

Nevada Committee of Blind Vendors (NCBV)

Meeting Minutes

3016 West Charleson Blvd. Suite 215

Wednesday November 19th, 2025

I. Roll Call and Confirmation of Quorum: Ivan Delgado, NCBV Chair

Ivan Delgado, Committee Chair initiated roll call and confirmed the presence of enough members to achieve a quorum.

Joe Urbanek, Vice Chair (Present)

Burnetta Schlechter, Secretary (Present)

Harold Petrofsky, Southern Representative (Present)

Nels Brown, Northern Representative (Present)

Chair Delgado gave the floor to Kaye-Lani Tiafau to confirm posting of the agenda.

II. Verification of Posting: Kaye–Lani Tiafau, AA IV

Kaye-Lani Tiafau confirmed that the agenda and meeting notice was posted in accordance with the Open Meeting Law.

Chair Delgado, thanked Ms. Tiafau, and advanced the next meeting agenda item.

III. First Public Comment Section: Ivan Delgado, NCBV

Chair

Chair Delgado opened the floor for public comments. No public comments were provided at this time. He then gave thanks to all participants in the Hoover Dam Café bidding process and congratulated Regina Mitchell for being awarded the site.

Meeting advanced to next agenda item.

IV. Vote to Accept Agenda: Ivan Delgado, NCBV Chair

Chair Delgado asked for a motion to approve the agenda.

Southern Representative Harold Petrofsky made the motion to accept the agenda.

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Northern Representative Nels Brown seconded the motion.

All in favor, none opposed, none abstained, motion passes.

V. Welcome and Introduction of Guests: Ivan Delgado, NCBV Chair

Chair Delgado then opened the floor for the introduction of guests.

Those introduced in the North are as follows:

Richard Eberly, Business Enterprise Officer (BEO) II

Nels Brown from BEN Site #8

Those introduced on the Telephone are as follows:

Regina Mitchell from BEN Site #3

Eugenio Chaves from BEN Site #45

Lauren McLarney

Elizabeth Perring from BEN Site #62

Burnetta Schlechter from BEN #9

Mechelle Merrill, Deputy Administrator of Vocational Rehab

Those that were introduced in the South are as follows:

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Shehan Peries, Business Enterprises of Nevada (BEN) Chief

Louis DeMaioribus, Business Enterprise Officer (BEO) II

Jason Birmingham, Business Enterprise Officer (BEO) I

Ryan Barnard, Business Enterprise Officer (BEO) I

Kaye-Lani Tiafau, Administrative Assistant IV

Todd Weiss, Deputy Attorney General

Drazen Elez, Vocational Rehab Administrator

Dion Williams from BEN site #37

Jason Bustillo from BEN site #60

Leslie Bustillo

Marcos Hurtado from BEN site #6

Donna Bates from BEN site #29

Peter Bates

Jeff Whitehead

Lyncia Urbanek

After all attendees were introduced, the meeting advanced to the next agenda item.

VI. Approval of the August 06, 2025 and September 25, 2025

Meeting Minutes: Ivan Delgado, NCBV Chair

Chair Delgado asked for a motion to approve the NCBV meeting minutes.

Northern Representative Nels Brown made the motion to accept the minutes.

Southern Representative Harold Petrofsky seconded the motion.

All in favor, none opposed, none abstained, motion passes.

Meeting advanced to next agenda item.

VII. Old Business

Discussion: BEN Site Updates, Financial updates, and BEN Trainee updates

Chair Delgado opened the floor to Shehan Peries, BEN Chief, to talk about BEN Site updates along with BEN financial updates and BEN trainee updates.

Mr. Peries began with an overview of active and upcoming site developments. He reported that BEN Site #3, the Hoover Dam Café, went out for bid in August 2025 in accordance with the Nevada Revised Statutes (NRS) selection procedures. A formal selection panel was convened, and

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after reviewing all submitted business plans and presentations, the site was awarded to operator Regina Mitchell.

Regarding BEN site #60 (Red Rock micro-market), he explained that the location is currently being operated on an interim basis. The site is scheduled to go out for bid in January 2026, with an anticipated award date of April 1, 2026.

