



**Board of Directors Meeting Minutes  
Monday, December 11, 2017  
Noon-2:20 p.m.  
Albuquerque, NM**

**Members Present**

Greg Williams, President; Karen Moses, Vice President; Carl Baldwin, Treasurer; Billie Blair, secretary; members Jeri Clausing, Dede Feldman, Viki Harrison, Melanie Majors, Mike Melody, Bob Trapp, Sylvia Ulloa, Dan Yohalem. Telephonically: Janice Arnold-Jones, Fred Nathan and Charles “Kip” Purcell.

**Staff:**

Peter St. Cyr, Executive Director

**Call to Order**

President Greg Williams called the meeting to order at 12:10 p.m. He stated he held a proxy for Charles Peifer and confirmed a quorum was present.

**Approval of Agenda**

Mr. Williams called for approval of the agenda. Ms. Blair moved, and Ms. Arnold-Jones seconded. The motion to approve the agenda carried.

**Approval of Minutes**

A motion to approve the minutes of the June 15, 2017 meeting was made by Ms. Moses and seconded by Mr. Melody. The minutes were approved with Mr. Trapp and Mr. Yohalem abstaining due to their absences at that meeting.

**President’s Report**

Mr. Williams said FOG is ending a successful year with a record number of attendees at the Dixon Awards luncheon and a full agenda for the Legislative session. He thanked board members for their service, and welcome Ms. Moses as incoming president.

**Executive Director Report**

Mr. St. Cyr thanked Ms. Harrison and the Legislative Committee for direction during the session.

- Legislative: The bill to allow police departments to redact names of victims and witnesses is likely to return in the 2018 session.
- Staff: FOG entered into a part-time contract with Abby Feldman in June to help with Dixon and other needs; this has ended as Ms. Feldman has relocated.
- Membership: Lapsed members have been identified and will be contacted this month. There was a six-week period during the software transition when renewals were not mailed. Members will receive a fundraising e-mail suitable for sharing. Mr. St. Cyr

reported with the new service he's started to collect demographic information on our members. He reported that more than half of FOG's members live outside of Albuquerque.

- Technology: Data has been migrated from Quick Books to Network for Greater Good, which provides better customer relations management.
- Community outreach: 8-9 public speaking events were completed.
- Dixon Luncheon: Though there were glitches at check-in due to last minute changes, he has created a Planner for tasks to streamline the process in 2018 and involve Board members. Ms. Moses will name a steering committee.
- Grants: FOG has received a \$25,000 grant from the Thornburg Foundation to conduct bipartisan gubernatorial candidate forum on March 11, 2018 to learn candidates' commitments to transparent and ethics reform. KNME has agreed to stream the forum on its website and discussions are about providing the stream to newspapers, radio stations and online news portals is ongoing
- Sunshine Week: A partnership is in the works with the New Mexico Press Association to co-produce an Open Government Guide in electronic format. It will be provided to state newspapers for their use during National Sunshine Week in March, 2018.
- Continuing Legal Education: Attendance and revenue was down. There has been a suggestion to (a) use guest facilitators and (b) focus every other year on federal FOI and IPRA laws. In response to a question from Mr. Yohalem, it was confirmed that all the revenue is not reflected in the October financials.
- Social media: Twitter metrics are up year over year with the majority of followers female, the majority of engagers male and the predominant age group 25-44.
- Legislative: Conversations have been had with the Attorney General, Administrative Office of the Court and lawmakers concerning transparency legislation. The AG wants additional funding for that offices' open government division as it now takes 6-9 months to write letters responding to action requests. There is a move to increase funding for 24/7 access to law enforcement records, which may require \$1.3 million in software. The state's Sunshine Portal is still not operating at capacity.

Mr. Williams added that:

- He and Ms. Moses have instructed Mr. St. Cyr to hire a part-time employee as soon as possible. Mr. St. Cyr will define the job responsibilities and said he will likely hire Alex Jones, who was managing editor of UNM's *Daily Lobo*.
- FOG's lobbyist will not serve again this year, and staff and board members will be asked to assist in lobbying efforts.
- The hotline report is a strong asset for FOG and should be mentioned to potential members. Ms. Ulloa volunteered to work on FAQs for hotline questions to be posted on the website.

### **Financial Report**

Mr. Baldwin said the organization's 990 filing was due May 18, 2017 and got an extension until November 17, 2017. He asked if it has been filed. Mr. St. Cyr said it has been. Mr. Baldwin said FOG needs a signed amendment for its files and one to send to the Attorney General's office.

