

## **Meeting Minutes - Elected Committee of Managers**

The **April 25, 2020** E C M quarterly meeting was conducted through the E C M conference call line due to the COVID-19 Pandemic.

### **Instructions to access the conference call line were distributed as follows:**

Conference number: 1-832-917-1510 access code: 172170\* (after the voice prompt)

Press 5\* to be recognized for questions or comments (This will let the conference manager know you have raised your hand and you will be recognized by the E C M Chairman)

Press 4\* to mute or unmute

NOTE: conference call was recorded

**Call to order 9:00 a.m.**

### **Invocation by Laydell Rogers**

### **Roll call of E C M and Guests**

All E C M Representatives were on the call.

The following is a list of audience members that were on the call: Calvin Shephard, Robert Jones, Tammy Nowell, Dwayne Sparks, Sophia Sparks, Cecilia Wilson, Jesse Qualls, Arnold Sanchez, Steve Saltzman, Harvey Stavinoha, Keith Turner, Elizabeth Chaney, Jenna Norwood, Edgar Mendez, Clarence Williams, ChaCha Lima, Tim Dawson, Brandi Benger, Ronnie Watson, Jerry Ramirez, and special guest, Terry Smith.

## **B E T Staff Attending**

Michael Hooks, Acting B E T Director

### **Approval of minutes of last meeting**

E C M Chairperson Mike Sparks called for approval of the minutes. However, Mr. Sparks mentions not having read them as they were distributed late; does call for other members to advise if meeting minutes merit approval. E C M representative, Clayton Hell, suggests that the minutes be approved during the next E C M conference call; all cited approval for that action.

### **Director's Report**

Acting B E T Director, Mike Hooks, welcomed everyone and announced deferring, at this time, his report to allow Mr. Terry Smith the time, early on, to speak on issues affecting the program from a national perspective.

Special guest, Mr. Terry Smith, took the opportunity and proceeded to report noting the heartbreak of having to cancel BLAST due to the current circumstances brought about by the global pandemic. Mr. Smith notes how new strategies have surfaced regarding virtual trainings which have successfully taken place. Mr. Smith cites the five Micro Market training modules that were hosted by Translucent. Mr. Smith continues his report by announcing another virtual training that would take place; this will be hosted by U-Select It, which will encompass vending strategies during the COVID-19 era. Topics will include how to clean and properly sanitize vending machines, etc. Mr. Smith noted that details will be distributed later regarding a possible virtual BLAST training to take place during a 3-day time span in May. Mr. Smith goes on to discuss the Food

Truck partnership at rest areas that has prevailed in a dozen states while noting the dissatisfaction in which this agreement was decided upon without seeking the National Association of Blind Merchants (N A B M's) input. Mr. Smith mentioned a phone call between Nicky Gracos and the President of the Food Truck Association, which took place to garner more dialogue about the many ways that Blind managers can work cohesively with food truck operators. Another item that Mr. Smith touched upon was the multiple conversations that have taken place with the Assistant Secretary of the Department of Transportation whom has declared once the pandemic is over, the food trucks will be removed, and an enforcement of the law will resume whereas no food trucks will be permitted at rest stops. Mr. Smith gives another informational item regarding 7-Eleven and their possible entrance into the Randolph Shepherd arena; they would introduce a 7-Eleven concept into government buildings that would allow a Blind vendor to run a 7-Eleven conceptual marketplace. Mr. Smith cites further dialogue will continue with 7-Eleven. Mr. Smith finished his report by highlighting three approaches that have been brought because of the COVID-19 pandemic –

1. Request that RSA lift restrictions on using federal dollars to provide a fair minimum return to the Blind managers.
2. How will the replacement inventory be handled as this will exponentially be a huge financial expense to the Blind managers?
3. Request submitted to Congress to appropriate 35 million dollars, a direct appropriation to the Department of Education, money that would be allocated to the states on a per vendor bases.

Mr. Smith notes the correspondence that was sent to the Secretary of Education, the Assistant Secretary and the R S A Commissioner concerning those immediate topics. Mr. Smith concludes his report

by noting R S A 15 data collection information along with a few less relevant national issues.