Mr. Peries then provided an update on the Hoover Dam Kiosk, which will operate under a licensing agreement with Peet's Coffee, making it the first BEN-operated national-brand coffee partnership of this type. He noted that progress on the kiosk's development continues steadily; currently they are in the build out phase. Exterior improvements, including repainting, electrical adjustments, and the installation of digital menu displays, have been completed. The team is now focused on the interior, including sourcing and acquiring specialized equipment, completing upgrades, and coordinating installation timelines. A final opening date has not yet been confirmed, as the Bureau intends to align the launch with the availability of a new operator. Once the next trainee completes the training program, the Hoover Dam kiosk will be put out for bid, and the selected operator will be required to vacate their current location due to the site's high volume. The vacated location

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would then be temporarily assigned to a trainee on an interim basis to ensure continuity of service. Based on the current pace of construction and training progress, Mr. Peries estimated that the kiosk could be operational within four to six months.

Trainee Updates:

Transitioning to trainee updates, Mr. Peries reported that two trainees, Yun Ellis and Maria Rodriguez, are actively progressing through the BEN training pathway. Yun is currently enrolled in the Chicago Lighthouse's BEP classroom training program, while Maria is preparing to begin the same curriculum in the coming weeks.

The Chicago Lighthouse classroom training component typically spans three to four months, covering business operations, food service management, customer service, and Randolph-Sheppard compliance. Upon completion of the classroom phase, trainees must complete ServSafe food safety certification, followed by the On-the-Job Training (OJT) portion of the program.

Mr. Peries estimated that both trainees should be ready for placement within six to eight months.

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He also noted that two additional BSBVI clients in the South are currently progressing through prerequisite steps to qualify for BEN training. One of the prospective trainees has expressed interest in relocating to the North, which is considered a positive development given current operator shortages among sites in Northern Nevada.

Financial Updates:

Mr. Peries presented the Quarter 1 Financial Report covering the period of July 1, 2025 through September 30, 2025, summarizing total expenditures, revenue streams, and the reserve balance.

Quarter 1 program expenditures totaled \$467,894.00, which Mr. Peries broke down into the following categories:

- Personnel Services: \$136,014.00
- In State Travel: \$4,383.00
- Operating Expenses (office rent, supplies, copier, security, etc.):
\$11,378.00
- BEN Site Expenses (equipment purchases, repairs, services, etc.):
\$290,745.00
- Vendor Benefits: -\$44,681.00

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He clarified that the negative vendor benefits amount is due to a work program adjustment which was initiated in April. Because the BEN site expense line (Category 10) was nearly depleted at that time, BEN temporarily used funds from Category 16 (Vendor Benefits) until the work program was approved by the Interim Finance Committee. Upon approval in August, \$241,000 was transferred back into Category 16, resulting in the negative balance shown in the Q1 report.

Additional expenditure categories included:

- Informational Services: \$699.00
- Office Utilities: \$1.60
- Division Cost Allocation: \$10,219.00
- Department Cost Allocation: \$59,133.00

Program revenue for the same period totaled \$508,140.00, consisting of:

- Set-Aside Revenue: \$353,221.00
- Unassigned Vending Revenue: \$154,919.00

Following these inflows and outflows, the BEN reserve balance is \$4,382,950.00.

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Mr. Peries concluded his report confirming that the program continues to maintain a strong fiscal position. Mr. Peries turns the floor over to Vice Chair Urbanek for the next agenda item.

VIII. New Business

Discussion: AAFES Arbitration – Joe Urbanek, NCBV Vice Chair

Vice Chair Urbanek briefed the committee on the National Association of Blind Merchants' (NABM) effort to initiate a multi-state arbitration against the Army and Air Force Exchange Service (AAFES) regarding priority right under the Randolph-Sheppard Act. He summarized legal concerns around vending facility priority, military interpretations, and the opportunity for nationwide collective action. The National Association of Blind Merchants (NAMB) supports such collective action, is willing to invest, and has secured legal counsel with Randolph-Sheppard expertise. To seek compliance with the Act, the Secretary of Education can be asked to convene an arbitration panel to deal with the dispute and issue a final decision that is legally binding. Favorable outcomes have been obtained in other cases. States joining together could divide the expense of litigation. He noted that states participating may contribute approximately \$10,000 to \$20,000 each and emphasized that collective action could significantly expand opportunities for

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blind vendors nationwide. Nellis AFB was emphasized in particular as a vendor opportunity.

BEN Chief Shehan Peries confirmed that the Bureau and DETR leadership are aware of the arbitration proposal and that internal discussions and email correspondence with NABM are ongoing. He stated that the Director's Office is currently reviewing the matter and emphasized that a formal position would require committee recommendation and official action.

