

NCBV Meeting Minutes  
06-15-2021  
3:00pm

**I. Roll Call and Confirmation of a Quorum: Dick Saperstein, Chair**

A quorum was present at this meeting.

Dick Saperstein, Chairperson  
Harold Petrofsky, Vice Chair  
Beth Perring, Secretary  
Ivan Delgado, Southern Representative  
Nels Brown, Northern Representative

**II. Verification of Posting: Melissa Castro**

Melissa Castro confirmed that the Agenda was posted in a timely and correct manner.

**III. First Public Comment Section**

No public comment.

**IV. For Possible Action – Vote to Accept the Agenda**

Beth Perring made a motion to accept this agenda and Nels Brown seconded it. This motion passed unanimously.

**V. Welcome and Introduction of Guests**

Northern NV Office: Janette Parish and Kevin Horigan.  
Southern NV Office: Chris Mazza BEN Chief, Susie Park, Sweet Daughtery and Mikie Yamada.  
On the phone: Shelley Hendren, Richard Taylor, Burnetta Schlechter, Marcos Hurtado, Melissa Castro, Jessica Peters,

**VI. For Possible Action- For Possible Action – Approval of the minutes for the Nevada Committee of Blind Vendors meeting, May 13, 2021**

Harold Petrofsky made a motion to accept the minutes and Beth Perring seconded it. This motion passed unanimously.

**VII. Old Business**

**Discussion – BEN project and status update: Chris Mazza, BEN Chief**

- BEN site updates

Chris Mazza stated that restrictions have been lifted for just about every BEN site in Nevada since the last meeting and business has come back quite rapidly. The Hoover Dam sites are doing well. The DMV's have lifted all restrictions and will take some more time to get back to the levels they were at prior to the pandemic. Ivan is working with Jessica to open the Family Courthouse Snack Bar. All good news and positive business directions for the existing sites. He also stated that the Flamingo DMV recently went out for bid and a panel has been assembled for June 17<sup>th</sup> to

determine the new operator. He also has hopes of putting Sunset Park out for bid once the softball leagues return.

He also mentioned that the set aside account is beginning to grow as payments are being received, however doesn't expect a significant increase until the end of July or August.

### **VIII. New Business**

#### **Discussion/Possible Action- Chris Mazza & Dick Saperstein**

Randolph Sheppard Financial Relief and Restoration Payments (FRRP)

Chris Mazza stated the initial program that was put forth was to take 2019 profits from each operator and compare them to the profits in 2020. It was also determined that compensation would be in the form of subsidies and any PPP loans that were forgiven, giving a loss between 2019 and 2020. That loss would then be calculated and distributed amongst the people who incurred a loss in between 2019 and 2020. If the operator incurred a loss of \$88,000, or greater they would be compensated at \$88,000.

The committee agreed to think about this proposal and vote on it in 30 days. During that time Chris Mazza talked to operators via phone or e-mail. There was resistance from that plan because there was an operator that was not compensated because this operator showed an increase from 2020 to 2019.

After speaking with the other committee members individually, other states were looked at and how they may be compensated for 2019 and 2020 losses based on the operation of that individual operator.

One of the ways that was looked at which is scenario B, for consideration is if a site that did not exist in 2019 for the entire year and started, and there was a site that falls under this category; it was not a site for operation in 2019 until September of 2019. If the profit from 2019 was used, those four months, and take that as an average, and apply that average to the eight months where the site was not in operation, so months one through eleven, a perceived profit for the entire year of 2019 can be calculated. Then take that perceived profit for 2019 and apply it to the existing formula of profits in 2020 less than subsidies and PPP loans and come out with a loss for that site for that operator.

For scenario B, that operator that showed resistance to the initial plan would be compensated. It would affect other operators' compensation, but it could be done that way. That plan would also be accepted by RSA based on a perceived loss if data was extrapolated from 2019 and applied to the full year.

So scenario A, is that the exact numbers from 2019 and 2020 are taken and applied to the formula of 2019 minus 2020 last compensation of subsidies and PPP or scenario B, which would be to take that one site that was not in full operation in 2019, get a perceived profit for 2019 and then apply that to the same formula.

Discussion was opened for anybody from committee A or B as well as any other operator questions, comments, concerns.

