New Mexico Commission for the Blind

Minutes (Draft)

Regular Meeting

January 13, 2020, 1:00 PM

Commission for the Blind

2905 Rodeo Park Dr. E. Bldg. 4 Suite 100

Santa Fe, NM 87505

1. Call to Order

Chairman Schreiber called the meeting to order at 1:06 PM.

2. Roll Call

Chairman Schreiber took roll, and present were Urja Lansing, Robert Reidy, and Art Schreiber.

3. Introduction of Guests and Staff

Guests and staff were introduced. Employees present were Greg Trapp, Executive Director; Kevin Romero, Deputy Director for Finance and Administration; Janelle Gonzales, Finance Manager, and Kelly Burma, Skills Center Coordinator. Attending by speaker phone were Jim Salas, Deputy Director for Vocational Rehabilitation and Independent Living; and Lucy Mallahan, Director of the Orientation Center. Guests present were Brian Colón, State Auditor; Kevin Chavez, Auditor; and John Kreienkamp, Assistant Attorney General.

4. Approval of Agenda

Ms. Lansing made a motion to approve the agenda, and Dr. Reidy seconded the motion. Mr. Trapp asked for permission to take the reports from Lucy Mallahan and if necessary State Auditor Brian Colón out of order. A vote was taken, and the agenda as modified was unanimously approved.

5. Approval of minutes of Special Meeting of December 17, 2019

Ms. Lansing moved to approve the Minutes of the special meeting of December 17, 2019, and Dr. Reidy seconded the motion. A vote was taken, and the minutes were unanimously approved.

6. Chairman’s Report, Arthur A. Schreiber

Chairman Schreiber said that the Commission was honored to have State Auditor Brian Colón present at the meeting.

7. Director's Report, Greg Trapp

Mr. Trapp asked that the Commission now take the Orientation Center report from Ms. Mallahan. Ms. Mallahan gave her report, saying that the Orientation Center had twelve students, and was expecting one more student this week. She said that two were due to graduate this week, two were awaiting medical clearance, and there is currently no waiting list. She said that the Center had a vacant secretary position, and that they were otherwise fully staffed. Ms. Mallahan said she met last week with Chris Sinclair from the Facilities Management Division about the construction of the fourplex apartment. She said that they are planning to build for less than $1,000,000, with $400,000 for fixtures and furnishings. She said that the architect wants to close the alley on the south side of the building, and wants to landscape to tie the buildings together.

Mr. Schreiber thanked Ms. Mallahan for the excellent report, and said that we are now close to getting the apartment facility that will allow consumers to experience what they will be doing in real life. He said that with the apartments they will be getting first class training, and that it is important for the students to experience such real life training.

a. Major Trends and Developments, Greg Trapp

Mr. Trapp said that this year is the 100th anniversary of the Smith Fess Act of 1920, which expanded vocational rehabilitation to civilians. He said that the vocational rehabilitation program has enjoyed bipartisan support since it helps persons with disabilities to reach their full potential and to obtain economic self-sufficiency.

Mr. Trapp reported that the Commission is on track to spend all or substantially all of the Pre-ETS 15 percent reserve. He said that the vocational rehabilitation program is still waiting for the promised Pre-ETS flexibilities, and that he met three times with the Rehabilitation Services Administration Commissioner Schultz during the CSAVR and NCSAB conference. Mr. Trapp said that the flexibilities have been delayed due to an Executive Order from President Trump that put a halt to the issuing of informal guidance, requiring that such guidance be reviewed and put out for comment.

b. Administration and Finance, Kevin Romero

Mr. Romero reported that all Federal reports have been submitted on time. He said that 45 percent of the budget has been expended. Mr. Romero said that the legislative session is about to begin, and that the Commission is scheduled to appear before the House Appropriations and Finance Committee tomorrow at 1:30 PM. Mr. Romero said that the Executive recommendation gives the agency a $300,000 state fund increase, whereas the Legislative recommendation calls for only a $87,000 general fund increase, and that the Legislative recommendation is requiring that the agency tap into our fund balance. He said that this Legislative recommendation is not beneficial to the agency since the fund balance is needed to offset program income shortfalls.

