

**New Mexico Foundation for Open Government (NMFOG)**  
**Board of Directors Meeting Minutes**  
**Wednesday, May 16, 2018**  
**12 p.m.**  
**Albuquerque, N.M.**

**Members Present**

Karen Moses, President; Susan Boe, Vice President; Carl Baldwin, Treasurer; Mike Melody, Secretary; members Kathi Bearden (telephonically), Dede Feldman, Viki Harrison, Tom Johnson, Paula Maes, Steve McKee, Rory McClannahan, Fred Nathan (arriving at 12:20), Charles “Kip” Purcell, Mary Lynn Roper, Bob Trapp, Sylvia Ulloa, Greg Williams and Dan Yohalem. Charles Peifer sent his proxy with Greg Williams.

**Staff:**

Melanie Majors, Interim Executive Director

**Call to Order**

President Karen Moses called the meeting to order at 12:10 p.m. A quorum was present. Ms. Moses welcomed the board and thanked the board for the support she had received during the past few months, especially noting the assistance of Mr. Williams and Ms. Majors.

**Approval of Agenda**

Ms. Moses called for an amendment to the agenda, eliminating unnecessary approval of Executive Committee minutes cited in item III. Mr. McClannahan moved and Ms. Boe seconded. The motion to approve the agenda, as amended, carried.

**Approval of Minutes**

Ms. Moses called for the approval of the minutes of the February 22, 2018 meeting. Mr. Baldwin moved and Mr. Yohalem seconded that the minutes be approved, and the motion carried.

**President’s Report**

Ms. Moses reported on the progress being made by the Executive Director Selection Committee, with the Committee’s goal being to have a recommendation to the board by the end of June 2018. She also reported that Ms. Majors wished to be considered for the position.

Ms. Moses discussed the composition of the Board’s various committees, and clarified which committee members would serve as chairs. The attached list of committee membership is incorporated by reference.

Ms. Moses asked Ms. Boe to report on her recent efforts with respect to foundation grants, in particular to the Thornburg Foundation and the Doris Goodwin Walbridge Foundation. Ms. Boe reported that her discussions with each foundation indicated a positive result.

### **Finance Committee Report**

Mr. Baldwin gave the Finance Committee report, with assistance from Mr. Melody and Mr. Trapp. The balance sheet as of March 31, 2018 shows a very liquid status with \$143,205 in cash. First quarter results were approximately \$3,000 below budget, for a variety of reasons. The current full year outlook, however, appears \$8,500 better than budgeted, due to higher anticipated grant income and lower operating expenses.

The board discussed the desirability of creating a revised budget during the course of the year. The consensus was to retain the original budget, to be supplemented at each board meeting with a formal Current Outlook.

The Board had previously approved moving \$40,000 from the checking account into the investment account and moving the investment account from UBS to Schwab, and there to be invested in Vanguard funds. As of May 16, the assets formerly in UBS had been transferred. Mr. Melody reported that on the following day he would effect transfer of \$40,000 from USBank to Schwab, 2018. Mr. Melody reported that some of the delay in transferring assets was due to now-outdated officers' and authorized signers' lists at the two existing accounts.

### **Interim Executive Director Report**

Ms. Majors summarized the activity in her written report, which is attached and incorporated by reference.

### **Committee Reports**

*Legal Affairs Committee* - Mr. Williams reported on the several cases in which NMFOG was either a party or was following as a matter of interest. Most were moving slowly through the court system, or in preparation for court. FOG has submitted an amicus brief regarding the Libit vs. UNM Foundation lawsuit, and a hearing is scheduled for later this month. He also spoke about the need for FOG to consider pursuing a case regarding agencies' refusal to reveal personnel action in connection with a disciplinary investigation. Agencies are citing the Personnel act, which is broader than IPRA. He asked board members to be on the lookout for a good case to pursue.

*Marketing, Membership, Fundraising Committee* - Mr. McKee reported on early progress of the Committee. The committee is meeting by phone at least once a month and it is planning to meet May 18, after the board's planning retreat, to use information from the retreat in its plans going forward.

*Dixon Award Committee* - Ms. Bearden reported on status of nominees for the Dixon award. Mr. Yohalem suggested that past nominees who, for various reasons, could not have been considered at the time, be reviewed for consideration this year.

*Dixon Lunch Committee* – Ms. Maes and Ms. Majors reported that the date for the Dixon lunch had been set as October 3, and that contracts with Embassy Suites had been signed. A speaker has also been agreed upon. The Committee is in discussions with Ms. Kate Snow, formerly of an Albuquerque television station and now a network correspondent with NBC.

Mr. Trapp moved, and Ms. Boe seconded, a motion to adjourn. Motion passed, and the meeting adjourned at 1:27 p.m.

Attachments:

Ms. Majors' Interim Executive Director's report

List of Committee Chairs and Membership (Note: During the meeting, the following committee chairs, not specified on the attached list, were finalized: *Dixon Planning*, Ms. Maes; *Dixon Awards*, Ms. Bearden; *Finance*, Mr. Baldwin)



## Executive Directors Report

### IRPA/OMA

I responded to a number of IRPA calls during the month of April through Friday. In addition, I went through the emails and replied to messages left on the machine.

The hotline is receiving more calls than just those for NMFOG. I walked several callers through the process to request a document under IPRA. Some of the more interesting calls:

Several calls were about minutes or lack of minutes:

- One woman called asking that we tell the Eddy/Lea County Alliance that they had to provide minutes. The group is a non-profit supporting a new nuclear waste site near Carlsbad. She said they did provide her with some records but insisted they did not keep minutes. She also wondered if we could supply money for their efforts to keep the waste site out and if we had attorneys who would work on the project.
- Another questioned why the Supreme Court's advisory committee was not required to keep minutes.

Several callers wanted information from CYFD:

- Caller said he was in a custody dispute and said he was denied information from CYFD, could we help him? -
- One woman said she was denied information from CYFD. She said she was the grandmother and wanted to know details about her grandson.
- Caller wanted help with his efforts to search the state archives so he could get burial records from a church in Las Cruces.

Personnel:

- A Las Cruces caller wanted to know if job applications are subject to IPRA.
- Several requests for names of individuals on administrative leave -two calls from Las Cruces and one from ABQ Journal.

Other calls included:

- Questions about what NMFOG was going to do about the Eddy Lea Energy Alliance LL. Caller said the group was not operating according to their Operating Agreement and what were we going to do about it?



## 2018/2019 NMFOG Committee Assignments

Legislative: Susan Boe, Dede Feldman, Viki Harrison, Tom Johnson, Fred Nathan, Robert Trapp, Greg Williams, Hal Stratton and Jeri Clausing

Legal: Greg Williams, Daniel Yohalem, Kip Purcell, Hal Stratton, Joe Zerbas, Susan Boe and Tom Johnson

Dixon Planning: Paula Maes, Rory McClannahan, Kathi Bearden and Maria Lopez Garcia

Dixon Awards: Mary Lynn Roper, Kathi Bearden and Kent Walz

Marketing/Fundraising/Membership: Steve McKee, chair; Viki Harrison, Rory McClannahan, Sammy Lopez and Henry Lopez

CLE: Greg Williams, chair; Hal Stratton, Daniel Yohalem, Susan Boe, Tom Johnson and Kip Purcell

Finance: Carl Baldwin, Mike Melody and Robert Trapp

Website: Jeri Clausing, Henry Lopez and Sylvia Ulloa