

## **Meeting Minutes - Elected Committee of Managers (E C M)**

The **July 18, 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

Attendees were urged to register the phone number they would be calling in with in advance with Mr. Tommy Crawford by calling him at 254-654-0119.

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

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

Mr. Tommy Crawford read a list of audience members names on the call, named each of the E C M Representatives present and provided callers that were unidentified the chance to identify themselves. Attendees were:

Ronnie Watson, Cha Cha Lima, Clarence Williams, Zach Davis, Keith Turner, Ruben Aguilar, Brandi Bengner, Ken Landtroop, Tom Chepey, Aloha Cook, Gregory Stavinoha, Laydell Rogers, Edgar Mendez, Clayton Hell, Manny Sifuentes, Cecilia Wilson, Dwayne Zuppardo, Sylvia DeLaney, Dwayne Sparks, Harvey Stavinoha,

Alvertis McClurge, Kristin McNabb-Pattison, Karla Martinez. Adele LaFleur from Massachusetts, Tim Dawson, Ashley Edwards, Gay Nimitz, Esta Scott, and Chad Keeney from West Virginia.

### **Business Enterprises of Texas (B E T) Staff Attending**

Lizet Hinojosa, B E T Director and Michael Hooks, Office of Disability Employment Strategies (O D E S)

### **Invocation presented by Laydell Rogers**

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

E C M Chairperson Mike Sparks called for approval of the April 25, 2020 meeting minutes; motion was made and seconded for approval. Mr. Sparks also noted that the meeting minutes from the January 18, 2020 meeting were approved recently during a conference call.

### **Director's Report**

Michael Hooks introduced Ms. Lizet Hinojosa as the new B E T Director. Mr. Hooks took the opportunity to commend Ms. Hinojosa on how expeditiously in a one month's timespan she has taken the reigns and is quickly learning the B E T program; noting that Ms. Hinojosa has become an asset to B E T and the E C M. Mr. Hooks informed every one of her experience and leadership in state government but reminded all that there is no training program for becoming a B E T Director nor is there a master's degree in Randolph Sheppard. He corroborates supporting Ms. Hinojosa with the institutional knowledge that he and the E C M can provide. Mr. Hooks indicated being available on the call as a resource to Ms. Hinojosa during this E C M meeting/forum.

Ms. Lizet Hinojosa thanked the E C M, managers and the B E T staff for all the work that is being done during this unprecedented time. She extended a warm welcomed to everyone as she proceeded 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 quarter. As presented during the previous quarterly meeting by Mr. Michael Hooks, there are 3 pending facilities:

1. Health and Human Services (H H S) Triangle Campus, projected to open December 2020 or Spring of 2021.
2. 1601 N. Congress facility in downtown Austin or as may have been referred to as the Capital Mall, projected opening date of Spring 2021.
3. TxDOT Campus in southeast Austin, projected date of Spring 2022.

Mr. Hooks confirmed the projected dates for the 3 pending facilities as remaining the same.

The Hidalgo County Courthouse, facility # 2-788-2, is the sole facility that closed this quarter, on April 30, 2020 due to construction of a new courthouse. Ms. Hinojosa presented information to affirm that according to the county, the \$14 million dollar project is more than 50% complete. There were no facilities upgraded this quarter. There are currently 101 assigned managers.

### **Business Consultant Visitations Completed**

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

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

3<sup>rd</sup> Quarter: 191

Year to date total visitations: 1132

Value of equipment ordered and or delivered in support of businesses: \$373,773 (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

3<sup>rd</sup> Quarter: 8

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

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

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

3<sup>rd</sup> Quarter: 145

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

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

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

3<sup>rd</sup> Quarter: 1427

**Current Events:**

A continuum of work within B E T has taken place to devise a strategy to possibly extend the Emergency Income Assistance Replacement Plan; B E T is exploring all options. Ms. Hinojosa announced that payments for the current month should be released on Monday, July 20<sup>th</sup> while observing that the qualifier for assistance remains the same, income less than \$2720 for the reporting month. Ms. Hinojosa stressed the importance of the timely submission of monthly facility reports and reiterated that failure to submit reports will disqualify a manager from participation. Ms. Hinojosa affirmed that the efforts and collaboration by B E T staff towards producing a plan to secure a contracted vendor

regarding the inventory assistance plan, and lastly in conclusion of the Director's report, Ms. Hinojosa confirmed that the approval/revision of the B E T Rules is still ongoing with the Rehabilitation Services Administration (R S A).