The Treasurer reported that FOG's financials are not in compliance with the Accounting Standards Board regulations for nonprofits. The organization's Policies and Procedures state that

the Finance Committee chair shall approve the hiring of a bookkeeper. It was determined that the agreement with the current bookkeeper will be terminated after 2017 year end financials reports are complete

The balance sheet shows \$78,000 remaining in the U.S. Bank checking account. The board resolved in June to move these monies to a Vanguard account and place \$40,000 of that in an investment account. Mr. Melody pointed out that FOG is paying to have its money at U.S. Bank. Mr. Yohalem moved and Ms. Melody seconded that FOG take all necessary steps to create a Vanguard account as soon as possible, transfer its account and move \$40,000 of that into an investment account.

Third quarter review: The balance of \$145,000 for October is the high point of the year. It is only \$800 less than 2016.

Budget vs. Actual: Revenue is a negative \$9,554 to budget, due to lower memberships and lower CLE revenue. Expenses are a positive \$26,388 due to not hiring a part-time assistant.

2018 Budget: After some discussion it was determined that Mr. St. Cyr will develop strategies and goals and present a preliminary budget to the Finance and Executive Committees by the end of this year or sooner.

### **Board Member Nominations**

Ms. Blair detailed the process of the Nominating Committee in creating a matrix of remaining members to determine areas that needed to be filled to represent a diversity of skills, geographic location, etc. She thanked the Committee: Mr. Williams, Ms. Moses, Mr. Nathan, Ms. Feldman and Ms. Majors. There will be 17 remaining members on the Board; there were 18 nominees. The Committee recommended the following as Board members:

- Susan Boe (Santa Fe), executive director Searchlight, former FOG executive director and attorney.
- Tom Johnson (Santa Fe), former deputy editor *St. Louis Post Dispatch*, New Mexico director The People's Data.
- T. Roderick Kennedy (Albuquerque), retired New Mexico Court of Appeals judge, past fellow and director Academy of Forensic Sciences.
- Henry Lopez (Santa Fe), digital editor *Santa Fe New Mexican*.
- Sammy Lopez (Farmington), publisher *Farmington Daily Times* and former Dixon award winner.
- Paula Maes (Albuquerque), President and CEO New Mexico Broadcasters Association.
- Rory McClannahan (Albuquerque), Executive Director of the New Mexico Press Association,
- Steve McKee (Albuquerque), President McKee, Wallwork & Co. (marketers), speaker, columnist.
- Mary Lynn Roper (Albuquerque), President/General Manager KOAT-TV.
- Hal Stratton (Albuquerque), former state Attorney General, now shareholder Brownstein Hyatt Farber Schreck.

Mr. Williams asked for a motion to approve the slate. Mr. Nathan moved and Ms. Majors seconded. Following was discussion about board size (the bylaws permit 30 members) and nominees' commitment to transparency and to the organization. The slate was approved with two nays. Ms. Moses and Mr. Williams will call each of the nominees to extend an invitation, and an orientation and board book will be prepared by staff.

### **Legal Update**

Mr. Williams said the case is still pending of Marcy Britton vs. the Attorney General of the State of New Mexico. Ms. Britton seeks recovery of damages and attorneys' fees. The Rodey firm filed an amicus brief on behalf of FOG.

An amicus brief filed in the San Juan Water Users case, which asks the Court of Appeals to award attorney's fees, is also still pending.

Mr. Yohalem reported that FOG, the *Albuquerque Journal* and the *Santa Fe New Mexican* have sued Corizon Health, which contracts for medical care with the New Mexico Department of Corrections for release of information. The defendant's brief is due within the week; the plaintiff has 45 days after that. This is significant because it will create a precedent on whether IPRA regulations apply to private entities contracted to do public work.

### **New Business**

Ms. Moses announced there will be four meetings in 2018. They are:  
**February 22, May 16, August 16, November 29.**

Mr. Williams thanked Ms. Arnold-Jones and Ms. Blair for their service. Board members thanked him for an extra year of leadership.

### **Adjournment**

Mr. Melody moved for adjournment, and Ms. Clausing seconded. Motion carried, and meeting adjourned at 2:20 p.m.

**NEXT MEETING**  
**February 22, 2018**  
**Albuquerque Journal Conference**  
**Room**