Mr. Elez clarified that the committee would have to vote on this matter, and that an emergency meeting would have to be called.

Chair Delgado expressed support for pursuing this opportunity and emphasized the importance of timely action to avoid missing a potential avenue to expand vendor opportunities both statewide and nationally. Chair Delgado then asked if they could decide the date for the emergency meeting and vote on this now, or if it would have to wait until afterward.

Mr. Elez reiterated that this item was for discussion only at this meeting. Any decision to participate would require a special or emergency meeting due to the approaching December 1st deadline set by NABM, but that such a special meeting would not need to be decided on during this meeting.

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Chair Delgado further noted that he supported Mr. Urbanek's suggestion for a \$20,000 contribution and hoped to get an emergency meeting scheduled prior to the deadline.

Mr. Peries stated that meeting notices must be posted at least three business days in advance to remain compliant with Open Meeting Law requirements.

Chair Delgado responded, suggesting that the meeting should take place on Tuesday November 25th.

Jeff Whitehead concurred, stating that he believes this to be the best course of action.

Chair Delgado raised questions regarding potential cons to pursuing this course of action, like whether the Rehabilitation Services Administration (RSA) would continue backing states if arbitration is successful.

Mr. Elez stated that it was best not to begin a discussion outside of the Council at this point in the meeting and then referred the matter to DAG Todd Weiss.

Mr. Weiss confirmed that the discussion was restricted to the NCBV and advised that Mr. Whitehead should not participate, as he is not a member of the Council.

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Chair Delgado restated his question to the council.

Mr. Elez responded, stating that RSA is not involved in this litigation, and while there is historical support for centralized arbitration, the long-term role of the RSA remains uncertain and influenced by evolving political and federal structures. So, they may support these efforts, or they may not.

Ms. Lauren McLarney attempted to provide advice; however, Mr. Elez and DAG Tod Weiss advised that she was not permitted to provide legal advice at that time due to the legal sensitivity of the issue and strict adherence to the meeting agenda.

Donna Bates asked if she could vote on this matter even if she is not on the Council since she has a BEN license.

Vice Chair Urbanek further clarified that voting rights on this matter are limited to Committee members only, and that everyone is eligible to provide input during the second public comment section.

Chair Delgado concluded the discussion by confirming that a special meeting would be scheduled to allow formal action on this matter prior to the December 1st deadline.

For Possible Action: Hoover Dam One Site Policy

Chair Delgado, opened the floor to Shehan Peries, BEN Chief

BEN Chief Peries addressed the Committee regarding the long-standing program requirement that any operator selected to manage a Hoover Dam facility must operate that location as their sole assigned site and thus vacate any other BEN locations currently operated. He explained that this policy has historically been enforced to support the program's core purpose of expanding economic opportunities for blind individuals, while maintaining fairness and equity across all operators.

Mr. Peries emphasized that this requirement is grounded in the guiding principles of the Randolph-Sheppard Act and is intended to prevent the concentration of high revenue sites among a limited number of operators. He presented financial data illustrating the significant revenue disparity between Hoover Dam facilities and standard BEN sites. For State Fiscal Year 2025, the average annual revenue for Hoover Dam sites was approximately \$2.6 million, compared to an average of \$91,000 for all other BEN sites. This equates to a difference of twenty-nine times approximately, reinforcing the rationale that Hoover Dam sites should not be combined with other sites under a single operator.

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Mr. Peries explained that by maintaining Hoover Dam sites as stand-alone assignments operated by separate individuals, the Bureau is able to maximize the number of vendors who benefit from high-earning opportunities while preserving balance and sustainability throughout the program. He formally requested the Committee's recommendation on whether to affirm or modify the existing requirement and further recommended that any Committee member with a potential conflict of interest abstain from voting.

Committee Action:

Chair Ivan Delgado requested a motion from the Committee to proceed with a vote on maintaining the current requirement.

A motion to affirm the existing practice, that a Hoover Dam operator must vacate all other sites and focus solely on the Hoover Dam location, was made by Harold Petrofsky and seconded by Nels Brown.

A roll-call vote was conducted, and the following Committee members voted in favor:

- Harold Petrofsky - Aye
- Nels Brown - Aye
- Burnetta Schlecter - Aye

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None opposed, two abstained. The motion carries, thereby affirming the existing practice.

Mr. Peries noted that, with this vote, the next step would be to create a subcommittee that would solidify this language as policy.