Mr. Romero reported that five positions were being advertised, including the Human Resource Manager. He said that the agency vacancy rate was 16.5 percent. Mr. Trapp added that the average vacancy rate for the state was 22 percent, so that the Commission was doing significantly better than many agencies, and that the 16.5 figure includes the EXOT positions, many of which are deliberately held vacant for the summer STEP program and to accommodate blind staff who may be hired. Mr. Romero said that the vacancy rate is 12.2 percent for just the classified positions.

c. Independent Living and Vocational Rehabilitation, Jim Salas

Mr. Salas reported that Dontae Watson has been hired for the vacant Vocational Rehabilitation Counselor position in Farmington.

Mr. Salas said that the project to replace iron pipes in the Albuquerque office has been finished, and that they are now working on replacing doors and windows.

d. Orientation Center, Lucy Mallahan

Ms. Mallahan gave her report earlier in the meeting.

e. Skills Center, Kelly Burma

Ms. Burma reported that the Skills Center was serving nine consumers, two of which are Pre-ETS eligible. In response to a question from Mr. Schreiber, Ms. Burma reported that the windows in the Skills Center kitchen have been replaced, and that there are plans to replace the hoods with more efficient units.

8. Unfinished Business

a. Status of Section 107 Monitoring, Greg Trapp

Mr. Trapp reported that it has been ten years since the Commission was last monitored, and that he had expected the agency to be monitored this year. Mr. Trapp said that the monitoring process had been taking more than a year and a half for monitoring reports to be issued. Mr. Trapp said that the reports from the 2018 monitoring are supposed to be out in March. He said that RSA has now changed to a focused monitoring process, and that the monitoring reports are supposed to be out in six months. He said that the monitoring will be more narrow, and focused on specific agencies and not states. Mr. Trapp said that the Division of Vocational Rehabilitation is being monitored this year, but the Commission was not selected for monitoring. Mr. Trapp said that this is reflective of the Commission’s stability and the fact that RSA sees the Commission as being a low risk agency. Mr. Trapp said that the agency conducts a periodic mock monitoring, which helps the Commission identify issues as a part of our internal control process. He said that he is planning one additional mock monitoring, either for this spring or summer. He said that RSA has been looking at agreements, and that the Commission is working on making sure that the required cooperative agreements were in place. He said that the agency has just negotiated a new cooperative agreement with the Public Education Department. He said that the agreement with the Navajo rehabilitation program was just signed by President Nez.

b. Update on Combined State Plan Submission, Greg Trapp and Jim Salas

Mr. Trapp said that the process has really gotten more compact than originally expected. He said that the plan was originally due on April 1, and that it was then moved up to March 2. He said that the Commission was supposed to have its portion of the plan submitted by January 9, but that the partners were given until today to submit their plans.

Mr. Salas said that there were 19 sections to the plan, and that moving it up meant that they had to work over Christmas to get it done. He said that it is substantially different from how it was done four years ago, and that there are now descriptions instead of attachments. He said that he is working on getting in the last couple of pieces entered.

Mr. Trapp said that the agency has conducted public meetings across the state, starting in October. He said that meetings were held in Clovis, Hobbs, Las Cruces, Alamogordo, Albuquerque, and Santa Fe. He said that the State Rehabilitation Council met on December 17 and that the Council made recommendations that were included in the plan, including the Goals and Priorities.

9. New Business

a. Acceptance of State Fiscal Year 19 Audit, Brian Colón, State Auditor

Auditor Colón said that he was last here in one of his first official functions on February 6, 2019. He said that the agency was held in high esteem, and come 11 months later he was still equally impressed. Auditor Colón complemented the leadership of the Commission and the tone at the top, saying that there was a steady hand on the till with the Director, the Commission Chair, and the whole team.