Ms. Hinojosa welcomed any additional information be shared by Mr. Hooks; he commented that he had nothing to add. A question was posed regarding what funding source B E T will use to expend the Inventory Replacement Plan. Mr. Hooks' response detailed the agency's exploration of the availability of any funds that can be approved for the two specified projects, the Income Replacement Plan and the Inventory Replacement Plan.

Chairman Sparks acknowledged the arrival of the guest speaker, Mr. Terry Smith from the National Association of Blind Merchants (N A B M).

Mr. Terry Smith took the opportunity to say how appreciative he is for the kind introduction by Chairman Sparks as he proceeded to report on the latest news and information that has encompassed his organization and the industry during this unprecedented time. Mr. Smith spoke about the challenges that blind merchants are experiencing with reduced sales and curtailed profits as he detailed the many advances that have been accomplished by the N A B M along with its parent organization the National Federation of the Blind (N F B) towards virtual training, advocacy and support for the Randolph Sheppard Program. Mr. Smith shared some exciting news about the N A B M President Nicky Gacos being honored by the National Automatic Merchandising Association (N A M A) as its Industry Person of the Year. Ms. Smith urged everyone to log on to

a computer and click on the Business Leadership and Superior Training (BLAST) LIVE sessions that took place virtually instead of the scheduled conference in Chicago and are readily available to all vendors at no cost; he describes how the virtual training classes became a renowned success and highlighted the different sessions available such as an informative R S A session, a Micromarket certification training and learning about Micromarkets From A to Z. Another very pertinent item mentioned by Mr. Smith was the hard work that N A B M has put in towards lobbying in a virtual world during the pandemic. Mr. Smith talked about the N A B M advocacy efforts which began soon after the pandemic hit; he highlighted N A B M's varied responses to the COVID-19 crisis which were aimed towards the Department of Education by requesting a direct appropriation of \$35 million and two waivers – one that would allow the State Licensing Agencies (SLAs) to use federal dollars to restock facilities when they reopen and one to allow SLAs to use federal dollars to provide a fair minimum return. Mr. Smith continued his discussion in vast detail by citing the different examples that the N A B M has asked the Department of Education to interpret regulations in a broader perspective to benefit blind vendors and state licensing agencies who are struggling financially. Mr. Smith concludes his report by informing everyone that the N A B M is highly optimistic that the Department of Education will give their request serious consideration and act quickly.

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

Chairman Sparks began his report by acknowledging how difficult it is to see the businesses of most blind operators, his included, be affected by the pandemic. He offered hope and expressed the need for all to hold on and not give up while conveying that the E C M is determined to work tirelessly towards getting income to those that

need it. Mr. Sparks gave words of encouragement and cited several examples of ways that the E C M is vigorously fighting the challenges brought on by the pandemic. Chairman Sparks continued his report by affirming that he had nothing to add based on the information on the national level that Mr. Terry Smith provided; he reminded everyone that the request was made to revise the state rules and that the E C M Rules Committee is considering adding content that would address a strategy when a pandemic arises. Chairman Sparks highlighted manager Ashley Edwards' recent independent effort in working with Sysco on a pricing plan and urged managers to apply for a Sysco account while stressing that they would be under no obligation to purchase. Mr. Sparks concludes his report by inviting manager Harvey Stavinoha to speak about opening his facility amid the pandemic.

Mr. Harvey Stavinoha shared his experience with returning to work and opening during the pandemic; had been closed since mid-March and opened again on June 4<sup>th</sup>. Mr. Stavinoha gave a firsthand account of events that shaped the re-opening of his facility. He described the implications of social distancing and how that has made an immense impact on his bottom dollar. Food products are only sold as a pre-packaged item; entrée choices are limited. Mr. Stavinoha stressed the importance of managers having a plan and a flexibility mindset as he is looking at putting in a micro market.

### **District Reports**

Each representative provided a report on events occurring in their district. Chairman Sparks reminded everyone to adhere to a 2-minute time frame per each representative's report. He also

emphasized a change in the reporting order by beginning with District 6 first.

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

E C M Cook reports reaching out via email and text; did speak with a few of the managers in her district about their concerns related to opening inventory and when will prisons open.

Managers in her district did express their gratitude towards the assistance that the B E T program is trying to secure. Other concerns that were voiced are about the price increases with Coke and how they are occurring once a month and with Pepsi following the same lead too. The general opinion shared by the managers is that they are all hopeful and thankful. Ms. Cook conveyed her gratitude about the facility that she operates – the USPS in Austin as it is still up and running but with fewer employees.