Formation of Subcommittee:

Chair Delgado initiated the creation of the subcommittee to formalize the single site requirement for Hoover Dam into specific written policy language to avoid future ambiguity and ensure consistency in its application. The purpose of the subcommittee is to draft updated policy language that clearly reflects both the current practice and potential future considerations involving other high-revenue sites.

Volunteers for the subcommittee included:

- Harold Petrofsky (Committee Member)
- Burnetta Schlecter (Committee Member)
- Elizabeth Perring (BEN Operator)

Initially, the subcommittee was to consist only of Mr. Petrofsky and Ms. Perring. It was clarified that, while the subcommittee may receive input from Operators and program stakeholders, it must not include a majority of

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Committee members in order to comply with Open Meeting Law requirements. Ms. Burnetta was therefore permitted to join the subcommittee, bringing the total membership to three.

During discussion, Mr. Petrofsky proposed expanding the scope of the policy to potentially include other high-revenue locations such as military bases or airports. He suggested consideration of a revenue threshold model, whereby any site exceeding a defined annual revenue level (for example, \$750,000) could be designated as a single-assignment site. BEN leadership acknowledged the suggestion and confirmed that such considerations would be part of the subcommittee's deliberations.

Mr. Elez stated that the subcommittee's draft policy would be presented to the full Committee for review, potential revision, and final approval. Following approval, the policy would be forwarded for submission to the RSA and subsequent administrative processing.

Once the parameters were clarified, the meeting proceeded to the next Agenda Item.

IX. Second Public Comment: Ivan Delgado, NCBV Chair

Chair Delgado opened the floor for public comments.

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Chair Delgado raised a question regarding the possibility of addressing retirement contribution increases and whether this issue could be incorporated into the current policy discussions or if it would require a separate process. He also inquired whether this matter should be placed on the future agenda for formal consideration.

BEN Chief Peries clarified that while the Committee may work on additional policy areas, any proposed changes must first be formally agendaized and discussed in a public meeting.

Administrator Elez explained that policy changes follow a structured process, which may involve continued work by an existing subcommittee or the formation of additional subcommittees to address multiple policy areas. These subcommittees may serve as ongoing bodies to research, refine, and recommend changes, which are then brought back to the full Committee for final review and approval.

Mr. Peries asked whether Chair Delgado wished to place this item on the agenda for the next quarterly meeting.

Chair Delgado said yes. He added that several operators, including himself, expressed interest in discussing potential increases to both the retirement

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fund and the life insurance policy. Chair Delgado confirmed his intention that these topics should be placed on the agenda for next quarter so that they could be formally discussed and evaluated.

During this public comment period, Lauren McLarney addressed the Committee regarding earlier questions about whether the Rehabilitation Services Administration (RSA) would continue supporting states if they pursued collective arbitration against AAFES. She explained that, while the RSA's future posture cannot be guaranteed, historical precedent indicates that the RSA previously encouraged consolidated multi-state arbitration after NABM's 2024 legal action against AAFES. She shared that the RSA had supported the concept of unified arbitration as an effective mechanism for resolving disputes under the Randolph-Sheppard Act.

Chair Delgado then inquired if there were any additional public comments.

No further comments were made.

X. For Possible Action - Date for Next NCBV Meeting: Ivan Delgado, NCBV Chair

The committee scheduled a special meeting for Tuesday, November 25, 2025, at 10:00 a.m. as suggested by Mr. Peries, to address AAFES

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arbitration participation. Chair Delgado suggested they schedule the next quarterly meeting for February 18, 2026. The other committee members agreed. A separate policy-focused meeting was set for January 14, 2026, specifically to address a single-site policy for the Hoover Dam along with retirement and life insurance policy updates. The meeting of the newly proposed subcommittee will occur before the January 14th committee meeting.

Emphasis was placed on the fact that, in relation to policy that affects changes to the budget, any committee recommendations would have to be implemented by vote of the legislature. Thus, it's best to solidify plans ahead of time, so that proposals are ready before the legislature meets next in 2027, with the new budget becoming effective July 1st of that year.

XI. Adjournment: Ivan Delgado, NCBV Chair

Chair Delgado asked for a motion to adjourn the meeting.

Northern Representative Nels Brown made the motion.

Southern Representative Harold Petrofsky seconded the motion.

All in favor, none opposed, none abstained, motion passed.

Meeting Adjourned.