

NCBV Meeting Minutes  
June 20, 2014  
3:30pm

## **I. Roll Call and Confirmation of a Quorum, Richard Saperstein**

### **Operators Present:**

Richard Saperstein, Chairperson  
Bert Hansen, Vice Chairperson  
William Schley, Secretary and Northern Representative  
Harold Petrofsky, Southern Representative

Beth Perring  
Carol Ewing  
Nels Brown  
Ed Hopkins  
Mikie Yamada  
Mike Mulanax  
Benita McHenry  
Dustin Varnell, Operator Trainee  
Lee Weiss, Operator Trainee

### **Staff Present:**

Drazen Elez, Program Chief, Rehabilitation Division, BEN Program  
Scott Haag, BEO II, Rehabilitation Division, BEN Program  
Russell Smith, BEO I, Rehabilitation Division, BEN Program  
Janette Parish, AA IV, Rehabilitation Division, BEN Program

## **II. Verification of Posting, Russell Smith**

Russell Smith stated that the agenda was posted in a timely manner and is complete.

## **III. First Public Comment, Richard Saperstein**

Carol Ewing congratulated those who were doing the Agendas and Meeting Minutes praising the formats of both describing them as “excellent”.  
Janette Parish stated that she and Jeanne Clark both work on this; she does the agenda and Ms. Clark does the minutes and she edits them before they are distributed.

Drazen Elez thanked all operators who attended the Operator In-Service last week and hoped that it was enjoyable and useful for all. He expressed his appreciation to the BEN Staff for organizing the meeting and Jeanne Clark and Janette Parish for their help in organizing all the food and refreshments. Richard Saperstein added that a great job was done by all and that it was an excellent day.

#### **IV. For Possible Action-Vote to Accept the Agenda, Richard Saperstein**

Bert Hansen made a motion to accept the agenda with Bill Schley seconding the motion and it passed unanimously.

#### **V. Welcome and Introduction of Guests, Richard Saperstein**

Frances Baker and Carol Mulanax were in attendance.

#### **VI. For Possible Action-Approval of the Minutes for the Nevada Committee of Blind Vendors meeting, April 11, 2014, Richard Saperstein**

Carol Ewing had a question on item C –Discussion, Possible Action, Annual Operator In-Service Training..... In that discussion, it was announced that this training would satisfy the State’s operator training for fiscal year 2013, rather than fiscal year 2014. Richard Saperstein agreed and asked that this statement be amended. Carol made a comment that at the very end of the meeting, in Public Comment, that the RSA would be in Las Vegas in July, she said the meeting was on Tuesday July 15<sup>th</sup> and it should be Sunday the 13<sup>th</sup>. Mr. Saperstein repeated his wish for amendment of this error as well. Harold Petrofsky made a motion to accept the minutes as amended and Bill Schley seconded the motion and it carried unanimously.

#### **VII. Old Business**

##### **A. Discussion-Update regarding Strategic Planning Project, Drazen Elez**

Drazen initiated this discussion by announcing that 6 of the 7 priorities set forth have made improvements. Upper Mobility Training which provides another possibility for those interested in attending additional training with regard to the current operators. Mikie Yamada has taken advantage of this training and has already signed up. In addition, we have conducted the annual vendor meetings; Operator In-Service. Recruiting is another priority where another possible trainee has been officially submitted last week by

the BVR counselors as well as a few more candidates who are in that process. Regarding the budgets and managing program resources effectively, a Finance Subcommittee meeting was also conducted the week prior regarding the budget. Within that meeting it was reported that a certain timeline has been arranged in regard to the replacement of site equipment. Rules and regulations are being developed regarding more flexibility in the retirement and insurance benefits, which were reflected in an e-mail sent by Melaine Mason yesterday. We are also working on developing policies and procedures in conjunction with appropriate subcommittees. Growth is indicated in the new potential sites being reviewed and shown in Part B.

**B. Discussion-Update on new, waived and in progress sites, Drazen Elez**

Drazen Elez highlighted **Potential New Sites-** Majestic Park and Craig Ranch Regional Park Concessions- after analyzing and finalizing site surveys to determine their potential. Since they are both seasonal sites reports will be completed in a few weeks.

In the matter of **Existing Sites with Challenges-** the Arizona Lookout's remodel which had been planned for quite some time had been completed that week and Mr. Elez reported that Operator, Jeff Schumacher and the Bureau of Reclamation were quite pleased with the outcome. Due to Mike Mulanax's retirement at both the Lloyd George Federal Courthouse and DMV Decatur, the Bureau had recently been involved with the shift of management to Operator Trainee, Dustin Varnell at the Courthouse. Mr. Elez then recognized Mike Mulanax, Ben Giron as well as Dustin Varnell for this smooth transition of the North Las Vegas DMV and Courthouse sites.