Mr. Hooks was given an opportunity to report the status of the program as follows:

### **Facilities Information**

There are currently 112 facilities in B E T. No new facilities opened this year. There are 3 pending new facilities to include the Health and Human Services ( H H S ) Triangle campus which has a projected opening date between December 2020 to Spring of 2021, the 1601 North Congress facility or Capital Mall, with a projected opening date of Spring 2021, and the consolidated TxDOT Campus in southeast Austin has a projected opening date of Spring 2022.

Only one facility closed this quarter, facility # 863, Health and Human Services in Dallas, as G S A has required to utilize the space occupied by the snack bar for offices, therefore resulting in a forced closing. There were seventeen facilities that had operational areas of business upgraded this quarter; 37 totals for the year. We have two more facilities that will be coming this quarter with operational areas to be upgraded; they are the V A in Waco and the V A in Austin.

B E T had three facilities with operational changes during this fiscal year; they are Lone Star Vending which added a Micro Mart, the Texas Workforce Commission added a Micro Market and the RC White Federal Building in El Paso also added a Micro Mart.

There are currently 102 assigned managers; we began the year with 100. Mr. Hooks acknowledged the passing of manager Irwin Orcutt this past year and he named the four managers that entered the program this year: Brady Schultz, assigned to San Antonio

vending route; Jake Saldana, assigned to A G Child Support; Sean Wright assigned to NASA; and, Brandi Bengner assigned to the VA in Waco. Newly licensed manager, Ms. Sophia Sparks took over the F A A facility. Current trainees are Tyrell Smith and Jorge Heredia.

**Business Consultant Visitations Completed**

1<sup>st</sup> Quarter: 477

2<sup>nd</sup> Quarter: 464

Year to date total visitations: 941

Value of equipment ordered and or delivered in support of businesses: \$280,730 (year to date)

**Number of Employees whose disability is blindness in B E T Businesses:**

1<sup>st</sup> Quarter: 8

2<sup>nd</sup> Quarter: 10

**Number of Employees with Other Disabilities in B E T Businesses:**

1<sup>st</sup> Quarter: 154

2<sup>nd</sup> Quarter: 154

**Number of Employees with No Disability in B E T Businesses:**

1<sup>st</sup> Quarter: 1421

2<sup>nd</sup> Quarter: 1442

## **Current Events -**

Mr. Hooks gave an update on current events:

Ms. Ren'ee Britt has transferred from Houston to the South Austin District Associate Business Consultant position.

The Office of Disability Employment Strategies (O D E S) positions have been posted; they include the B E T Director, Purchasing for People with Disabilities (P P D) Program Manager, and P P D Administrative Assistant. The Houston Associate Business Consultant position will be posted in the future.

The Fort Bliss case contesting the separation and exclusion of the Dining Facility Attendant (D F A) from the Randolph Sheppard Contracts; was heard in the Fifth District Federal Court of Appeals in New Orleans on February 5, 2020. It is Mr. Hooks' understanding that the presentation of our argument went well, noting that it may take up to six months for a ruling to be issued by the court.

Mr. Hooks commented that the most important issue being discussed would be the closing in on the reporting deadline that will result in the first distribution of the Emergency Income Assistance Replacement Plan. Mr. Hooks repeats the information that was distributed to all managers on 4/13/2020 as follows:

“Now that we are growing closer to the first reporting period producing the financial data that will determine assistance payments, I believe it is important provide a few clarifying points and guidance that will assist in managers receiving their payments as quickly as possible and helping ensure the plan progresses smoothly. Please read the following points carefully:

1. Remember the qualifier for receiving the \$3000.00 assistance payment each month of the plan is a reported income less than \$2720.00 for the reporting month. For clarification, reported income of \$2719.99 or less qualifies the licensed manager for the assistance payment.
2. Managers will not be required to report the assistance payment as facility income or pay set-aside fees on the assistance payment but, managers will be required to pay set-aside fees for any reported income from their facilities.
3. Because the qualifying evidence for the assistance payment is your monthly facility report presented in accordance with B E T rule by the 7<sup>th</sup> working day of May, June and July of 2020. It is imperative that you submit your monthly facility report on time to the B E T Database and the report be complete. A complete report includes any set-aside fees due. Failure to submit a report will disqualify you for that reporting month assistance payment.
4. To assist with any questions your Business Consultant may have to facilitate the completion of your report, please make sure you are available via email/phone for the first 48 hours after the seventh working day of the month.”