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

Vice-Chair Martinez reports speaking with some of the managers in her district resulting from the texts and emails that she initiated; the vast majority of managers in District 6 are not working, and their most pressing request is if the income replacement plan may be extended? Other conversations with her managers revolved around the possibility of Micro Markets and the timing of facilities opening and getting staff back in buildings – the presumption of those actions to occur are in January which if correct, will cause serious concern. Ms. Martinez mentioned hearing from Mr. Chepey concerning the opening of the Triangle Complex date as June of 2021; she realizes that there is so much information going around concerning the Triangle and a firm date may still be unknown. Ms. Martinez wrapped up her report by also citing the

closure of her facility as most managers are experiencing the same circumstances.

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

E C M Landtroop reports speaking with eight out of the ten managers in District 5 and they are all very consistent with reporting that they are operating at significantly reduced business levels; all except for one manager. Mr. Landtroop reports that everyone is trying their best to get through this difficult time; he shares a positive note by reporting that manager Travis Warren who operates a rest area near Amarillo, had a very busy Fourth of July weekend which resembled some normalcy.

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

Mr. Crawford reports that Fort Bliss is still in the process of negotiating the renewal of their contract; have endured some moments of closures due to the pandemic. However, Fort Bliss is currently open. E C M Crawford did not have any further information to report as the Fort Bliss facility is the sole food service operation in District 5.

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

E C M Hell reports calling folks and communicating with many managers in District 4 vending; the prison managers are still concerned and have been hearing mixed messages about scattered openings. Mr. Hell talks about the American and Mexican governments that have closed the borders but are only allowing truck traffic and as a result this has greatly impacted those two managers with border crossing facilities. E C M Hell said rest areas were also down however experienced a slight increase that lasted a very short time span due to the virus ticking back up again. Mr. Hell made an announcement that he tried to

confirm with manager Bob Pena concerning a long-time employee that had worked for Mr. Pena as possibly succumbing to the virus. Mr. Hell concludes his report by citing one of the few positive outcomes during the pandemic - manager Jerry House as having a 40% increase in his vending business because the SAMMC New Tower cafeteria was closed.

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

E C M McNabb-Pattison gave an update regarding manager Sylvia DeLaney as no longer operating the San Antonio State Hospital. Ms. McNabb-Pattison affirms reaching out via email to all managers and described the reasons of having to pause the re-opening of the facility that she manages, the San Antonio Military Medical Center; she spoke about members of her staff being infected with the virus which resulted in pushing out the re-opening of the San Antonio Military Medical Center. Ms. McNabb-Pattison disclosed that the operation of the hospital is at 50% capacity and the hospital will debut a new Point of Sale (P O S) system which will encompass a new on-line ordering platform that will enable customers and staff to practice social distancing. Ms. McNabb-Pattison finalized her report by informing everyone that she will eagerly provide information about the P O S system and the on-line ordering platform that her facility will soon begin using.

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

E C M Rogers reports that the few managers that continue to operate are doing so in a very limited business capacity. Mr. Rogers gave updates concerning the facilities that were awarded to managers Cecilia Wilson and Elizabeth Chaney. He mentioned that changeovers are on hold at prisons as they are not allowing any business to continue because of the pandemic. Mr. Rogers spoke on behalf of his prison facility as possibly not opening until

the first of the year. Mr. Rogers reiterates the consensus from most managers as being greatly concerned but very grateful for the financial assistance that the agency and the B E T program have supplied.

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

E C M Stavinoha reports on the D 3 food service operations that are closed due to the virus, gave an update on manager Ashley Edwards that is expecting a little girl and talked about the variance permit that Business Consultant Tina Vega and manager Sean Wright are working on. Mr. Stavinoha concludes his report by giving an update regarding the closing and re-opening of his facility, the Mickey Leland Building amid the pandemic while making a reference to the minimal hourly profit that the facility is producing.

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

E C M Zuppardo reports the biggest concerns shared by all managers within District 2 vending are when will people return to work, the opening of prison facilities and the inventory replacement plan. Mr. Zuppardo shared another concern to close out his report - one that was voiced by managers throughout the district regarding the delayed reimbursements from repair submissions; he mentioned that this was a leading concern before the pandemic which continued somewhat into the beginning but has decreased since there are no repairs that may be conducted due to business closures.

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

E C M McClurge reports on behalf of every cafeteria in downtown Fort Worth/Dallas and every other business within District 2 food service as all being closed. Mr. McClurge did reference one of the

managers as saying that employees have been vocal in expressing their fear about returning to work if and when the facilities are up and running; this will inevitably be a significant problem especially if the facility is a G S A site.

