31-60 days \$145,104.38 from the state. Our 61-90 days \$123,116.63 and over 90 days we have collected \$56,052.84. That has brought all the totals down which is the balance on the bottom which is \$446,011.56 for 31-60 days, \$103,178.51 for 61-90 days and over 90 is \$270,659.23. I have a detail in my office of what has been paid 100%.

The last page is the A/P aging summary. Typically the last three columns is what we have paid, we try to meet our payments in 60 days. We have the next to the last column which is 61-90 days those have both been paid. That \$12,000.00 has been paid.

Ms. Nuckles, I would like to make a motion to accept the financial report.

**MOTION #4**

**Mr. Sullivan, I so move Madam Chairperson. Ms. Smith seconded. Motion passed.**

**OLD BUSINESS:**

None

## **NEW BUSINESS:**

Ms. Nuckles, we should discuss the two vacant positions.

Mr. Jones, two individuals that continues to be on the Committee, Phillip Mason and Jan Lilly-Stewart and we have not received a letter of resignation from either of them.

Mr. Greene, I went out to Jan Smith and to Brenda Bates over three (3) years ago to provide me names of the people that you would like to recommend to replace Phillip Mason and Jan Lilly-Stewart. You guys came back to me and Brenda you gave me a name and I did a letter and sent it down the hall and I have not heard anything in regards to Mr. Mason's replacement or to Ms. Lilly-Stewart's replacement. What you are asking for has already been done. I think you need to reinvent the wheel of going back and asking Jan Smith and Brenda Bates to do it again but they have to be from those particular fields of study. One person would be from a private business and another individual would represent individuals with disabilities. Do you recall that Brenda?

Ms. Bates, yes we sent recommendations and gave all the information. I know some of the appointments are slow. Hopefully, we will be able to get some appointments through. We need two (2) new people on the committee as well as someone from the Purchasing Division.

Mr. Sullivan, is there any way you could find those letters.

Ms. Nuckles, here is what I have done in my research. I have an email from the Governor, the Secretary of State certificate and the 2012 Blue Book which has been called the Bible of State Government and all three are different. The Governor's office has Jan Lilly-Stewart, Brenda Bates, Jan Smith, Everette Sullivan, Phillip Mason and Penny Hall. The Secretary of State has Debra Lovely who was with DRS, Phillip Mason, me as of yesterday at 4:30, Jan Smith, Jan Lilly-Stewart and Everette Sullivan. The Blue Book has Everette Sullivan, Cedric Greene, Jan Smith, Brenda Bates, Phillip Mason and Jan Lilly-Stewart. So they are all different.

Mr. Greene, the only one that matters is the Blue Book.

Ms. Nuckles, it is my understanding Brenda and Jan since you are on the phone that there is no record of any resignation letters.

Mr. Greene, Jan Lilly-Stewart provided a resignation letter. Phillip Mason fell off the face of the earth.

Ms. Smith, I can try to reach out to Mr. Mason to ask for a resignation letter.

Ms. Nuckles, that would be great. The Governor's office yesterday and the Secretary of State, they were both very clear that verbal resignations do not count and they have to have an official letter and they did not have a record of a letter from Phillip or Jan.

Ms. Smith, I will look into that and try to reach him today.

Ms. Nuckles, that would be wonderful, I really appreciate that. Brenda who did you recommend back then?

Ms. Bates, I can't remember that.

Mr. Greene, I told Kim yesterday when she and I talked, if someone is not here then you don't have a quorum and it stops the process of what you guys are asked to do in Code. Brenda, Jan, Everette or Carla, if you have any recommendations for anybody to serve either in the capacity of representing individuals with disabilities and Kim you shouldn't have any problem finding someone through your channels. If you would send Kim an email with the contact information after you have spoken to the person then Kim can reach out to them. The kind of information that she would need is their name, address, the county they live in, telephone number and their political affiliation.

Ms. Bates, I think we need to start over as it was so long ago that we need to get recommendations to Kim if we have anyone for those two positions.

