

## **Nebraska Blind Licensees Committee Meeting**

State Office Building

1313 Farnam

Omaha, NE 68102

September 22, 2018

Meeting called to order by Chair Ross Pollpeter at 10:04 a.m.

Board members in attendance: Chair Ross Pollpeter, Vice Chair Chris Nolan, Secretary Andrea Chizek, At Large Members: Alex Curtis, and Jason Thompson.

Blind Licensees in attendance: Ronnie Kellogg, Atty Svendsen, Sandy Alvarado, Miguel Rocha and Tom Scheibeler.

Blind Licensees on conference call: Dave Johnson

**NCBVI Staff in attendance:** Carlos Servan, Carol Jenkins, Nancy Flearl, Don Ward, Jan Stokebrand, and Tim Jefferson.

**NCBVI Commissioner:** Mark Bulger

**Prospective Vendors:** Leda Flowers

Guests: Oscar Alvarado, Rita Scheibeler

Guest Speaker: Bob Burns

### **Open Meeting Act:**

A copy of the Nebraska Open Meeting Act was available. The Notice of the Meeting was published in the Omaha Word Herald, on the NCBVI Website, and on NFB Newsline®. The Notice was also sent to the NCBVI List Serve.

**Retirement Presentation:** Bob Burns presented information about retirement. You can reach Bob at 402-331-9497 if you would like to talk to him about setting up your retirement plan.

**Approval of minutes:** Motion was made by Jason Thompson to approve the minutes from the meeting on June 15, 2018 as distributed. Chris Nolan seconded it. Motion passed.

**Chair Report presented by Ross Pollpeter:**

I want to remind everyone that the BLAST Conference is being held in November 2018 in San Antonio, TX, and SAGEBRUSH is in February 2019 in Las Vegas, NV. I encourage anyone to go to either conference at least once. I also encourage licensees to develop a line of communication with the facility managers at their vending sites. Personally the facility where I have my vending machines provided meals and beverages to their employees for an entire weekend recently, which affected my sales. If I had that line of communication, perhaps they could have given me advanced notice. I could have asked to provide pop for their meal or I could have reduced my inventory in preparation for their event.

**SLA report presented by Carol Jenkins:**

**Legislation Update**

Carlos Servan, NCBVI Executive Director, has been meeting with senators and working diligently to have a senator introduce an NBE bill to amend the wording to mirror the Federal Randolph Sheppard bill. Senator Crawford has agreed to do this. Carol Jenkins, NCBVI Deputy Director, will be providing more information regarding public hearings for licensees to attend, letters of support needed for the bill, and any licensee assistance necessary to promote the bill.

**Unassigned Funds Update**

NCBVI sent out a Memorandum in August of 2018 explaining the error that occurred with the unassigned funds for the NBE Retirement Program. This error will be

corrected after the completion of the current quarter. Carol Jenkins, NCBVI Deputy Director, sought guidance on unassigned funds from Terry Smith at the national level. His interpretation of the Randolph Sheppard Act, with RSA approval, regarding unassigned funds is as follows: “I take the position that you have to be an active vendor and RSA supports that position. 34 C.F.R. 395.8(c) refers to blind vendors being eligible. It does not say blind licensee. Although the regulations do not define blind vendor, it does define blind licensee. A licensee is licensed to operate a facility but not necessarily operating one. It only stands to reason that a blind vendor is actually operating a facility. If you look up the definition of a vendor it says a person offering something for sale. If you are not in a facility you can’t sell and, therefore, are not a vendor. “

The Blind Licensee Committee can vote on what unassigned funds can be used for, but the SLA (NCBVI) can determine the eligibility requirements for unassigned funds. The Blind Licensee Committee cannot vote on anything the regulations do not allow. NCBVI has made the following eligibility requirements for unassigned funds to start on October 1, 2018 as follows: A licensee must be an active vendor and that same licensee must be paying into their NBE Retirement Program.

## **Vending Sites Update**

### **Department of Corrections**

The Department of Corrections decided to let NCBVI retain the current locations being operated. However, further expansion is not possible until the current company’s (Valley Vending) contract ends. At this point, the Department of Corrections will put out a Request for Proposal (RFP) for bids. NCBVI will need to bid in the spring of 2019 in order to retain current machine locations as well as to expand into other locations with the Department of Corrections. The Department of Corrections will submit a RFP early in 2019. NCBVI intends on submitting a bid for the RFP for the Department of Corrections in order to try to expand the NBE Program.

