**NEVADA COMMITTEE OF BLIND VENDORS MEETING MINUTES**

**05/25/2023**

**1:00 PM**

**I.**  **Roll Call and Confirmation of Quorum:**   **Joe Urbanek**

Ivan Delgado, Vice Chair

Harold Petrofsky, Secretary

Joe Urbanek, Southern Representative

Nels Brown, Northern Representative

A Quorum is Present.

**II.**  **Verification of Posting:**  **Jason Birmingham, BEO I**

Jason Birmingham confirmed that the agenda was posted in a timely and correct manner.

**III.**  **First Public Comment Session**  **Joe Urbanek**

No Public Comment

**IV.**  **For Possible Action - Vote to Accept the Agenda**  **Joe Urbanek**

Joe Urbanek asked for a motion to accept the agenda.

Ivan Delgado motioned to accept the agenda.

Nels Brown seconded it.

Motion Passed.

**V.**  **Welcome and Introduction of Guests:**  **Joe Urbanek**

South: Ivan Delgado, Harold Petrofsky, Jason Birmingham, Jason Bustillo, Marcos Hurtado, Burnetta Schlecter, Lyncia Urbanek, Joe Urbanek, Ryan Barnard, Shehan Peries, Chris Mazza, Elizabeth Perring, Sweet Daughtery, Kendra Daughtery, Lisa Evans (Deputy Attorney General), Dion Williams

North: Janette Parish, Nels Brown, Richard Eberly, Richard Taylor

**VI.**  **For Possible Action –**  **Joe Urbanek**

**Approval of the minutes for the**

**Nevada Committee of Blind Vendors meeting,**

**February 9, 2023**

Joe Urbanek asked for a motion to approve minutes.

Harold Petrofsky motioned.

Ivan Delgado seconded the motion.

Motion passed.

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

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

Working with the LVCVA (Las Vegas Convention and Visitors Authority) a public agency due to being funded by the room tax.

Vending is available at both the Convention Center and the Monorail. Monorail vending has 35 machines. We are negotiating the interlocal agreement and hope to take those machines by the end of June.

The Convention Center's contract is not up yet; they know once the contract is up that we have priority. Priority exists in the public spaces, but not within convention walls where it is leased privately.

Red Rock Canyon has had the first draft of the permit for about 8 months. The last correspondence was 6 weeks ago and the permit is still with their lawyers. We continue to push them to get back to us. The permit is the final step before it becomes a BEN site.

Financially it is the end of Fiscal Year 23, which ends on June 30. We want to make sure we are finishing up 23 before we start 24. It could impact service to the sites for maintenance and repairs depending on if an emergency happens, when it happens, and how we can respond. There shouldn’t be any lapse, just could be paperwork that needs done.

The reserve sits at $2.9 million, no outstanding balances, PO’s, or bills. It will likely sit closer to $2.5 million at the end of the FY. Total revenue will be slightly over $9 million, which are pre pandemic numbers.

Joe Urbanek asked how many machines are at the Convention Center and asked when the contract ends? Chris is unsure when the contract ends. Shehan Peries confirmed it has 15-20 machines.

Joe asked if anyone else has any questions.

**VIII.**  **New Business**

**Discussion -**

* How to properly pay and report employee tips. **Jason Birmingham, BEO I**

The following only refers to the BEN Profit and Loss Statement, any questions about paychecks or other official documents should be discussed with an accountant or lawyer.

Definition of TIPs as defined by the IRS was covered.

Operators should NOT include TIP’s received by employees in Revenue nor Expenses on the BEN Profit and Loss Statement. Expenses incurred due to processing TIPs such as credit card processing fees or taxes can be included as an expense on the P&L.

Joe asked how it should be reported on the W2.

Jason suggested to point any questions not related to the BEN P&L to the operator's accountant or lawyer.

* Proper inventory procedures **Ryan Barnard, BEO I**

Physical inventory must be taken every month and a physical hard copy turned in quarterly. Ryan pointed to NAC 426.326.

Burnetta asked when it should be forwarded and if to Janette.

Ivan confirmed to send it with the P&L and General Ledger to Janette every 3 months.

Chris clarified to do it March, June, September and December.

* Trainee update **Shehan Peries, BEO II**

Three candidates hoping to enter BEN training in next few months, one in the north and two in the south. Eugenio Chavez from the north, should be entering training within the next few weeks.

Below items, from the agenda, are tabled per Joe Urbanek and Chris Mazza until the next meeting due to Dick Saperstein not being present since they were added at his request.

* Work Performance Standards – ASO II, BEO II, BEO I, AA IV
* Set-Aside Schedule NAC 426.230
* Health Care Reimbursement NAC 426.387
* Retirement Income NAC 426.383

**IX.**  **Second Public Comment:**  **Joe Urbanek**

Burnetta asked if the portal is updated so they don’t have to sign checks any more.

Chris stated that the original company couldn’t meet demand for the portal and new company hasn’t been found. To be revisited after July 1st.

Ivan asked if anyone who wants to stay after the meeting to stay to discuss items that some may want to discuss, due to the 3 minutes per comment not being enough.

DAG Lisa Evans stated that for Open Meeting Law, discussions should be agendized.

Joe asked to confirm that the discussion should occur in the public meeting.

Lisa confirmed YES.

