

Draft

**Governor's Council on Blindness and Visual Impairment  
(GCBVI)**

**Executive Committee Meeting Minutes**

February 7, 2023

**Attendance**

**Members Present**

Bob Kresmer, Chair  
Ted Chittenden  
Andrew Cohen  
Bea Shapiro  
Nathan Pullen

**Members Absent**

Amy Porterfield  
David Steinmetz

**Staff Present**

Lindsey Powers

**Guests Present**

Brian Dulude  
Joyceline Elliot  
Tiffany – ASL  
Kathryn - ASL

**Minutes**

**Call to Order and Introductions**

Bob Kresmer, Chair, called the meeting to order at 1:06 pm. Introductions were made and a quorum was present.

## **Approval of November 16, 2022 Meeting Minutes**

Bea Shapiro moved to approve the minutes of the November 16, 2022 Executive Committee meeting. Nathan Pullen seconded the motion. The meeting minutes were approved by unanimous voice vote.

## **Executive Committee Updates**

Bob Kresmer inquired whether Bea Shapiro had an update regarding the Vision Rehabilitation and Assistive Technology Act (VRATE). Bea Shapiro stated the Assistive Technology (AT) Committee typically presented at VRATE, although she was not contacted to provide a presentation. Ted Chittenden stated that Dan Martinez oversaw the presenters at VRATE and was interested in attending the upcoming meeting. He noted that council members could request an update from Mr. Martinez then. Bea Shapiro inquired whether VRATE would be held in March and also in November. Ted Chittenden stated that Dan Martinez had expressed interest in holding the event in March only. Nathan Pullen stated that he would be participating on an employer panel at VRATE, so there would be council representation. Bob Kresmer stated the DeafBlind Committee was considering possibly holding a Town Hall meeting at VRATE, although he was unsure whether that would be the best venue for that. Jonathan Pringle stated that he met with Carmen Green, Arizona Commission for the Deaf and Hard of Hearing (ACDHH) and Max Ryser, Statewide Independent Living Council (SILC) and had tabled that discussion until Brian Dulude would be able to participate. Bob Kresmer stated that he would like to utilize the Department of Economic Security (DES) video conference rooms to allow individuals to participate in person or virtually for a Town Hall meeting. Jonathan Pringle stated that could be explored and noted that different organizations could potentially sponsor more than one event, and he would encourage ACDHH, SILC and DES to attend both events.

## **BEP Discussion**

Brian Dulude stated the Business Enterprise Program (BEP) had a contract with Fort Huachuca, which made up about 80% of the BEP set-aside. He noted the Fort Huachuca was an important site for BEP vendors and provided upward mobility. Brian Dulude stated BEP held a contract with Fort Huachuca for the past 15 years, and had submitted a request for a direct solicitation, which was rejected by the Army. Dr. Dulude noted that BEP received notification that BEP was under the competitive range, and had 3 days to submit a request for a debriefing. Brian Dulude stated the DES and Rehabilitation Services Administration (RSA) were working with lawyers to work with the

Army and to hopefully not need to go to arbitration. Bob Kresmer inquired whether the lawyers would proceed with arbitration if necessary. Brian Dulude stated the lawyers could not practice law in Arizona, but they could get the necessary paperwork ready. Bob Kresmer inquired whether BEP would be able to continue to pay vendors' medical and benefits without the Fort Huachuca contract. Brian Dulude stated that BEP would likely need to reduce maintenance and purchasing costs, and would not be able to get new sites up and running. Joyceline Elliot stated that BEP vendors would still receive the same health insurance.

Bob Kresmer stated that BEP vendors had requested a reduction in the set-aside and inquired whether that had been considered. Brian Dulude stated that request was part of the package sent to the Legislature and was waiting for approval. Bob Kresmer stated the set-aside had built up over the years, but had been used to help sustain BEP operators during the pandemic, and inquired whether those funds had been replenished. Brian Dulude stated the set-aside funds had built up over the past year. Joyceline Elliot agreed that the set-aside had steadily increased over the past year. Ted Chittenden inquired how the set-aside would be affected if BEP did lose the Fort Huachuca contract. Brian Dulude stated that BEP would be strongly affected. Bob Kresmer inquired whether BEP would need to potentially reduce staff to assist with that loss. Brian Dulude stated that during the pandemic, BEP had shifted some administrative costs to RSA so as not to affect the set-aside costs. Bob Kresmer inquired whether the lawyers would be requesting that the Army re-open the bid for Fort Huachuca. Brian Dulude stated that BEP wanted to be considered for the contract. Bob Kresmer stated that when Luke Air Force Base rejected BEP's bid previously, DES and the Governor's Office did not pursue arbitration. Mr. Kresmer inquired when the Luke Air Force Base contract would be open again. Joyceline Elliot stated that the contract should be open for bid next year, and BEP was tracking all upcoming bids. Bob Kresmer inquired whether BEP anticipated more support from the new DES Director and Governor. Brian Dulude stated BEP would continue to pursue the contracts.

Bob Kresmer stated the GCBVI could inform the Governor's Office regarding any issues but could not act on them without approval from the Governor. Mr. Kresmer inquired whether BEP would like the Executive Committee to make any requests of the council at the upcoming meeting. Brian Dulude stated he could not direct the council, although he wanted to let the council know what was happening with BEP. Bob Kresmer stated the Executive Committee could make a report to the Full Council and could request feedback regarding any conversations with the Governor's Office.

Bob Kresmer inquired whether Nathan Pullen had any additional advice for BEP. Nathan Pullen stated that it was unfortunate, although BEP was doing what they

needed to. He noted that BEP had previously planned for this possibility and had lawyers in place at that time. Nathan Pullen stated that if the Army was resistant to working with the Randolph Sheppard Act, it would likely be a long battle if it went to arbitration or an appeal. Bob Kresmer stated BEP was under the competitive range, and inquired whether that could have harmed BEP. Nathan Pullen stated BEP was strategic to bid low, and noted that BEP previously had a partnership with Sydexo, which BEP relied on to develop the bid. Ted Chittenden stated the Army might have already planned to accept the bid that they did if BEP had bid low.

Bob Kresmer inquired how the Executive Committee would like to present the information to the Full Council. Bea Shapiro stated that Brian Dulude had indicated that he was not requesting support, but just wanted to provide an update to the council. Bob Kresmer stated that he would follow up with Brian Dulude and Joyceline Elliot prior to the Full Council meeting, and would request an update regarding national efforts. Ted Chittenden stated that many council members would not likely be aware of the issue and would appreciate a brief update.

### **Agenda Items and Date for Next Meeting**

The next meeting date of the Executive Committee would be determined.

### **Announcements**

Ted Chittenden stated the Arizona Council of the Blind (AzCB) had a new President, as Chris Desborough had resigned due to a conflict of interest. He added the AzCB State Conference would be held on April 15th virtually and an announcement would be sent out shortly.

### **Public Comment**

A call to the public was made with no response forthcoming.

### **Adjournment of Meeting**

Ted Chittenden motioned to adjourn the meeting. Nathan Pullen seconded the motion. The meeting was adjourned at 1:58 pm.