

MEETING MINUTES
June 22, 2006

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

The meeting was called to order by Chairperson Penney Hall at 10:00 a.m. June 22, 2006 at the F. Ray Power Building, located at the West Virginia Division of Rehabilitation Services' office in Institute, West Virginia.

ATTENDANCE:

Committee: Penney Hall (Chairperson); Brenda Morford; John Liller; Everette Sullivan; Jan Smith; Evan Williams (Executive Secretary); Carol Jarrett, Recording Secretary.

WVARF Staff: Glenn McEndree; Chris Miller; Craig Greening and Ken Kennedy.

Public Attendance: Lou Ann Summers, Division of Rehabilitation Services
Tim Morris, President of WVARF
John Posey, Prestera Center for Mental Health Services
Jared Tucker, Terradon Communications Group

Mr. Morris spoke briefly and expressed his thanks and appreciation to WVARF staff and the committee members for their hard work on behalf of the disabled individuals in the state.

All committee members were in attendance except for Mr. Cuffaro.

Chairperson, Ms. Hall called the meeting to order. The first order of business was approval of the previous minutes.

MOTION #1

Mr. Liller moved to approve the minutes. Ms. Smith seconded. Motion passed.

Mr. Tucker Project Manager with Terradon gave a presentation of the software they have developed for the State Use Program and answered questions from committee members.

REPORT OF THE COMMITTEE CHAIR:

Ms. Hall reported she had received a letter from Kimberly Lewis, WVARF's Treasurer, and expressing gratitude to the committee for their involvement in WVARF's collection efforts.

Ms. Hall also reported that Secretary Ferguson denied the fee increase because the information he had received from WVARF was not what he had requested. She recommended to the

committee that they reconsider their motion of increasing the CNA fee to 4.9% until such time as WVARF provides the committee with the information that has been requested, the base line budget numbers from this year and why each line item has to be increased for FY 2007.

Mr. Liller expressed concern about taking this course of action. He said he didn't recall the Secretary asking for base line numbers and there had been no negotiation on the part of the Secretary's office. He said in all good conscious he could not see going back to 3.75%. If the committee does this, it is my opinion that if WVARF wants to fight this in any way shape or form, we are cutting their legs out from under them. He said he is going to stick to 4.9%, which is a 1.1% increase, approximately \$130,000.

Mr. McEndree said he had called the Secretary's office to verify what he wanted but did not receive a phone call back. Ms. Hall pointed out that the request came to him from the Committee on behalf of the Secretary. She said she though the Committee members had been clear about the request at the May meeting and she had followed p on the request the following day via e-mail using an example. She also stated she did not understand why he did not contract her with his questions for the Secretary since she is his representative on the Committee.

Mr. Sullivan expressed concern that the Program may suffer if WVARF did not get the 4.9% increase. Ms. Hall said the Program will not suffer in her opinion. The question becomes one of who is going to administer the Program. She stated the Governor, his staff, the Secretary, and she were committed to the Program and the people it serves. She reminded committee members that the State Use Program is not WVARF, they are two separate entities. Mr. Liller disagreed because he believes the Program will suffer. Whether it is WVARF or somebody else, this program is based on these CRPs getting paid in a timely manner. If this is incorporated into the state this program will suffer as the state does not have a history of paying on a regular basis in a timely manner. When a CRP does not get paid in 30 or 60 days that means they have to start action on laying people off. That is where it is going to hurt. I don't care who handles this, they have to keep the CRPs money flowing to them.

After more discussion on this issue:

MOTION #2

Ms. Morford moved that WVARF work through Ms. Hall to get the information to the Secretary in the format he wants to justify the 4.9%. Mr. Sullivan seconded. Motion passed.

EXECUTIVE SECRETARY REPORT:

\$ 156.24 - FY06 annual allocation
1,800.00 - Transfer of funds to cover expenses
1,449.53 - Outstanding unpaid expenses, travel, hospitality & accounting fees
\$ 506.71 - Unencumbered balance.