Auditor Colón turned the report over to Kevin Chavez, who said he agrees 100 percent and whole heartedly with Auditor Colón.

Mr. Chavez said that the Office of the State Auditor was issuing an Unmodified opinion, and that there were no significant material weaknesses. Mr. Chavez said that the Commission had one finding, 2019-001, involving state standards. He said that it was the lowest level finding of Other Matters. He said the finding involved the deletion of fixed assets, and that it was a simple human error that occurred 4 years ago, and that Kevin Romero and Janelle Gonzales had self-reported the issue. Mr. Chavez said that there were two very small prior year findings, and that they were resolved. He said one was not depositing a small check within the required 24 hours, and that the other was a trans positional error on a travel reimbursement. Mr. Chavez said he encountered no difficulties during the audit, and he commended Kevin Romero and Janelle Gonzales.

Chairman Schreiber thanked Mr. Chavez for his presentation.

Auditor Colón also thanked Mr. Chavez for the report, and congratulated the team for their work. He said that he loved to hear everyone talking about the Section 107 Monitoring and Pre-ETS, and that internal controls were important. Auditor Colón described the GASB 87 changes that would be applicable next year.

Mr. Trapp thanked Auditor Colón and Mr. Chavez for the report. Mr. Trapp said that one of the portions of the State Plan was Other Available Information on the Operation and Effectiveness of the VR Program, and that the audit information would be included in that part of the State Plan. He thanked Mr. Romero and his team for their work.

Dr. Reidy made a motion to accept the State Fiscal Year 2019 audit, and Ms. Lansing seconded the motion. A vote was taken, and the audit was unanimously accepted.

b. Approval of Governmental Conduct Act Resolution for 2020, Arthur Schreiber

Mr. Trapp said that the resolution was something that the Commission has been doing for many years, adding that it demonstrates the agency commitment to the Governmental Conduct Act. Mr. Kreienkamp read the Governmental Conduct Act resolution.

Ms. Lansing made a motion to approve the Governmental Conduct Act Resolution, and Dr. Reidy seconded the motion. A vote was taken, and the Resolution was unanimously approved.

10. Commission Open Discussion

Mr. Romero thanked the Commissioners for their support, and thanked his staff for all of their support and work.

Mr. Chavez said we went through the gauntlet with flying colors

Mr. Trapp thanked Mr. Chavez and Auditor Colón for their work, saying it was great that the audit was public in advance of the HAFC meeting that would take place tomorrow.

11. Comments from the Audience

12. Date and Location of Next Meeting

The next meeting was set for Albuquerque on April 22, starting at 10:00 AM.

13. Adjourn

Chairman Schreiber adjourned the meeting at 2:46 PM.

APPROVED THIS 16th DAY OF April, 2020:

Arthur Schreiber, Chair

New Mexico Commission for the Blind

ATTACHMENT TO CFB MINUTES OF JANUARY 13, 2020

New Mexico Commission for the Blind

Governmental Conduct Act Resolution

WHEREAS, the Governmental Conduct Act, 10-15-1 NMSA 1978, sets forth standards of ethical conduct that apply to the Commission for the Blind; and

WHEREAS, under the Governmental Conduct Act, the position of Commissioner of the Commission for the Blind constitutes a “public trust’:

NOW THEREFORE, BE IT RESOLVED that the members of the Commission for the Blind, meeting in regular session in the City of Santa Fe this 13th day of January, 2020, shall:

1. Use their public office only to advance the public interest and not to obtain personal benefit;

2. At all times maintain the integrity and discharge ethically the high responsibilities of public service;

3. Fully disclose real or potential conflicts of interest;

4. Review on a regular basis the terms and provisions of the Governmental Conduct Act; and

5. In every other way fully abide by the provisions of the Governmental Conduct Act.

Passed unanimously by the Commission for the Blind this 13th day of January, 2020.

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Arthur A. Schreiber, Commission Chairman

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Shirley Lansing, Commissioner

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Robert Reidy, Commissioner