Mr. Hooks noted that B E T is currently exploring potential options for aiding managers during the post COVID-19 re-start phase of their businesses. As more information becomes available, Mr. Hooks will report the progress and details through the E C M.

Mr. Hooks’ reported B E T will soon begin working with licensed managers to achieve 100% electronic set-aside fee payment. There are very few managers that are still presenting a check and

it is imperative for everyone to use the technology that B E T worked diligently to install at the request of managers. Mr. Hooks noted that an electronic reporting system utilized by all helps service in a much prompter manner.

### **Chairman's Report:**

Chairman Sparks began his report by discussing his recent experiences as serving the committee as the newly elected Chair while highlighting the start of the pandemic, March 13<sup>th</sup>, as being very memorable regarding how busy it has become. Chairman Sparks gave a special acknowledgment to Nicky Gracos and Terry Smith for serving as his advisors while also commenting about having a very pleasant experience working with Mr. Hooks. The Chair noted making positive strides and advancements towards the betterment of the program and gave an example of the possibility of food trucks while noting that more information on that topic is forthcoming. Mr. Sparks also discussed information about the goals that the Micro Market Committee has made and affirmed that lots of hard work is being put forth; he stated that more information will also follow regarding this topic. Chairman Sparks reports that some things have been placed on hold due to the pandemic; gears have shifted to accommodate the handling of needs during this crisis. Mr. Sparks encouraged managers to pursue the filing of unemployment as well as applications for loans. Before concluding his report, Chairman Sparks advises all B E T managers if they are having any issues, to please consult their respective E C M representative first as a course of action.



## **District Reports**

Each representative provided a report on events occurring in their district. E C M Martinez reminded everyone to adhere to a 2-minute time frame per each representative's report.

### **District 1 Food Service – Manny Sifuentes**

E C M Sifuentes shares his enjoyment of working with the new Chair, Mr. Sparks; comments on how appreciative he feels towards getting involved and learning the By-Laws. E C M Sifuentes continues his report by reading a statement that he prepared in response to the COVID-19 pandemic. He reflected on how this new world is changing the consumers' needs and how it will affect the manager or businessperson in a food service industry. Mr. Sifuentes concludes his report by reporting on a few of the managers in his district while mentioning manager Harvey Stavinoha looking at a future P O S purchase.

### **District 1 Vending – Mike Sparks**

Chairman Sparks comments not having much to report but did re-iterate the arrival of the new Business Consultant; he did reach out to managers via email and received one response requesting the agenda. Mr. Sparks shared information concerning the communication he had with Business Consultant, Aaron Hanna, concerning the Guadalupe County vending location having old equipment; gave the B C a suggestion on how to replace some of the units by using a unit that is not needed within his facility.

### **District 2 Food Service – Alvertis McClurge**

Mr. McClurge begins his report by thanking E C M representative, Laydell Rogers, for the most gracious invocation along with gratefully acknowledging Mr. Terry Smith's gift of time towards the program and the licensed managers. E C M McClurge gave a

warm thank you to all the managers in District 2 that were present during a conference call before this meeting. Mr. McClurge reiterated that there is not much to report because the current situation of COVID-19 has taken the spotlight forcing all facilities to close. Before E C M McClurge closed his report, he mentioned getting a request from one manager asking if feasible to vote in the manner of answering a survey, i. e., using Survey Monkey.com. Mr. McClurge suggested, as he concludes his report, the E C M may discuss that idea during their next conference call.

### **District 2 Vending – Dwayne Zuppardo**

Mr. Zuppardo reports that everything associated with D 2 vending is going about as well as could be expected considering the current situation, citing a few closures and a few facilities that are still operating but at reduced levels. Mr. Zuppardo concluded his report by expressing everyone's collective desire to return to some form of normalcy soon.

### **District 3 Food Service – Greg Stavinoha**

E C M Stavinoha begins his report by noting when the facilities for managers, Ashley Edwards, Arnold Sanchez, and Sean Wright, closed. Mr. Stavinoha gave details concerning a Variance Permit to a Micro Mart, tied to the NASA facility, that may benefit manager Sean Wright; noted the B C, Tina Vega, working on it and looking to get more information soon, also the future movement of vending machines for manager Wright. E C M Stavinoha commented on G S A not issuing any mandates concerning expectations during this pandemic once facilities begin to service the public; Mr. Stavinoha expressed following City and State ordinances along with T W C and the Centers for

Disease Control (C D C) guidelines. E C M Stavinoha concludes his report by sharing information related to the resources he tapped into to assist him with his business finances during the pandemic.