REPORT OF THE CENTRAL NONPROFIT AGENCY:

Mr. McEndree reported that the staff met to discuss the Action Plan and set timeframes for meeting the established goals. They also conducted make-training for Fair Market Price

determination and Prevailing Wage determination. There was discussion regarding CRPs which had not attended these two training sessions and their ability to participate in the Program. A couple of them do not have any State Use contracts at this time. If at a future point in time they want to participate they will need to have the training provided to them at cost, unless they can show they have had similar training already. Ex: If they got training on prevailing wage from NISH, Department of Labor, etc.

He reported staff continues to work on new State Use contracts and there had been a lot of travel time involved with this.

FINANCIAL REPORT:

Mr. Miller reported the over 60 day's receivables were 17.42% of total receivables. 6.1% of receivables were over 90 days and only \$4,850.86 worth of receivables was older than 90 days. There was discussion around the issue of getting payment from the Insurance Commission for old Worker's Comp invoices. It was suggested Mr. Miller call them and discuss the matter with them. In connection with this was a discussion regarding Brickstreet and whether they have to pay taxes on their invoices.

There was discussion around the income statement. Ms. Hall asked a number of questions regarding specific line items, such as advertising, entertainment and position adjustments.

Ms. Hall requested a profit and loss statement be provided. She also asked that a document which lists State Use sales for the month and how much is paid to the workshops.

CONTRACT COMPLAINTS:

Mr. Kennedy reported there were three verbal/email complaints:

- 1) Janitorial;
- 1) DNR Lake Grounds Maintenance;
- 1) Soap.

The janitorial complaint was by Weights & Measure, Department of Labor in St. Albans. WVARF received a call from them claiming Presteria had vacated the area. Presteria claimed they were told to leave because they were not able to have someone three days a week on site. When WVARF checked the time clock there were large gaps which could not be documented.

Mr. Posey, with Presteria, said they understood that Weights & Measure had asked for the same person for the same number of hours. We were able to provide that but when he became ill. A supervisor was doing the work but he did not clock in or out. Mr. Posey said he thought the customer changed the contract for the same number of hours. Further he said it was his understanding the customer did not want Presteria doing the work if they could have the same person each time. Goodwill Industries has taken over the contract and is doing the work now.

Mr. Kennedy reported there was a complaint by DNR Castleman Run Lake in Wheeling. Mr. Kennedy and Mr. Greening visited the site and the weed eating had not been done. There was a misunderstanding by Seeing Hands, this is their first contract. They worked with Seeing Hands to resolve the programs they encountered and the work is now being done to the satisfaction of DNR.

Mr. Kennedy said the issue with the soap was corrected within one day. Ms. Hall asked if WVARF could document reoccurring complaints according to jobs like how many janitorial complaints this year were against workshop XYZ.

CONTRACT PRESENTATIONS

All of the commodities that had been placed on reserve by CRPs for development have been released due to lack of response by the CRPs by the deadline. WVARF will let other CRPs know these commodities are now available to pursue.

Mr. Kennedy reported DNR had contracted them about the possibility of constructing catfish nesting boxes. Five CRPs indicated an interest but only two submitted bids. After comparing the workshops capabilities and prices the committee decided:

MOTION#3

Ms. Morford moved that Nicholas County Sheltered Workshop be given the contract. Ms. Smith seconded. Motion passed.

Mr. Greening reported there were two new contracts:

1. DNR wanted trash pick up at the Mountain Valley Lake at \$367.58. Gateway Industries has this contract, they are the only workshop that expressed interest.
2. Courthouse Improvement Authority, janitorial at \$3,635, 52 per year. Goodwill Industries will be performing this work; they were the only ones which expressed an interest.