C. Discussion-Update of the Regulation Change related to Health and Retirement Benefit Increase, Melaine Mason  
Since Melaine Mason was unable to attend and therefore asked Drazen Elez to present this report in her absence.

Drazen Elez reminded all of the email sent the day prior regarding the proposed draft for this regulation. He then reported that the next step in this process was to conduct a public workshop at this time with the Deputy Attorney General's feedback and schedule an NCBV meeting on the same day. He related that the plan both completed at the same time that the

public input can be heard about proposed changes at that time. After consideration of the public input the NCBV can adopt the regulation changes with or without changes and then the next step would be to send a draft to the US Department of Education, Rehabilitation Services Administration for their review and approval. He added that following their approval which was discussed during a discussion the week prior with Terry Smith he mentioned that it would take approximately 3-4 months to receive that approval. Once approval is given on that change then the Program would submit the final copy to the Legislative Council Bureau with the required forms and following that the LCB will schedule a hearing with the Legislative Commission. Going forward Drazen Elez explained that the LCB would then file the regulation with the Secretary of State and the law would become effective. In order to be expedited as quickly as possible, Mr. Elez recommended developing the policies and procedures that accompany it at the same time we send this regulation change to the US Department of Education so that they could be sent at the same time. Since this law does call for the Program not to have any limits on the retirement and says that those limits will be in the BEN policy and procedures they need to be developed, drafted and ready at the same time in order not to delay this change further. Prior to the two meetings with NCBV and the public hearing workshop he suggested another two meetings should be scheduled in tandem- the Finance and the Policies and Procedures Subcommittee in order to develop the final policies and to reach an agreement on the changes. Both could then be sent to the U.S. Department of Education together. Mr. Elez added that since it requires a 30-day notice for the public workshop, the proposal is to have the next NCBV meeting in 45 days, which gives the Program two weeks to draft the notice to ensure it is posted properly and then be able to have a public hearing and come back to the NCBV at the same time.

Richard Saperstein asked what timeline was required for posting for a public meeting to which Drazen Elez answered that workshop must be posted at least 30 days in advance. Mr. Saperstein then qualified what he wished to know was the time for the subcommittee meetings stating also that he wished to have the sub committees (Finance and Policies and Procedures) scheduled correctly and asked time it was required to post in order to have the meetings. After the question was asked no one was able to give him an answer, therefore he surmised that it was a 15- day advance but would research after the meeting and would email all regarding this requirement. Mr. Saperstein announced that he would then

call for a meeting between the two subcommittees and alerted Carol Ewing and Harold Petrofsky to gather their committee members together in order to get the policy defined and completed. Bert Hansen suggested expediting the process and warned that the Program must be careful to proceed with this sequence correctly and sensibly so that the LCB does not have issues with what the required budget will reflect for this process and must have a budget for this. Richard Saperstein asked Carol Ewing for verification whether it was discussed in the prior meeting that they were to develop within the policy the amount of money to present to the LCB which must be determined for the next following budgetary biennium in order that this actual amount may be placed in the budget for the actual maximum amount to be distributed. He added that language specifying the vesting over the five year period and other items that were passed as well for this revised policy. Carol Ewing answered that it would have to be a figure or percentage contained as rationale for supporting that feature.

Mr. Saperstein urged all to work quickly in their Subcommittees in order to finalize this policy in order to go forward with other matters.

*D or E.* Reports from Subcommittees are listed below:

1. *Finance, Carol Ewing*

Carol Ewing stated she could not believe it had been 15 months until the recent meeting June 10, 2014 that the main issue for the meeting was the budget of 2014-15 and was discussed. Ms. Ewing began to describe that the budget discussion for 2014-15 was presented by Melaine Mason with questions and answers following but due to time restraint the upcoming 2016-17 budget dialogue could not begin. She remembered however that that the figures and percentages had been decided and that the figures in that budget were almost completed. She asked for verification from Drazen Elez which was given.

2. *Policies and Procedures, Harold Petrofsky*

Harold Petrofsky stated that he had nothing to at that time to report except that anyone who was interested in being a member of his subcommittee to email him.