### **District 3 Vending – Laydell Rogers**

E C M Rogers begins his report by expressing his frequent attempts to communicate to all the managers in his district via email and or phone calls; reports that all the prisons are closed due to the pandemic. E C M Rogers noted speaking with manager Randy Clutter, who was allowed to stock a few machines that are in the guard's area noting would not be too profitable. Mr. Rogers gave an update concerning his facility and how he was able to remove his inventory from the machines in the visitation area and place it into the machines in the guards area but realizing that it won't move quickly enough which ultimately will result in a loss of products. E C M Rogers reiterates leaving phone messages with those managers that he did not hear from; said that all managers are very much aware to email him with any issues. He concludes his report by thanking those managers that are participating in the call and encouraged everyone to keep the faith.

### **District 4 Food Service – Kristen McNabb-Pattison**

E C M McNabb-Pattison opens her report by highlighting the strong work ethic of manager Edgar Mendez as he's managed to stay open, working 15-hour days, serving the Choppers Cove military personnel, while bringing in less profit. No other managers reached out to E C M McNabb-Pattison to report any issues; all are very familiar with her contact information. Ms. McNabb-Pattison noted all military bases as continuing to remain open; she discussed purchasing plexiglass material to create a

shield/barrier for a countertop. Is also going to purchase a Point of Sale (P O S) with Terminal for the cashier and customers to help eliminate the transfer of germs/bacteria. Ms. McNabb-Pattison also mentioned changing the flow of traffic in her facility to help facilitate social distancing. Before closing her report, Ms. McNabb-Pattison noted giving away perishable food items to staff and people in need.

#### **District 4 Vending – Clayton Hell**

Chairman Hell opens his report by citing a couple ongoing issues that persist within his district – manager, Jenna Norwood was contacted again, by the Corpus facility administration, to remove additional machines; E C M Hell recommends discussing this at a late time to consider the best outcome for Ms. Norwood's shrinking facility. Mr. Hell continues his report to share manager, Elizabeth Chaney's reduced sales due to the reduction of postal employees because of Coronavirus fears; says that Ms. Chaney decided to take precautions due to a health issue that may put her at a higher risk and fortunately has help from her husband running the postal facility. E C M Hell noted receiving calls and guiding several managers asking for help with different issues related to monthly reports, meter readings and the assistance pay-out due to the pandemic. Mr. Hell wrapped up his report by giving updates on a few of the roadside vending manager's in his district; he talked about how the virus has also infringed on their profits as most of the interstate traffic is concentrated to truck drivers during this pandemic.

#### **District 5 Food Service – Tommy Crawford**

E C M Crawford emphasized for those managers on the call, that are not aware, his facility is the sole food service facility in District

5. Mr. Crawford reports sharing the same significant struggles that have been brought on by the virus. However, Fort Bliss has remained open with menu's geared for takeout/boxed lunches and seating changes that are reflective upon the new "normal". E C M Crawford reports losing twelve to fifteen percent of staff due to fears of the virus and discusses the continuous fear of closure should someone contract the virus. Mr. Crawford concludes his report by citing the definite changes and loss of revenue.

### **District 5 Vending – Kenneth Landtroop**

E C M Landtroop initiates his report by confirming contacting his managers via phone calls or text; said most are in good spirits considering the definite changes brought on by the pandemic. E C M Landtroop read a brief statement from the managers in his district that was aimed at sending a thank you to the E C M committee and the acting B E T Director for their hard work in getting the Income Assistance Plan off the ground. This assistance plan has given the managers peace of mind in knowing they will be able to pay bills. Mr. Landtroop concludes his report by noting reminders he shared with managers in getting their reports submitted on time which would enable the timely processing of the assistance checks.