Harold Petrofsky asked if the site in reference was not opened yet. Chris Mazza stated it was a brand-new site that hadn't opened until September of 2019.

Beth Perring asked if the site was preparing to open from January to September. Chris Mazza answered no that the site was a vending only site. It operated five vending machines and transitioned to a manned micro market.

Ivan Delgado stated if the operator took ownership in September then going all the way back to January to compensate shouldn't be an option. He stated he was leaning towards proposal A.

Dick Saperstein said it would be difficult to extrapolate numbers on an if come basis and it may have been different if the site had been open for the entire year but because the site was under construction there was no operator assigned to that site until September when it did open. He made a recommendation for plan A.

Harold Petrofsky stated that because of plan A, there are two vendors who are not getting totally compensated because their losses were too great and he couldn't see taking money away from them to give money to someone who hadn't incurred a loss at all. Therefore, he voted for plan A.

Marcos Hurtado wanted to remind everybody that the relief fund from the CARES Act wasn't active with the Congress. All the money was to be distributed across the SBA. He stated that a solution should be found to benefit all operators. He also stated that he had losses in BEN site 27 and BEN site 6 and the funds are to compensate losses in 2020. He believed he should be eligible for the funds along with all other operators because everyone had suffered losses in the pandemic. In his case, he kept his two sites open and risked his and his family's health. He encouraged the committee to be a unit and have strong leadership which meant to protect all people and not help some operators over others. He also stated he sent a letter to Chris because he was told he was ineligible. He pointed out that other states have many more operators and have decided to divide the funds equally and that in Nevada's case, there are only ten operators and it would be unfair to deem one or two operators ineligible for the \$260,000. He also suggested to allocate some money to the BEN staff under the category of management fees.

Dick Saperstein agreed that the BEN staff worked hard during the pandemic assured that the law did not allow for that.

Chris Mazza echoed that money for the BEN staff was not the intent of the funds. There was an ability to pay the administrative fee through the funds, which would not go to the BEN staff but to the program. This was discussed with Shelley Hendren and it was decided that all funds denoted to the state of Nevada would go to the operators. He also stated that Marcos' comment about the SBA was not correct and did not have anything to do with the funds. There are no rules from the SBA that denote how the funds are spent. It is strictly on the RSA, Rehabilitation Services Administration shoulders to denote how the funds are distributed.

Marcos Hurtado asked Chris Mazza about using a similar solution that the state of New York used that benefitted all operators.

Chris Mazza said the method laid out in scenario B would be close to what New York did to compensate their operators. He also stated the primary goal between the RSA and programs across the nation was that the NCBV and the State Licensing Agency work together to determine how the funds are distributed.

Jessica Peters asked if the commission from January to August could be used to show historical data for 2019.

Chris Mazza said since the assigned vending was Ben Jerome's he didn't consider that appropriate in this case as it was somebody else's income for that period.

Ivan Delgado said he understands Marcos' point of view, but he was looking for the longevity option for the program and believes plan A is the best option.

Beth Perring said she wanted to do plan B but the right thing to do in terms of money and the way that the world works is plan A. She also acknowledged Marcos and the way he felt.

The chair entertained a motion to accept proposal A.

Harold Petrofsky made the motion to accept plan A. Nels Brown seconded that motion.

Ivan Delgado voted for plan A.

Harold Petrofsky voted for plan A.

Beth Perring voted for plan A.

Nels Brown voted for plan A.

The chair voted for plan A and announced that the vote was unanimous and recommended to the bureau to proceed with plan A.

#### **IX. Second Public Comment: Dick Saperstein**

Ivan Delgado announced that he opened the courthouse on Monday and business was slow because hearings were still being done virtually; he nonetheless had increased profits doubled from March to May. He also stated he passed the health inspection and had hopes the courthouse would pick up in business.

**X. Discussion - Date for Next NCBV Meeting: Dick Saperstein**

The chair asked Chris Mazza to leave the next meeting date open.

Chris Mazza suggested to meet in 90 days: Thursday, September 16 at 3:00pm.

**XI. Adjournment: Dick Saperstein**

Beth Perring made a motion to adjourn the meeting; Nels Brown seconded it and the motion passed unanimously. This meeting adjourned at 3:54pm.