## Nebraska State Building Division

In order to continue to grow the NBE Program, Carlos Servan, NCBVI Executive Director and Carol Jenkins, NCBVI Deputy Director recently met with the Nebraska State Building Division to continue negotiations for the Nebraska State Building Division contract. The contract will include the following locations: the Nebraska State Capitol, the Lincoln State Office Building, the Omaha State Office Building, the Lincoln Executive Building, the Lincoln 501 (OCIO) Building, Lincoln White Hall, Lincoln Health and Human Services, Lincoln TSB, and Lincoln State Labs. Once the contract has been agreed upon and signed by all parties, Carol Jenkins, NCBVI Deputy Director, will set up a training for relevant NCBVI staff, NBE Staff, and licensees who will be responsible for carrying out the contract.

The transition from First Choice Vending (LinPepCo) to the NBE Program began on July 2, 2018 and was completed by August 31, 2018. NCBVI has an agreement with Pepsi and Coke, which will allow the licensees to use the machines as long as product is ordered directly from Pepsi or Coke. This agreement is saving \$84,000 in machine purchases for the NBE Program. Keurig's have been delivered to NCBVI for some of these locations, and Don Ward, NBE staff, will work with the licensees to get the Keurig's up and operational.

The total thus far for purchases for the Nebraska State Building Division contract were \$122,000 less than originally planned. However, there may be more purchases necessary depending upon the Nebraska State Building Division contract negotiations.

## New Grand Island Location

NCBVI has sub-contracted for the new vending location in Grand Island at the USDA Agriculture and Immigration building. NCBVI purchased two new beverage and one used snack machine for this additional location. This is yet another example of how NCBVI is working to grow the NBE program.

### Nebraska State Capitol

Antonio Aguilar has contracted with Hy-Vee Catering to offer lunch services at the State Capitol while the Nebraska State Capitol goes through the 10-year HVAC renovation project. The renovation project, which covers the area of the cafeteria, is anticipated to last for approximately 18 months until November of 2019 when the Nebraska State Capitol cafeteria will be reopened for business.

### Other Potential Vending Site Expansions

NCBVI continues to work and grow the NBE Program. NCBVI is continuously working with Stratcom to obtain the Offutt site. The Offutt site was posted for one month for all licensees to submit a letter of intent and business plan. Carlos Servan, NCBVI Executive Director, only received one letter of intent and one business plan from a licensee for the posted Offutt site.

In addition, NCBVI is working with a current licensee to explore expansion in the Norfolk area.

### Licensees Update

Dan Knuter retired from the NBE program in July 2018. Shanon Clark, a new operator, has taken over operation of the vending machines in the North Platte area, the western Nebraska I80 rest areas, and the Sidney area.

Tom Scheibler also retired from the NBE Program in August of 2018. Atty Svenson expanded her vending sites and took over the operation of the Douglas County Civic Center and Federal Court House in Omaha.

### Staff Update

Carrie DeFreece left NCBVI on July 31, 2018. Carol Jenkins, NCBVI Deputy Director, will continue to supervise the NBE Program in the interim until a new NBE Manager is hired. NBE Manager interviews will take place on September 24-25, 2018.

Don Ward, NBE staff, has achieved 20 years of service with NCBVI and the NBE Program. The 20 years of service Employee Recognition ceremony will be October 18, 2018 at the Nebraska State Capitol.

### **Vending Site Complaints**

The categories of complaints that have come in to Carol Jenkins, NCBVI Deputy Director, this quarter have been as follows: Price inconsistencies, Backward facing products, Selling products not eligible for resale, Not having name and contact information visible and posted on each machine, Cleanliness of vending areas, Poor customer service, and Machines being less than 50% full. This is a reminder that NCBVI has all of the contracts with the various owners of facilities, and licensees are representing themselves, other licensees, other blind consumers, and NCBVI statewide.

### **Additional Notes**

**Cantaloupe Systems for Vending:** NCBVI has made the decision to discontinue the acquisition of **Cantaloupe**. However, if a licensee is interested in acquiring **Cantaloupe**, please contact Don Ward, NBE staff, and Carol Jenkins, NCBVI Deputy Director, to begin discussions.

Update on Profit and Loss reports presented by Jan Stokebrand: Jan reported that in the month of May there were 4 people late, one late in June, and zero late in July. All paperwork is due on the 20<sup>th</sup>. Please notify Carol Jenkins if you need to be excused.

**Update on Licensees, introduce new trainee(s):** Atty Svendsen completed her training and received her license.

### **Training for next quarterly committee meeting:**

The topics that were brought up were having a presentation about Social Security and a presentation on being a sole proprietorship verses being a LLC.

**Set date for next meeting:**

Chris Nolan made a motion to have the next meeting in Lincoln on December 7, 2018.

Andrea Chizek seconded it. Motion passed.

Date: December 7, 2018

Time: 10:00 a.m.

Location: Nebraska Commission for the Blind and Visually Impaired

4600 Valley Road, Lincoln, Ne

**Adjournment:**

Jason Thompson made a motion to adjourn at 12:16 p.m. Chris Nolan seconded it.

Motion passed.