New Mexico Statewide Independent Living Council

April 29, 2026, 10:00 AM

Minutes (Final)

I. Call to Order and Introductions of the Council

The meeting was called to order at approximately 10:00 AM. Present were Chairperson Sarah Michaud, Bernadine Chavez, and Michael Murphy. Attending virtually were Vice Chairperson Dr. Paula Seanez, Peggy Hayes, and Mariah Reagan. Absent and excused were Marlencia Chee, Cody Unser, Rachel Minnaar, Dr. Stephon Scott (ex officio), and Lisa McNiven (ex officio). Also present was Kathy Cooper, SILC Executive Director, and Peter Ives, Esq.

Guest attending virtually included Samantha Rendon, Division of Vocational Rehabilitation Chief Financial Officer; and Charlie Phelps, San Juan Center for Independence. Guests attending in person included Greg Trapp, Commission for the Blind Executive Director; Jim Salas, Commission for the Blind Deputy Director; Juan Haro, Commission for the Blind IL Manager; and Frank Maestas, National Federation of the Blind Vice President.

II. Approval of the Agenda

Michael Murphy motion to approve the agenda and Peggy Hayes seconded. A vote was taken, and the agenda was unanimously approved.

III. Approval of Minutes of November 11, 2025

Mariah Reagan moved to approve the minutes of November 11, 2025, and the motion was seconded by Sarah Michaud. A vote was taken, and the minutes were unanimously approved.

IV. New Mexico Department of Justice Corrective Action Plan

Actions taken By Chair and Executive Director to date to respond to violations

Ms. Michaud talked about the corrective action plan that was submitted by attorney general office in December regarding some Open Meetings Act (OMA) violations that were submitted in a complaint made by Mr. Greg Trapp on alleged issues needing to be corrected.

She further reported that she and Ms. Cooper responded to violations

Reviewed and responded to notice. Some items do require correction, and some were objected to. Responses were developed and submitted with the assistance of an attorney, Peter Ives to the Attorney General's (AG) office. The AG office has acknowledged receipt. Ms. Michaud and Ms. Cooper did not receive a response to the objections submitted by Peter Ives.

NM SILC NMDOJ Corrective Action Plan –Addressing and Correcting Violations

Alleged Violation 1: Meeting Minutes:

To address the violation discussed in Section II(d), our office requires: minutes of the next meeting that reflect a corrective statement that provides a summary of the OMA violations, along with evidence of a vote on the draft minutes, and if not already done so, SILC should approve, amend, or disapprove its November 15, 2023, and February 21, 2024, meeting minutes.

*Corrective Action Taken

This summary of OMA alleged violations will be noted in the 4/29/26 meeting minutes.

Ms. Michaud said that after reviewing the past NM SILC meeting minutes and agendas and speaking with board members, it is the case that the meeting minutes of the immediate previous meetings were voted on at the next meeting. The 11/15/2023 and 2/21/2024 agendas and minutes reflect that minutes were voted on, but these agendas and minutes did not have specific dates listed on the minutes to be voted on. The specific dates of minutes have been added to both the agendas and meeting minutes. These changes will all be voted at the 4/29/2026 meeting.

Alleged Violation 2: SILC's August 21, 2024, Agenda Item: To address this violation our office requires minutes that illustrate the corrective statement that provides a summary of the OMA violation and a clear explanation of what the August 21, 2024, agenda item should have been identified as to comply with OMA.

*Corrective Action Taken

The summary of the alleged OMA violation will be noted in the 4/29/2026 meeting minutes: The 8/21/2024 agenda item listed as "Hiring Committee Updates—Action Item" is not reasonably specific to describe to the public that the SILC would be voting on the appointment of an Executive Director. The agenda item should have said: Hiring Committee—Final Executive Director Candidate Recommendation—Action Item—Board Vote on Appointment of Executive Director

b. Vote on updated agenda and minutes for the 2/21/2024 to reflect the minutes being voted on

Mr. Murphy made a motion to approve the 11/15/2023 minutes and 2/21/2024 agenda, and Peggy Hayes seconded. The minutes were approved and agenda revised, with Sarah Michaud, Mariah Regan, Peggy Hayes, and Michael Murphy voting to approve, and Dr. Seanez and Bernadine Chavez abstaining.

c. Vote on updated agenda and minutes for the 5/15/2024 meetings to reflect the minutes being voted on

Michael Murphy made a motion to approve the 2/21/2024 minutes and 5/15/2024 agenda, and Mariah Reagan seconded. The minutes were approved and agenda revised, with Sarah Michaud, Mariah Regan, and Michael Murphy voting to approve, and Peggy Hayes, Dr. Seanez, and Bernadine Chavez abstaining.

V. Policy Update

a. New Mexico Department of Justice Attorney General's Opinion on SILC policy on public comment.

Some policies were determined in AG's Opinion to be unconstitutional to being non-neutral in tone. These policies were added to protect SILC members from attacks and bullying, but per the AG the language should be neutral and should apply to all parties in attendance. Corrective action was recommended to correct language to a neutral tone. Policy Committee met to review and make recommendations on language changes to meet the recommendations of the opinion.

b. Vote on policy update to meet recommendation of New Mexico Department of Justice

Ms. Chavez asked whether the Council should make changes to language setting only 3 minutes for all public comments. She also said that the Council was not including the public comments in the minutes so that issues could be tracked and responded to later. Discussion was held on perspectives for and against the recommendation to allow public comment beyond 3 minutes. It was recommended that this be added to the end of the first paragraph of the update: "Comments will be included in the minutes for review by the Council."