Ms. Nuckles, I was just reading Chapter 78 so what we need is an individual in private business as well as one for disabilities. We have a representative for a non-profit workshop; a representative of Division of Rehabilitation Services (DRS), a representation of Department of Administration (DOA) and a representative of organized labor. So we need a private citizen knowledgeable, conversant with problems of employment with handicap persons as well as a private business knowledgeable with activities involving the sale of commodities.

Ms. Cleek, don't forget the Purchasing Division.

Mr. Greene, that comes from Dave Tincher with the Purchasing Division, that doesn't come from the Governor's office.

Mr. Jones, Debbie has an issue. What has happened with the OASIS if she reaches out to an agency and they say your name is not in OASIS so then we can't buy from you? First of all it should be going through WVARF and WVARF is on there. Another part of that is, we are trying to get in to Regional Jail Authority and I don't know if anyone in this room could help us with that. We are reaching out to them too because they buy a lot of water.

Debbie, I had my Finance Director to prepare a report and I have copies. The Regional Jail used to buy blocks at a time from us and they did not go through WVARF and I'm not sure how that came about. We only now have 20 state accounts and we are the lowest out of all your CRPs and I don't understand because we are the ones who supply the water. What is happening the people come in, they can't get in that drop down box to see where Green Acres is on there, they don't understand that WVARF has the contract for the water for some reason. So they say that means I can go buy water elsewhere and we told them no, you can't do that. They can't get a PO number so it doesn't let them buy from us or him so they are going elsewhere. I had John to prepare a report showing from last year to this year for the 20 accounts that we have which is all we have as some of them have dropped significantly. We even had one through the Fish Hatchery they rent our cooler but they haven't bought water from us. They start water in the beginning and then pay the cooler rent every month but they don't get the five gallons or the three gallons from us.

Mr. Greene, what do the jails do?

Ms. Birthisel, what they have been telling us is since they can't get a PO number and we are not in that drop down box then that says they can go out and buy it privately somewhere, anywhere they want to. So, I don't know how to get around it as we are not in the OASIS system and I

guess the way it is set up those people don't understand that they have to go through WVARF so that gives the out if it is not in there, as they are going elsewhere to buy water.

Ms. Sullivan, is there a price difference Debbie?

Ms. Birthisel, we have had some people complain about the price which is another thing I was going to bring up but I told them that this Committee dictates that, we don't. If they have an issue with it then they need to come to the Committee for a waiver but we are bound by what you all tell us what to sell. I will tell you this, Devin told me since you all were out in May that we have now gotten the 16.9 oz. bottles ready to go as soon as our 20 oz. bottles run out which means our new price which if we are selling to our private customers, not the state, is going to be \$5.29. He said the state could sell at \$9.74 if they stayed at the same percentages they were using before. I don't know if that is a drop or not.

Ms. Birthisel, one other thing too, we didn't get the meeting set up about the state labels and once those labels are gone then they are gone and we will switch over to our label which is what you have on the table. Devin said if you want to go with the state label or if you want to develop a new one that would be open for discussion but Green Acres is not going to pay for it as we have paid for it all these years and we have gotten nothing for it.

Mr. Greene, it is a marketing issue and a communication issue so I think Aaron you and Kim need to work together and you can work with Diane Holley to get that information out on a BLAST email to all state agencies because obviously everybody is hanging their hat on OASIS and everything that goes wrong they say, oh I am late for work or I have a flat tire – OASIS is doing everything to hear everybody tell it. I don't know if OASIS is responsible for as much as people say. Kim, you and Aaron will have to come up with a strategy.

Ms. Nuckles, any other new business?

Ms. Birthisel, I want to thank Cedric personally as when I got hired about four years ago our agency was in a turmoil and if he had not put my hand to the fire I wouldn't be standing here today but I really do want to thank him for that because we are doing a lot better. If it had not been for Cedric we wouldn't be here today, we would be closed.