### **District 6 Food Service – Karla Martinez**

E C M Martinez begins her report by acknowledging all facilities within District 6 food service have been closed due to the pandemic. Ms. Martinez briefly mentioned that there is an issue/grievance submitted by manager John DeSimone that is being actively investigated but does not recommend that this forum, the E C M meeting, is applicable for its discussion. E C M Martinez closed her report by sharing her work with advising and

encouraging managers with information related to filing for unemployment.

### **District 6 Vending – Aloha Cook**

E C M Cook reports on the status of facilities that remain open while affirming her method of communicating with each manager; noted that no pressing issues were brought up other than the expected developments resulting from the virus's impact. Ms. Cook gave a heartfelt thank you from the managers in District 6 towards the assistance plan. She continued her report by naming the prison vending managers that are accruing some profit with machines that are in the guard stations in their respective prisons. Ms. Cook concludes her report by expressing her gratitude and that of managers that are continuing to work.

Before the committee took a 30-minute break, Chairman Sparks encouraged everyone to kindly consider donating to the COVID-19 E C M Relief fund for those that may be able to help. Mr. Sparks touched on how these funds will be used to help those managers that are struggling. Chairman Sparks reiterates taking a 30-minute break while encouraging all to timely return at 11:10 am.

## **Sub Committees Reports:**

### **Rules and By-Laws Sub Committee – Greg Stavinoha**

Greg Stavinoha named each of the committee members that participated to review the By-Laws; declared that they are almost done with the revision. Mr. Stavinoha shared most changes have been geared towards formatting and re-wording with only a few significant changes. E C M Stavinoha noted the outcome has been smooth.

Chairman Sparks took a minute to commend Mr. Stavinoha on the outstanding work he has contributed to by serving on the By-Laws committee and the guidance he has shown to all the members.

### **Website Committee – Greg Stavinoha**

Greg Stavinoha named each of the committee members; gave an update on progress concerning the E C M website. Mr. Stavinoha informed everyone about the Google groups email that was created, the construction of a You Tube channel and an on-line forum that is being used to post and read threads of information with the N A B M of Texas group.

### **Finance and Budget Sub Committee – Tommy Crawford**

Tommy Crawford presented the financial status of the committee by first highlighting activity that took place as a result of the COVID Relief Fund that was established to assist managers, that are 100% out of work, with medications and groceries. Mr. Crawford reports on the E C M vote that took place to donate the E C M 's PayPal account balance of \$675 into the Relief Fund along with other donations from managers and non-managers that were made, bringing the Relief Fund at \$4,161.76. A payout

of \$550 took place to non-working managers to cover groceries and medical needs. Mr. Crawford noted the current E C M total to include the Relief Fund as \$12,106.30; he gave a detailed listing of transactions. Mr. Crawford concludes his report by affirming his responsibility, as outlined in the By-Laws, to forward a written summary of his report to all E C M members.

### **Election Sub Committee – Tommy Crawford**

Tommy Crawford gave a brief report acknowledging his completion of reading the elections section outlined in the By-Laws, as he gave voting information to coincide with the future voting process for E C M representatives in districts 2, 4 and 6. Mr. Crawford encouraged participation by managers for this upcoming election; expressed his intent to open nominations by July 1<sup>st</sup>. He concludes his report by eagerly making an announcement to managers interested in joining the Election Sub Committee, that they may contact him directly.

### **G S A Sub Committee – Aloha Cook**

Ms. Cook gave an update concerning her work with the Fort Worth G S A contact, Ms. Rhonda Wilson, noting that G S A does not have any guidelines at this time for the managers to follow during the pandemic. However, Ms. Cook reports that as soon as G S A does have them, she will be notified and will be the E C M liaison to present them to all managers that run food service operations in federal buildings.

### **Training of Potential Managers Sub Committee – Aloha Cook**

Ms. Cook named each of the committee members while presenting the names of the trainees, Tyrell Smith and Jorge Heredia. Ms. Cook reports contacting B ET Trainer, Joe Gonzalez, who provided an outline of how the trainees have continued to actively participate



in B E T training during the pandemic by completing assignments, lectures and quizzes. Ms. Cook described a few ideas that she and other committee members have come up with that may interface with how the trainees and the Criss Cole Rehabilitation (C C R C) staff can implement when in person training resumes.