### 3. *Training, William Schley*

Bill Schley also had nothing immediate at that time to report aside from the fact that the training that was organized last year was moving along well and the proof of this was the presence of Dustin Varnell, the first graduate of that training program, who was in attendance. Mr. Varnell specified that he was currently a trainee however pending Mike Mulanax's retirement beginning July 1st, he will take over BEN site #9 as an Interim Operator. Mr. Schley added that he was eager to complete the aforementioned training and will be available around the beginning in October. Drazen Elez welcomed Lee Weiss, the Program's other trainee who was also present at this meeting. When Richard Saperstein asked Mr. Weiss if he was in the training program, Mr. Weiss announced that he completed his training and finished his tenure two weeks prior at the DOE. Bill Schley and Richard Saperstein welcomed him aboard.

### 4. Legislative Watchdog, Kawana Pohe

Absent

### 5. Future Planning, Bert Hansen

Bert Hansen referred to Drazen Elez's site report describing it as excellent and had nothing further to add.

## **VIII. New Business, Richard Saperstein**

None was scheduled.

## **IX. Second Public Comment, Richard Saperstein**

Carole Ewing announced that she had two comments. She began by reminding all that Randolph Sheppard Vendors of America would arrive in July at the *Riviera Hotel* and that the name of the subject for that program on Sunday afternoon at 1:00pm is "What's Happening in the Nevada Business Enterprise Program". Five speakers Richard Saperstein, Beth Perring and Bert Hansen are scheduled to speak and in addition to this she asked if Dustin Varnell and Lee Weiss could speak as well and they approved them also. She surmised that Drazen Elez would have an earlier presentation.

Carol Ewing continued to her second discussion mentioning that on that Sunday morning at 7:00am the ACB Walk indoors at the *Miracle Mile Mall* in *Planet Hollywood* will take place and have asked the Program to provide water and granola bars. She stated that she volunteered asking member if they wished to donate money to that project to contact her. Currently with 17 teams and with 10 people for each team, that would figure approximately 170 participants she figured. When Richard Saperstein questioned if she would fund this or requesting donations, Ms. answered that she told them that the vendors would contribute and welcomed contributions as was funded the year before when northern Nevada operators contributed with this year being Southern Nevada operators' turn.

Mike Mulanax thanked Richard Saperstein, Melaine Mason et al for allowing him to be the custodian of several sites within the BEN Program for the past few years but wished to leave to enjoy a very active retirement in Florida promising to think of everyone from time to time and not laugh too hard. He wished all good luck and pledged to be in touch in the future. Mr. Saperstein conveyed his pleasure in Mr. Mulanax's participation in the Program and his lauded his contributions. Bill Schley, Carol Ewing and Bert Hansen added their best wishes.

Richard Saperstein stated that Mike Mulanax pre-empted his planned mention of his departure. He then wished to welcome to Dustin Varnell, who he met at the Operator In-Service Training session and to Lee Weiss who he wished to express his congratulations and his hopes for Mr. Weiss to gain success in a site in the future.

At this time Mr. Saperstein discussed the \$4-\$1 matching funds, an item that he wished to add to the next NCBV meeting's agenda. He reminded all of Shelley Hendren, DETR Administrator, speaking on this subject during the Operator In-Service Training Session. As stated the expenses of the Program were eligible for matching funds from the Federal Government which means that the \$1.8 million per year translates to the state receiving \$7.2million of Federal revenue in matching funds. The discussion he intends to initiate during the next NCBV meeting would include where the members would begin to garner some of this money to cover the entire expenses incurred within the Program. Continuing he stated that the expenses of the Program have fallen upon the members to pay for the past 50 years which consists of millions of dollars. He stated that this responsibility should not be the operator's responsibility, however

he felt that in reviewing the expenses the Program should receive a portion of these funds to mitigate the current 100% expenses charged to the operators. Carol Ewing and Harold Petrofsky were then notified by Mr. Saperstein to join with their prospective subcommittees in order to advance this policy as quickly as possible to revise the law and begin doing what the members intended to do for the last 2 years. He stated he thought that the (NAC changes) have taken an extraordinary amount of time to be approved and that he was unable to recall changes in policies and procedures taking so much time to be approved. He cited that change in set aside schedules in 1996 then again in 2000 whose completion he termed as immediate. Mr. Saperstein commented that every operator worked to maximize their profits and professionalism beyond blind people standing on a corner with a tin cup full of pencils, but business people who feel they have a right to keep more of their money. He finalized this discussion by adding that this discussion content was intent for the near future.

**X. Discussion-Date for the Next NCBV Meeting, Richard Saperstein**  
Friday, August 15, 2014 at 3:30pm was chosen. Mr. Saperstein urged all who had items they wish placed on the Agenda to please contact him.

**XI. Adjournment, Richard Saperstein**  
**Bert Hansen made a motion to adjourn this meeting and Harold Petrofsky seconded the motion and it passed unanimously.**