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

Chairman Sparks reports on the managers that operate highway rest areas as business running on a slower scale; other vending managers also dealing with lower sales. All managers in his district endorse a uniform mindset of “hang in” and “hold on”. Lastly, Chairman Sparks mentioned that the E C M is working with the S L A about the manager annual performance reviews.

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

E C M Sifuentes concurred with Chairman Sparks and manager Harvey Stavinoha concerning the re-opening information that was shared by manager Harvey Stavinoha; said that he had no further information to add. Mr. Sifuentes gave an update concerning the TxDOT facility that he manages, comments that it is operating at 10% capacity. E C M Sifuentes disclosed the operating status of the Disability Determination Services (D D S) facility that he temporary manages – said the building was shut down for 12 days due to employees testing positive for COVID-19; shared a rumor that 90% of staff will be able to telework. Mr. Sifuentes wrapped up his report by providing the details on a request he made about eliminating being open on Monday’s at the D D S facility due to the teleworking trend that is certain to continue.

### **Sub Committees Reports:**

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

Greg Stavinoha named the nine committee members that are serving and gave an update on the work they have produced. Mr. Stavinoha expressed the members as being very knowledgeable in working with the Code of Federal Regulations (C F R's).

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

Greg Stavinoha named each of the committee members; gave an update about the Blind Biz Network, the You Tube channel that was created and talked about some of the videos that have been uploaded as well as updating everyone on the frequent activity with the E C M website. Mr. Stavinoha also mentioned the Google groups account that is exclusively for E C M use and may only be accessible by invitation.

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

Tommy Crawford presented the financial status of the committee by first disclosing an unfortunate event that occurred with the E C M bank account – \$ 3,100 had been compromised, the account was hacked into. Mr. Crawford did assure everyone that the funds would be replaced as the account is insured; Wells Fargo will be issuing a new account number. Mr. Crawford then gave a detailed listing to include the balance once the bank replaces the hacked funds, donations and other transactions towards the manager relief funds. Mr. Crawford affirmed his responsibility in providing a detailed summary to any member that requests one.

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

Tommy Crawford reminded everyone that the district nominations must be made by November 15, 2020. The committee is looking at hosting a debate between candidates using the E C M conference call in-line; this event would benefit the committee by getting the nominees views on what they would like to do if elected. Mr. Crawford reiterated his need in getting an updated manager listing; said he notified each E C M representative with that request.

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

Ms. Cook gave an update on both trainees, Tyrell Smith and Jorge Heredia, concerning their Occupational Skills Training (O S T); Mr. Heredia completed his O S T with manager Mario Valles in El Paso and Mr. Smith completed his O S T with Ms. Cook. How to administer the trainee's final exams, amid the pandemic, is being reviewed by the B E T Trainer, Mr. Joe Gonzalez. Ms. Cook also discussed information regarding potential B E T candidates which may be contingent upon training resuming during the fall class schedule. Ms. Cook voiced being in continuous contact with the B E T Trainer to discuss all training aspects related to the current B E T trainees and future trainees.

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

Ms. Cook confirmed manager Ms. Sophia Sparks as joining the committee; Chairman Sparks welcomed Ms. Sparks and praised her eager commitment to lend a helping hand. Ms. Cook reports on not having any success in reaching the G S A point of contact, Ms. Rolanda Walker, to discuss G S A re-opening plan/guidelines and whether information about having to provide insurance for staff that are working at G S A sites, is factual. Chairman Sparks reiterated one of the big reasons why this new committee was formed - to assist newly licensed managers when assigned to a G S A facility.

Ms. Cook also talked about the need to streamline or fast track the employee clearance process for B E T managers that operate at a G S A site.

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

Ms. Martinez confirms that the annual training conference held in October will be postponed due to the pandemic; possibly moving it to July 2021 for budget concerns. May have an in-person conference at the Embassy Suites by Hilton in downtown Fort Worth. Mr. Martinez also discussed a plan B scenario for a virtual gathering.

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

Ms. Martinez provides details about this new endeavor; she talked about it being a combined effort with micromarkets, and food trucks. Vice-Chair Martinez mentioned manager Mr. Jay Wolf is also working on this project. Ms. Martinez described creating a database; had some insight given to her by N A B M representative, Mr. Terry Smith. Lastly, Ms. Martinez invites participation by all managers to take part in this committee.

