

# **Minutes of the West Virginia Governor's Committee for the Purchase of Commodities and Services from the Handicapped**

**November 8, 2017 Special Meeting  
Capitol Complex Building 1, Room E-131  
Capitol Complex Building One  
Charleston, West Virginia**

The West Virginia Governor's Committee for the Purchase of Commodities and Services from the Handicapped met Wednesday, November 8, 2017 in in Capitol Complex Bldg. 1, Room E-131, Capitol Complex Building One, Charleston, West Virginia, at 10:00 AM. Chairperson Kim Nuckles called the meeting to order.

Present at the Meeting: Chairperson Kim Nuckles, Department of Administration General Counsel Robert Paulson, and Executive Secretary Mark Totten. Committee members Douglas Auten, Everett Sullivan, and Chris Weikle attended by telephone. Later in the meeting, Committee member Jan Smith joined by telephone.

Aaron Jones, Gary Wolfe, Mark Jackson, and Roy Woodard were representing the Central Nonprofit Agency (WVARF).

Guests present: Joyce Birley, Goodwill Industries, Inc.

## **ITEMS FOR DISCUSSION**

1. Motion to approve Fair Market Price Modification for Hancock County Sheltered Workshop, Inc. for price change to poly-barrier hamper bag at Sharpe Hospital. Item voted on and approved by Committee (1 form).
2. Motion to approve Fair Market Price Modification (FMPM) for Goodwill Industries, Inc. for an increase to statewide janitorial services from \$14.07/hour to \$16.78/hour.

Discussion opened regarding the FMP increase request. Questions were asked of the Central Nonprofit Agency by committee members Chris Weikle and Mark Totten regarding the FMPM form, the previously-distributed spreadsheet created by Joyce Birley of Goodwill Industries, Inc., and information was provided by Gary Wolfe of the Central Nonprofit Agency (WVARF) regarding the method WVARF used to calculate the requested fair market modification. Chairperson Kim Nuckles expressed concern for state agencies regarding the impact of a potential increase of nearly 20% to the fair market price for janitorial services on top of existing budget concerns, possibly forcing agencies to choose between continuing their core missions or eliminating janitorial services completely.

With a quorum of four committee members (Mr. Auten, Mr. Sullivan, Mr. Weikle, and Ms. Nuckles), a vote is made resulting in two members for the Fair Market Price Modification and two against the Fair Market Price Modification. Mr. Jones from

WVARF questioned whether Chairperson Kim Nuckles can vote as a full member or if she can vote only in the event of a tie between the other committee members. In order to confirm whether the Chairperson of the Governor's Committee for the Purchase of Commodities & Services from the Handicapped has a full committee vote, both Ms. Nuckles and Department of Administration General Counsel Robert Paulson consulted the *West Virginia Code* to verify. During this time, committee member Everette Sullivan, participating in the meeting by phone, announced he was excusing himself from the call. Executive Secretary Mark Totten informed Mr. Sullivan the vote was not complete while Ms. Nuckles and Mr. Paulson consulted the *West Virginia Code*. Mr. Sullivan said he needed to leave the call and did so. As the meeting waited for Ms. Nuckles and Mr. Paulson to verify the committee chairperson's vote status, committee member Jan Smith of The Op Shop joined the meeting by telephone. Ms. Nuckles and Mr. Paulson verified in the *West Virginia Code* that the committee chairperson is a full voting member of the committee.

Issue dropped by Committee as a result of tie vote (1 form).

Meeting adjourned