Mr. Greene, I appreciate that and if you recall we were in Institute at the time and that means you, Brenda, Everette and I as well as the Committee wanted you to be successful. So we just slowed down a little and connected with the right people and gave you the opportunity to be successful and you made the most out of it. It is entertaining the person before you but you were on the hook and I bet you lost ten pounds in that meeting because you got fileted and I recall doing it to you. It was not good.

Ms. Birthisel, it was awful, we were over one million dollars in debt and I had been at the agency for 30 years and had no clue. We are down to now all we owe is PEIA and Retirement. We got our federal tax letter the other day and they were complimenting us on the \$400,000.00. Director Fleck and Jason Haught and I are on first name basis now and when the audits come I hand deliver them and say here is the next audit. Our tax returns for Federal and State had not been done since 2004 and none of the audits either. I'm a clinical social worker I am not a business person. My Mom was diagnosed with COPD and she died also during that timeframe. I am real comfortable with this group because I also have a developmentally disabled brother who I am now caring for so it is near and dear to my heart. But Cedric really helped us out a lot.

Mr. Greene, the Committee helped and we are glad that you are successful and that your staff is successful. I was so impressed when we went out there.

Ms. Birthisel, we had so much fun when you guys came out. The flowers were in bloom and we are hoping you all will come back again this next May.

Mr. Greene, that was in May, we all bought flowers and their flowers were beautiful, just awesome. Congratulations to you and I appreciate working with you and I think you are doing the right things and I think the Committee will assist you so you can be as successful as you possibly can be.

### **PUBLIC COMMENT:**

Ms. Birley, Cedric thank you for everything you have done. You have made all the state agencies cohesive with the Committee and understanding who WVARF is and you have always been there to write a letter or to talk to someone and to straighten things out. It will carry you further your abilities to mend fences and make it right.

Mr. Greene, funny you should mention that as that is really what my new job is. I will be going out to people, all the County Commissions who have not paid their jail bills as I am the Director over the money piece to it. If anyone over 60 days, they are not going to pay you so I have to go out and interact with those people and kind of work it out and I think it is a good fit for me. I do appreciate that Joyce and it was very nice working with you and I share that with Cheri as well. I think you guys are doing it right and I enjoyed working with you and I will see you all around I'm sure.

Mr. Sullivan, I would like to make a comment in reference to Cedric. Cedric, you have done more in the short time that you have been here as I have been on this Board since I don't know when, but we have made more progress under your leadership than we have ever had. I certainly appreciate that and I think without any doubt you have become friends with all of us and it seems like a personal thing now and your leadership and your professionalism has been unquestionable you have done an outstanding job. Things that were never done has been done under your leadership and consequently we have gotten back on track and Aaron has been real cooperative and you and Aaron have worked real good together along with all the staff. I know we are going to miss you and I certainly know that Kim, your replacement will do an outstanding job, and the only thing I would say to you Kim is if you listen to the Board they will keep you out of the ditches and keep you from running into lower limbs and we will be able to do the same thing as we did under Cedric's leadership. Cedric we are going to miss you because your willingness to help and to do anything and everything will certainly be missed.

Mr. Greene, I appreciate that and you are welcome for whatever I brought to the table. I like Everette so much I moved to the same city he lives in, I am about two miles away from him but I like the guy so much I moved to his city. I certainly appreciate you, I appreciate Brenda and Jan and Carla and all of you guys and it is always good to go back and forth and that is the biggest thing you can get from this Kim is when we did that motion, it is ok to struggle through it and it is ok to go back and forth and have input. When I was in the Marine Corp I used to train the reservist to be combat engineers so I had just come from the real Marine Corp and I was boom - boom - boom and somebody pulled me to the side and said, you know what, you are going to have to click it back a notch and I said why is that. He said these guys are reservists, part of