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

Mr. Rogers begins his report by providing an update on the work that the five committee members have done to put together a cashless system for prison vending. Mr. Rogers gave informative details about some of the objectives this type of system would bring - the foremost is the reduction of contraband and increased sales as credit cards are not allowed by prisons. Microtronics has become the lead contender with their software to be able to provide the delivery option for a cashless system. Mr. Rogers recognized several advantages and cited how the implementation will involve the renting of space for a loading station at nearby convenience

stores around prisons. Mr. Rogers gave another example of a different delivery option involving the creation of a website where a customer may purchase a card on-line which may be re-loaded; this method uses a software similar to what Houston, TX uses with implementing their light rail. To conclude, Mr. Rogers expressed how he will submit the committees report on cashless systems to the E C M Chair and the B E T Director for approval.

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

Ms. McNabb Pattison reports on her findings from attending the BLAST micromarket training; she named different contractors and systems that are being widely used by other blind managers using this alternate business model. Looking at Post Offices as possible sites for micromarkets and is also entertaining the idea of putting together a master list of other sites where the micromarket business model and its equipment may work; and looking at sites that have the space and cold food merchandisers/coolers that may be retrofitted. Mr. McNabb Pattison named a supplier that has great pre-packaged food products offered in a “lunch box” type option which may serve as a good choice for facilities when they re-open.

### **Toast System by Manager Tom Chepey**

Manager Tom Chepey discussed how he decided to use a point of sale system and how Toast, a restaurant point of sale and management system became the right one. Mr. Chepey talked about his facility’s needs in wanting a stable and seamless to use system that would track all food, is easy to set-up and easy for staff to use while offering the best support; he gave a scenario of how the system works. Mr. Chepey shared an informative breakdown of the many ways this P O S platform has streamlined his operation

while being able to customize some of the Toast features to fit with his facility's needs.

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

Chairman Sparks announced an opportunity for questions; instructed anyone interested to press 5\* to be recognized for questions or comments.

Not a question by commentary presented by Mr. Greg Stavinoha towards manager Tom Chepey's experience using the P O S system, Toast; has also heard very favorable results in using the Toast platform. Mr. Stavinoha also named a G S A point of contact which may assist E C M Cook with her work on the G S A committee. Lastly, Mr. Stavinoha mentioned useful information about accessibility that may benefit Mr. Laydell Rogers' efforts with the vending sub-committee and their work on developing a cashless system.

Manager Tammy Nowell directed two questions towards manager Tom Chepey regarding the Toast P O S system. Mr. Chepey gave a detailed response.

A guest attendee from West Virginia, Mr. Chad Keeney, offered sympathetic and encouraging remarks concerning the challenges that blind managers in Texas and West Virginia are facing during the pandemic.

Manager Ruben Aguilar took the opportunity to pay his respects to deceased manager Ms. Gesilar Joseph.

Manager Ashley Edwards presented a question to Ms. Hinojosa and Mr. Hooks regarding managers that are experiencing delays in getting repair reimbursements. Ms. Hinojosa provided a reminder

of the process in place to submit issues via email to the Business Consultants and copying the Field Operations Supervisor. Mr. Hooks reinforced the standard procedure in place that Ms. Hinojosa discussed. Chairman Sparks reminded everyone to communicate those issues to the E C M member as a useful resource.

Discussion continued with a question posed by manager Sophia Sparks in relation to the Business Consultants about being able to evaluate their work performance/duties. A response was addressed by Mr. Hooks as the question posed contained historical content; he affirmed the prerogative by managers to submit comment or evaluation at any time and on anyone has always existed within the program.

Chairman Sparks discussed an item that may be an alternative to consider and that would be implementing a survey which may work much like an evaluation.

Mr. Greg Stavinoha gave insight and a reminder to everyone on the items that must be in place from the managers end when submitting a repair for reimbursement to insure a timely reimbursement.

Question posed by manager Esta Scott concerning possible video conferencing for prison visitations. Mr. Laydell Rogers shared his knowledge on that subject. Other commentary ensued on prison visitations.

An additional question was posed regarding reports on issues in using the portal to submit repair request for reimbursements on the Business Consultant's end. Mr. Hooks interjected that he and Ms. Hinojosa will submit information concerning the process.

Ms. Aloha Cook shared her experience in submitting repairs for reimbursement and promptly getting her reimbursements. Ms. Cook transitioned into a different topic pertaining to the prospect of running prison commissary's and Ms. Karla Martinez shared her knowledge in respect to that topic.

Ms. Kristen McNabb Pattison offered to inform everyone in respect to a P O S system that she is using.

Adele, guest speaker from Massachusetts, shared information regarding loans available to blind vendors and information pertinent to R S A and vocational rehabilitation monies that may be available to blind managers.

B E T Director, Lizet Hinojosa, had ending comments; thanked everyone for a very productive and informative meeting.

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

Next meeting will be held via conference call on October 17, 2020.

**Adjournment -**

Motion made to adjourn and seconded.