Ivan stated that we could do it here, but it won’t be 3 minutes.

Chris stated that it isn’t on the agenda.

Lisa Evans stated that items that this board is responsible for should be agendized for an open discussion to not undermine the actions that are taken due to not following Open Meeting Law.

Joe requested confirmation that the 2nd public comments, don’t need to be on the agenda?

Chris confirmed that is correct.

Lisa corrected that items that are on the 2nd public comment don’t need to be on the agenda.

Marcos Hurtado asked who made the agenda?

Ivan stated that “we” made the agenda. Each meeting it is discussed what was on the last agenda and is to be placed on the next agenda.

Marcos stated that we don’t have time here to discuss everything and leadership should ask each operator if they have anything to add to the agenda. This is the Committee of Blind Vendors, the place for discussion of operations, ideas, what is impacting your site, since it would be impacting all sites. Leadership is not communicating so when we come here, we can’t speak about anything if the agenda is already made, made with something we aren’t interested in or already know. Marcos created a chat with other operators to discuss items they are interested in discussing, but once in the meeting we don’t have the time to talk since limited to only 3 minutes. We should open the discussion before the meeting to create the agenda with items that are important for all operators.

Joe asked if the issues he is talking about were discussed with his consultant?

Marcos commented, he has discussed all his problems with his advisor. The DMV’s right now have been impacted for more than 8 months which has reduced his revenue 25-30% and no one said anything about that in the meeting. Even though we have a Vice Chair who has a DMV and is impacted. This is a problem we must face. It is affecting 4 operators. He has discussed with his advisor and messaged the BEN Chief. He stated he is not trying to blame anyone, just saying that when something is affecting a location, it should be on the agenda and that is not what is happening right now.

Ivan Delgado stated he is part of that message thread, where there is lots of negativity. He has a DMV and a library. He runs those businesses for himself and is not here to put food on other’s tables. Part of the problem is that that others want to pay their employees too much. He feels it is mind boggling to be paying over $15 -$16 an hour when running DMV’s. Ivan questions how others expect to make money when paying so much. “You have to be realistic with yourselves.” Ivan stated that he learned so much from Marcos, how to market and upsell but he is in business for himself, not his mom or dad. He states that operators don’t know the luxuries they have, that they can make one call and a few hours later they are getting their equipment fixed. Ivan stated that now they want to talk about unassigned vending revenue being given, where do they think the money is coming from for repairs. When everything happened in August at the DMV’s and they went to walk-ins, he told his employees they should look for another job because it is getting bad. They found another job and Ivan went back to work at the DMV. Ivan doesn’t want to be there, but he must be there to make his business thrive. He wants to make his business thrive, with salary rates under 15-20%. If other operators are unable to do that then maybe this isn’t the right business to be in. Ivan asserted that for other operators to say he isn’t there for them isn’t right. He doesn't want to text, but he is always there for a call. Ivan doesn’t appreciate name calling. He stated that if others want to improve their business, start with their P&L. How many operators have gone to Chris and said “hey let's look for locations”, nobody. He urges them to do the work if they want the benefit.

Sweet, asked if others should be looking for sites.

Ivan responded yes you should, he has, Marcos has.

Ivan stated that he looked up to Marcos who told him he had other businesses outside of the program so Ivan went out and found a warehouse to place vending to add to his site. He wants to make this program bigger and is urging others not to complain when there are no new sites, or more vending. Not to complain when they don’t show up to meetings, especially the biannual meeting which is mandatory.

Joe Urbanek asked if somebody wants something on the agenda do they need to contact the chair first?

Chris said correct. Asked Marcos if all items he gave to Dick were not put on the agenda?

Marcos stated that he is not trying to blame anyone. In previous years he made $600K, he is one of the top people making money. Just that he is making money even with the decreases. We just need to look forward to the future since the DMV is taking a step towards putting everything online. We have been dealing with this situation for more than 8 months. He stated that he is not trying to blame anyone, he is very lucky, he has no debt with the program, he has paid his inventory off, he sends in set aside every month, his two locations were audited with no findings. We need to introduce what an operator is facing and struggling with, it should be in the agenda. We shouldn’t need a forum outside of this meeting because that is what this meeting is for. Commenting to Ivan, Macros stated that if he pays $20, it’s because he makes the money to pay that. His people are very skilled, he has only 2-3 people. Sahara used to be 3-4 but is now only 2. Henderson DMV now is a location that makes $150k a year even with the pandemic. Marcos stated that while everyone was home during the pandemic, he was working with 2 locations open in 2020 and 2021 and didn’t receive relief funds like others present.

Joe Urbanek stated to Marcos that he needs to contact Richard or Ivan to put something on Agenda.

Marcos stated that they should be contacting him. He mentioned that Ivan has data that is private from his P&L (referring to the comment on employee pay).

Ivan corrected that Marcos wasn’t here for the last meeting where items were released publicly about the average pay of the program’s employees being $20/hr.

**X.** **Discussion - Date for Next NCBV Meeting:**  **Joe Urbanek**

Thursday September 21st, 1:00 PM

**XI.**  **Adjournment:**  **Joe Urbanek**

Joe Urbanek asked for motion to adjourn.

Ivan Delgado motioned to adjourn

Harold Petrofsky seconded the motion.

The motion passed unanimously.

The meeting adjourned at 1:50pm