



**New Mexico Foundation for Open Government (NMFOG)
Board of Directors Meeting Minutes
Thursday, August 19, 20201
12 p.m.
Albuquerque, NM
ZOOM Meeting**

A virtual meeting of the board of the New Mexico Foundation for Open Government was held via ZOOM, notice having been given.

Members Attending:

Susan Boe, President; Mike Melody, Vice-President; Carl Baldwin, Treasurer; Members: Kathi Bearden, Billie Blair, Dede Feldman, Heather Ferguson, Tom Johnson, Henry Lopez, Sammy Lopez, Paul Maes, Steve McKee, Karen Moses, Fred Nathan, Lucas Peerman, Kip Purcell, Kristelle Siarza, Robert B. Trapp and Greg Williams. Jessica Onsurez joined late.

Members Not Present:

Mary Ann Armijo, Tim Maestas, Mary Lynn Roper, Daniel Yohalem

Staff:

Melanie Majors, Executive Director.

Public:

No members of the public attended the meeting

Call to Order:

A quorum being present, Ms. Boe called the meeting to order at 12:04 p.m.

Approval of Agenda:

Ms. Boe called for a motion to approve the agenda stating that Fred Nathan would provide a brief Legislative Committee report. Mr. Melody moved to approve the agenda as amended. Mr. Baldwin seconded. Motion carried.

Approval of Minutes:

Ms. Boe called for a motion to approve the meeting minutes from the April 22, 2021 meeting; Mr. Trapp moved. Mr. Melody seconded. Motion carried.

PRESIDENT'S REPORT

President Boe gave the board a "bravo" stating there were donations from every person on the board. She had a particular thank you for the Peifer, Hanson & Mullins, for the donation of more than \$70,000 remaining from a class action lawsuit. The allocation

was approved by a local judge. It was noted that Mel Eaves, another attorney with the firm, pushed for the money to be donated to FOG. She also said the NMBA has pledged \$10,001 to the fund -- \$5,001 this year and \$5,000 next year. She said she is confident the NMPA is considering an equal pledge. She said KOB TV 4 has pledged \$10,000, the Doris Wallbridge Foundation has given FOG \$20,000.

She said FOG has applied to the Inasmuch Foundation and is preparing grant applications for the McCune Foundation and the Santa Fe Community Foundation for one-time donations.

She said that in order to be well-positioned for three years it would be good if FOG gets beyond the original \$300,000.

She also asked individual board members to reach out to past donors and make calls to ask for donations. She provided a script and asked them to help raise the money.

Lucas Peerman and Jessica Onsurez said they would provide help with securing a donation from Gannet.

FINANCE COMMITTEE REPORT

Mr. Baldwin presented the Financial Report which was included in the packet sent to the board prior to the meeting. Our financial position is excellent.

Statement of financial position:

- FOG has \$42,667.72 in its cash accounts.
- Investments in 2021 are at \$159,282. Total net assets are at \$255,323.87.

Mr. Baldwin also pointed out all of the funds for the Legal Initiative will be kept separately and are not considered assets until FOG complies with the restrictions of the Legal Initiative donation.

He also said the \$12,500 PPP grant was forgiven and the \$12,500 is now reflected in revenues.

President Boe thanked Mr. Baldwin and the other committee members – Mr. Trapp and Mr. Melody for their work.

Ms. Bearden made a motion to accept the financial committee report and Mr. Melody seconded the motion. All approved.

EXECUTIVE DIRECTOR REPORT

Ms. Majors included her report and the quarterly hotline report in her packet to the board. A copy of the report is included in the minutes.

She thanked all of the print publications that publish the ads.

She thanked Henry Lopez and Tom Johnson for their help with the DataFest:ArtQuest Hackathon was held June 12 and June 19. The event featured a section in which individuals captured information on the location of art, its GPS coordinates and provided new photos.

In addition, she reported the FOG Hotline continues to be active.

COMMITTEE REPORTS

DIXON COMMITTEE

Kathi Bearden reported on the Dixon Committee's recommendations for recipients for 2021: Doug Michel, citizen; Rep. Kelly Fajardo and Rep. Matthew McQueen for government; and Ed Williams, media. Ms. Blair Made a motion to approve the recipients, Mr. Sammy Lopez seconded the motion. Motion carried.

It was decided the lunch would be a virtual event. Donations will be asked for instead of ticket sales.

LEGAL COMMITTEE

Mr. Williams reported on the meeting set up between FOG and the governor's office to discuss electronic messaging. He said he, Kent Walz, and Mr. Purcell met with the governor, along with her communications director Tripp Stelnicki and general counsel Holly Agajanian. One primary goal of the meeting was for FOG to be permitted to provide input to the governor's staff regarding her office's written document retention guidance policies, and before we could even make that request, the governor asked if we would be willing to participate in that very process. He said FOG responded yes and will be in communication with Ms. Agajanian on that going forward.

In regard to retention of electronic messaging, we made the point that it is the substance of communications, and not the platform, that governs record retentions procedures. The governor and her staff seemed to agree with FOG on this, or at least did not fight back on that point. The governor talked about her commitment to transparency, as well as the burden her office faces with responding to IPRA requests, requiring a balancing of those concerns. Ms. Agajanian said that her two deputies spend a majority of their time dealing with IPRA requests to the governor's office.

All in all, it was a very friendly and positive meeting that lasted nearly an hour. Thanks to Susan and Melanie for setting it up.

He said Dan Yohalem's case between Santa Fe Reporter and City of Santa Fe is still waiting for a ruling from the Court of Appeals.

Sammy Lopez asked if it would be a good idea to meet with the new CYFD director, and Ms. Moses said she would be happy to make the contact.

CLE

The continuing legal education will be Dec. 3, 2021 a hybrid event.

MEDIA COMMITTEE

Steve McKee said he is waiting for the decision on the Dixon logo. Mr. Johnson asked that modifications be made to the website, reducing the logo and adding a tab to state "Hire an Attorney." He also recommended rearranging the paragraphs on the Legal Initiative Summary.

LEGISLATIVE COMMITTEE

Mr. Nathan reported FOG will be at the Roundhouse for the Special Session on redistricting to make sure the maps are not made in the GOP and Democratic caucus. The legislative committee will be meeting later this fall working on a new issue for 2022. Ms. Ferguson added that FOG should assist in finding sponsors to ensure the bills have bi-partisan support.

NOMINATING COMMITTEE

Susan will make an appointment to the chair. Ms. Majors reported there will be vacancies on the board and that all six chairs will be open. She asked those who are interested in serving on the nominating committee to contact her.

Committee Reports

There were no other reports from other committees.

NEW BUSINESS

There was no new business on the agenda.

DATES FOR 2021 BOARD MEETINGS

The date is:

- Thursday, November 18, 2021

ADJOURNMENT

As there was no other business, Ms. Boe called for motion to adjourn. Mr. Melody moved, and Mr. Nathan seconded. Motion carried. Everyone was thanked. Meeting adjourned at 1:28 p.m.