A proposal was made to accept the changes proposed by the Policy Committee to remove language that does not belong per the Attorney General opinion, and to add the recommended sentence above.

Approval of all policies.

Michael Murphy made a motion to revise the policies, and Peggy Hayes seconded. The policies were approved, with Sarah Michaud, Mariah Regan, Peggy Hayes, Michael Murphy, and Dr. Seanez voting to approve, and Bernadine Chavez abstaining.

VI. IL Network Updates

a. Sarah Michaud – New Vistas

Ms. Michaud that they have been extremely busy. Submitted the PPR report to ACL not yet reviewed.

Achieved a double nursing home transition. She stated that they are getting staff out into the county and providing onsite services in Espanola. Her staff are helping to plan a second annual youth transition conference in Las Vegas NM and providing outreach to Raton schools. She also shared a positive housing outcome success achieved for consumer who was previously unhoused.

b. Michael Murphy– Independent Living Resource Center

Mr. Murphy reported that ILRC continues to provide the five core services. During this state fiscal year, beginning July 1, the IL staff have provided services to 273 Consumers as of March 31, 2026, ILRC's Technical Services Program has completed 10 home and vehicle modifications and several are in progress.

During the current fiscal year staff have spent over 550 hours in 248 Community Activities such as Systems Advocacy, Collaborating and Networking, Technical Assistance, Outreach and Community Education.

ILRC currently has 335 Consumers in the Attendant Services Program

IL challenges remain locating affordable accessible integrated housing as well as attempting to provide services in a rural state which lacks adequate infrastructure, e.g. housing, communication technology, public transportation and health care services.

In the realm of attendant services, the challenge has been advocating for the state HCA to follow CMS guidelines in the area of Live-In Attendants, which do not require them to use an EVV system to check in and out on a specific schedule. At this time exemptions are given on an individual basis based on specific needs. Also, there has been an increased acceptance of LRI's as Attendants.

c. Albert Montoya – The Ability Center

Not in attendance

d. Audra Wilson – Choices

Kathy Cooper on behalf read Audra report they their program was able to fulfill 2 ramps and bathroom remodels. They have 2 new staff members. Youth transition fair in Carlsbad

e. Charlie Phelps – San Juan Center for Independence

San Juan is currently fully staffed. They continue to stay busy with 1,029 consumers amazing increase since last year. Issues with many requests coming in on behalf of social security. Questions being redirected to San Juan Center, becoming an issue. Annual Youth Ambition Fair. 22 venders, 16-18 staff, over 100 students and 157 people attended

f. Dr. Stephon Scott– Division of Vocational Rehabilitation (DSE)

Dr. Scott was not in attendance and no report provided on behalf of the DSE.

VII. Chair Report

Busy couple of months following up on I&E funding, complaints received, and budgets

Federal budgets and IL funding continued to be monitored. Ms. Cooper stated that IL funding is not in the headlines at this time. She is in communication with DSE to request I&E funding to meet SPIL funding allocations. She is also working with DVR to address SILC budget in light of cuts we were informed about in January to ensure funding is adequate and available for all SILC meeting needs.

Ms. Cooper stated that she is responding appropriately to complaints that came to light in December 2025 and February 2026.

VIII. Executive Director Report

Kathy reported on IL Network Coordination

Continuing to meet every quarter, unmet needs survey ongoing. Discussion on next SPIL development in progress

Ms. Cooper talked about partnerships and collaborations. She met with New Mexico and Aging and Long-term Services Department on how to coordinate and collaborate with IL Services and programs.

Ms. Cooper attend SILC Congress 2026 this year. There were discussions on Needs assessments, IL philosophy, compliance, and ACL updates. Ms. Cooper provided a fiscal update. Ms. Cooper sent an excel spreadsheet with available expenses from DVR was sent out via email to all SILC members.

IX. Public Comment (3-minute limit per person)

The following individuals provided public comment:

Greg Trapp

Attorney General's office. Part B funds 2017. DVR had surplus of program income

DVR can spend program income on Vocational Rehabilitation Services, or transfer to provide services for independent living or Commission for the Blind Independent living programs.

2024 DVR carried over $12 million, they Transferred $2 million worth of program income, transferred $1.8 million to IL services. The program income benefits every program with disabilities

Mr. Trapp expressed that the Commission for the Blind (CFB) receipt of Part B funds by using a portion of DVR's administrative pool is win, win, win scenario

Jim Salas

In order for CFB to use the social security reimbursement funds for independent living programs, the CFB must have federal grant dollars first. Part B money was the grant money to offer funds. A proposal to continue receipt of Part B funds was submitted to SILC a year and a half ago and was rejected.

Juan Haro

CFB Independent living programs work throughout the state to provide services to consumers to help them thrive. All skills-based training is provided and instructing people with multiple disabilities.

Frank Maestas Vice Chair for the National Federation of the Blind of New Mexico

Mr. Maestas expressed that the National Federation for the Bind of New Mexico has concerns. Concerned that if they do not receive any Part B funds services will stop. He also stressed that young folks are in need for services.

Mr. Maestas respectfully requested that SILC provide funds in the amount of $9,000 to the Commission for the Blind so services can continue to younger folks.

x. Next Meeting

Ms. Michaud requested that a tally will be sent out by Kathy Cooper for 1st – 2nd week of June. Location request for ILRC or a DVR office depending on the day.

XI. Adjournment

Michael Murphy motion to adjourn and Bernadine Chavez seconded. A vote was taken and the meeting was adjourned at 11:55 AM.

Approved and Electronically Signed this 2nd Day of July 2026.

Paula Seanez, PhD, Chairperson

Statewide Independent Living Council