them coming for the reserve weekend they were flipping hamburgers or sitting in a college course and you are coming straight out of the Marine Corp doing 100 miles an hour and these guys have to get to your level over the weekend. They do this 10% of the time, they are a Marine 10% of the time and you are a Marine 100% of the time. When someone told me that and it hit me that I was way over the top and I had to click it down. Those guys come in Friday at 6:00 p.m. and they didn't get their head screwed on right until Saturday at noon and then Sunday at noon they were leaving. So they only got about 24 hours of real Marine but prior to that they were clueless but I was holding them to an unreasonable standard. It is the same thing with you – you don't do this every day and so when you come in here you are trying to catch up to Joyce, Debbie, Cheri and Jan is living it every single day and leading it every single day so she is on Chapter 34 and every month you are coming in at Chapter 1 and trying to catch up. You will do better because you work with disabilities every day and you get phone calls every day so you won't be at 10% like me, you will be at 40% or 50%. It won't take you long to put that hat on. I wish you the best; you and I are the best of friends so we will keep in contact. Thank you Everette, I do appreciate that and if I can ever do anything for anybody and please let me know about the water thing. My email is the same and my telephone number is the same and you guys can call me anytime and anything I can ever do I will be glad to do. Kim this is the right move for you as I think you will do better than me and in some aspects because this is what you do, your passion and I think you will put a special touch on it and I think it will be yours.

Mr. Greene, Carol it has been a joy and I appreciate you so much.

Ms. Jarrett, I love you too Cedric.

Mr. Greene, Kim I wish you the best of luck and I think you will be phenomenal. I would not have recommended you but I told you that two years ago. I told you this is the right move for you, this is a good opportunity for you and I think you will do better than me, certainly in some aspects because this is what you do, this is your passion. I think you will put a special touch on it and I think it will be yours.

Ms. Nuckles, just as a comment and this is actually to help me and my office. Apparently there was issue about WVARF versus the Governor's Committee. Several people in the agency thought it was the same thing and I have noticed in a lot of the emails that circulate the subject will say WVARF but it is really this. Can you write a note somewhere that if anyone sends an email to me or the Cabinet Secretary, I don't know if we need to refer to it as the Governor's Committee or something but the day before yesterday cleared up with our Secretary and paralegal who for years have thought they were one and the same and that is an issue. That is an issue for all sorts of reasons. I have noticed in several emails from different people it will say WVARF but really we are not WVARF; we are the Governor's Committee. To make that distinction I think it is important.

Mr. Jones, I don't even know who we are.

Ms. Nuckles, I actually sat down yesterday with a couple of people and said here is the distinction and they said oh we thought that was the same thing. On our calendar it said WVARF but it is not WVARF. It would help me so does that make sense. Governor's Committee I think it sounds official.

Mr. Jones, I think that is probably our top issue going forward. Marketing is to get into these conferences and let these people know who we are and what we do and what responsibilities they have in purchasing practices.

Ms. Nuckles, I know it is in statute that way.

Mr. Greene, is it in Code that way?

Ms. Nuckles, yes I checked. I have a problem with the word handicapped in this title. I know this is not an easy fix. I am going to read the Code and the Statute as it is probably in the Code say 63 times, it is an issue for me because the title of the Committee represents everything and we are representing ourselves as Purchasing Commodities and Services from the Handicapped. I don't like it – I think it sets a terrible tone.

Ms. Smith, it was written that way initially and I think we have moved past that when it was written that way.

Ms. Nuckles, it has been done that way forever so we are not going to change it, well we are changing it, as I don't like it.

Ms. Smith, if I could quickly say Cedric I agree with everything everyone has said, Kim welcome to the Committee and Aaron you have an email from me with Phil's email address as I spoke with him and he said he will send a resignation letter he just needs an address where he needs to send it.

Ms. Nuckles, can you forward my information to him. If you have sent that to Aaron then we will take care of that.

Ms. Cleek, I got a text from Brenda and she lost us on the phone.

**MOTION #5**

**Mr. Sullivan, if no other business to come before the Committee, I make a motion to adjourn. Ms. Smith seconded. Motion passed.**

**WVARF Meeting Dates for 2014:**

November 19, 2014

December 17, 2014