### **Annual Conference Sub Committee – Karla Martinez**

Ms. Martinez reports that a temporary hold is in place with the planning of the annual conference due to the pandemic. However, she and the members on this committee are looking at organizing virtual workshops and training. If travel and occupancy restrictions are lifted, the committee is looking at moving the annual conference to the spring of 2021. Ms. Martinez echoes the same announcement to interested managers and welcomes the support from those that want to participate in the Annual Conference Sub Committee as much work is involved.

### **New Facilities Opportunity Sub Committee – Karla Martinez**

Ms. Martinez provides details about this new committee and urges those that are interested in participating to join. E C M Martinez named a few members while reporting on some of their innovative ideas regarding the implementation of food trucks and other models within the program. Ms. Martinez says that this committee was put forth to research and logistically plan what new facilities are feasible that will ultimately, enable managers with other financial opportunities.

### **Resolutions Sub Committee – Karla Martinez**

Chairman Sparks reports that no formal activity has taken place. However, this is a standing committee and for that reason, Chairman Sparks noted that he took the liberty to assign Ms. Karla

Martinez as the Chair. More information to come later; may consider changing the name of the committee.

### **Micro Market Sub Committee – Kristin McNabb Pattison**

Ms. McNabb Pattison named each of the committee members; reports on activity that has taken place. Announced her attendance in the micro market certification class which proved to be a very useful resource in obtaining a wealth of information. Ms. McNabb Pattison advocates for managers to have access to this alternate model and discusses the differences in manned or un-manned units; says that timing to this opportunity is obvious due to the pandemic's influence with how the public will choose their dining options. The grab and go concept and the new micro market self serv technology is becoming a reality that may prove to be very profitable to managers. Ms. McNabb Pattison discusses the various options available to managers by way of increasing their profits, i.e., adding a "bucket with umbrellas for purchase when it's pouring rain outside". She summarized her findings and gave examples of vendors that carry high quality pre-packaged ready-made foods for managers to provide while noting that the manager no longer must worry about the sanitization aspect with food preparation that has become an issue with the pandemic. Ms. McNabb Pattison continues her report by citing the models of micro market units that provide the most accessibility to Blind managers. She also announced the publication of a "how to video" for micro markets that will be made in conjunction with the Website Committee. Ms. McNabb Pattison closes her report by acknowledging micro markets as the "wave of the future".

## **Vending Sub Committee – Laydell Rogers**

Mr. Rogers named each of the committee members noting that they have all contributed extensive information and research concerning the cashless system. Mr. Rogers laid out the advantages and discussed the committee's findings in evaluating two different types of cashless systems noting the Microtronics system as the leading contender due to their solid, uncompromised software. He reports on the committee's stance of trying to figure out the most efficient manner to deliver this product to the Blind managers. Mr. Rogers outlined an idea of housing a kiosk, for the electronic card transactions, at a convenience store near the prison for use by the prison visitor/guest wishing to purchase products from the vending machines. Mr. Rogers transitions his reporting to announce the work between the R S A buying group and the E C M liaison, Mr. Clayton Hell; allowing Mr. Hell the time to provide an update concerning a telemedicine resource and a micro market "1995 system". Mr. Hell gave several updates regarding new products/resources.

## **Open floor for Questions and Comments:**

Chairman Sparks announced an opportunity for questions by pressing 5\* to be recognized by the host.

Jim Delaney spoke on behalf of his wife, manager Sylvia DeLaney, to inquire about the termination notice they received from the San Antonio State Hospital and asked if any financial assistance would be available. Mr. Hooks gave a response.

While the committee waited on participants to ask other questions, Mr. Hooks requested a moment to discuss an item he felt needed to be addressed further concerning the food trucks at roadside rest

areas and his communication/proposal to the Texas Department of Transportation.

Another participant was recognized – Mr. Arnold Sanchez asked about the date to submit their April report and Mr. Hooks' response was to contact their respective Business Consultant for assistance.

E C M Kristin McNabb Pattison asked to be recognized to share a sentiment concerning the level of participation that was expressed during the meeting; noted, what an impact and benefit all the information made.

Discussions continued with a myriad of questions from other participants. Responses given by members of the E C M, Mr. Hooks and the guest speaker, Mr. Terry Smith.

**Set Date and Location for Next Meeting or Workshop -**

Next meeting will be held via conference call on July 18, 2020.

**Adjournment -**

Motion made to adjourn and seconded.