Contracts up for renewal

There were no changes from last year in the contracts for: DOH: equipment division Buckhannon; Material Control, Soils and Testing Division in Charleston; District 2, Huntington; District 3, Parkersburg; District 3 Traffic & Utilities, Parkersburg; District 4, Bridgeport; District 5 Engineering office, Martinsburg; District 5, New Creek; District 7, Philippi; District 7, Gassaway; District 7, Glenville, Weston, Buckhannon, Webster Springs, Burnsville, Coonknob, and Heaters; and District 9, Summersville, Hinton. Division of Natural Resources: janitorial and grounds in Beckley; Apple Grove Fish Hatchery; McClintic WMA. Division of Rehabilitation Services: Elkins, Keyser, Logan, Morgantown, Mullens, Pt. Pleasant, Sistersville, Spencer, and Weston. Department of Health and Human Resources: Diamond Building Charleston, Child Support Enforcement Sutton, Chief Medical Examiner's Office Charleston, and Region 3. Division of Forestry in Parkersburg; School Building Authority, Public Service Commission, Coal Highway Heritage Authority, and the Kanawha County Commission. Tax Department: Lee Street Charleston, Smith Street Charleston, Clarksburg and Martinsburg.

Contracts which experiences changes were: DOH District 1 wage increase from \$5.75 to \$6 an hour; DOH District 3 Materials Lab wage increase from \$5.75 to \$6 an hour; DOH District 4 Materials Lab wage increase from \$5.75 to \$6 an hour; DOH District 5 headquarters wage increase from \$5.85 to \$6 an hour; DOH District 5 in Romney wage increase from \$5.50 to \$6 an hour; DOH District 8 headquarters in Elkins wage increase from \$5.50 to \$5.75 an hour; DOH District 9 Greenbrier County wage increase from \$6 to \$6.50 an hour; DOH District 9 in Monroe County wage increase from \$6 to \$6.50 an hour; District 9 headquarters in Lewisburg wage increase from \$6 to \$6.50 an hour; District 9 Materials Lab wage increase from \$6.25 to \$6.50 an

hour; DOH District 9 I-64 Office wage increase from \$6.25 to \$6.50 an hour; DOH District 9 equipment shop wage increase from \$6.25 to \$6.50 an hour; DOH District 10 headquarters in Princeton wage increase from \$6 to \$6.25 an hour; Division of Rehabilitation Services WV Rehabilitation Center two people were cut from the contract; Department of Health and Human Resources Region 1 added square footage; Department of Health and Human Resources Region 2 added one hour a week and square footage; Department of Health and Human Resources Region 4 added time and square footage; Fairmont State University added positions and 3 direct labor staff got raises from \$5.92 to \$6.25 an hour.

There was discussion about why all the DOH districts were not paying the same wages. Mr. Greening said if the CRP is not doing a good job or their relationship is not good with the customer than the customer is unwilling to pay more. Mr. Sullivan asked if there was anything this committee or WVARF could do about this. He was concerned about the wages the workers are getting paid.

MOTION #4

Mr. Sullivan moved to approve the Fair Market Price for the new and renewed contracts as presented. Ms. Morford seconded. Motion passed.

OLD BUSINESS:

The Committee looked at the 2007 Action Plan. Ms. Hall reported she took the liberty of drafting activities and timelines for the Committee. The Committee decided to review this action plan at the July meeting.

The next issue was the Quality Improvement Program and its Implementation Plan. Ms. Hall said duties were assigned to state agencies and to the purchasing division. She asked if there had been any conversation with them regarding QIP. Mr. Greening said there had not been. She said she was not sure the Committee could require them to do these things without their input. She suggested pulling it out of the program and putting it into the implementation plan as a goal to work toward.

MOTION #5

Ms. Morford moved to approve the Continuous Quality Improvement Program with the deletion of the requirements for the state agencies and purchasing division. Ms. Smith seconded. Motion Passed.

There was discussion around enforcement of the CQI program. Ms. Smith suggested peer inspections could play a role. Ms. Morford suggested grouping visits so everything in an area is looked at during one visit to cut down on travel expenses and to save time.

Next, the Committee reviewed the Plans of Correction for Gateway Industries and Clay County Services.

MOTION#6

Ms. Smith moved to approve the plans of correction. Ms. Morford seconded. Motion passed.

NEW BUSINESS:

Discussion regarding documentation of disability was postponed until another meeting.

The request for change in the FMP form discussion was postponed until next month.

MOTION#7

Mr. Sullivan moved to adjourn. Ms. Smith seconded. Motion passed.