



**New Mexico Foundation for Open Government (NMFOG)
Board of Directors Meeting Minutes
Thursday, February 27, 2020
12 p.m.
Albuquerque, NM**

A regular meeting of the board of the New Mexico Foundation for Open Government was held at the offices of the Foundation, notice having been given.

Members Present:

Susan Boe, President; Mike Melody, Vice-President; Tim Maestas, Secretary; Carl Baldwin, Treasurer; Directors: Billie Blair, Dede Feldman, Heather Ferguson, Tom Johnson, Henry Lopez, Sammy Lopez, Paula Maes, Steve McKee, Karen Moses, Fred Nathan, Jessica Onsurez, Chuck Peifer, Charles Purcell, Kristelle Siarza, Hal Stratton, Robert B. Trapp, Greg Williams and Daniel Yohalem.

Members Attending via Telephone: Lucas Peerman

Members Not Present:

Mary Ann Armijo, Kathi Bearden, and Mary Lynn Roper

Staff:

Melanie Majors, Executive Director; Diane Lopez, Membership Director

Guests:

Penny Baldwin

Call to Order:

A quorum being present, Ms. Boe called the meeting to order at 12:05 p.m. She welcomed the directors and introduced the new board members including: Billie Blair, Heather Ferguson, Jessica Onsurez, Kristelle Siarza.

Approval of Agenda:

Ms. Boe called for a motion to approve the agenda; Mr. Melody moved; Mr. Stratton seconded. Motion carried.

Approval of Minutes

The board reviewed the minutes from the November 2019 meeting, and Mr. Melody made a motion that the minutes be accepted, Mr. Nathan seconded. Motion carried.

President's Report:

Ms. Boe reported on first two months of her term. She pointed out that the Committees have been named and asked members if they had any other committee preferences. She praised the efforts of the Legislative Committee stating the committee did a great job in the 30-day session. She briefly touched on her goals for her term and said she would be meeting individually with committees to increase membership, event income and transparency issues.

Finance Committee Report:

Mr. Baldwin, Chair, presented the Financial Report. Mike Melody and Bob Trapp are also members of the finance committee. Their first item was the 2019 Financial Statement. Each director was provided with a copy of the statement. To date FOG's only liabilities are payroll taxes. FOG shows a balance of \$159,000 in reserves. Next Mr. Baldwin focused on the Activity Report comparing the 2019 budget with the actual revenues and expenditures. He told the board the comparison showed the numbers tracked very well. FOG anticipated a deficit and actually finished the year with an excess. He pointed out the Dixon and CLE revenues made up one-quarter of the budget with both events netting income. Karen Moses made a motion to approve the financial report and Mr. Melody seconded the motion.

Mr. Baldwin then presented the final 2020 Budget which shows revenues of \$125,000 and expenditures of \$129,400. It was announced that FOG has a new Champion – The Rio Grande Sun – a \$6,000 a year increase in revenues. FOG is working to increase via membership.

Board discussion centered on why FOG Directors were asked to approve a budget with a negative balance. It was explained that FOG does not include unrealized gains in the budget, as the numbers fluctuate. In 2019, FOG realized \$17,140.95 in gains. Discussion also centered on a variety of line items as well as other line items and questions about sources of income.

The Board was reminded the New Mexico Broadcasters Association absorbs the costs for internet, landline, office space, and materials, equipment and supplies. Ms. Siarza made a motion to approve the 2020 budget and Mr. Williams seconded, motion carried.

Mr. Baldwin also presented the 2020 - 2019 Income Comparison report for January 2020 showing FOG has assets of \$152,869.60 with liabilities of \$1,868.60. Ms. Moses made a motion to approve the monthly comparison report and Mr. Nathan seconded the motion, motion carried.

New computer

On a motion from Mr. Yohalem and seconded by Ms. Ferguson, the Board directed Ms. Majors to purchase a new laptop computer.

Executive Director's Report:

Ms. Majors spoke and praised the Finance Committee. She presented her report to the board prior to the meeting. Her highlights included moving the Dixon Award luncheon to Thursday, Oct., 1, 2020.

She also included the hotline report in her materials. It was suggested that she create a spot on the website to list the frequently asked questions with the answers/resolutions.

Committee Reports:

Legal Affairs -- Mr. Williams, chair, reported on Corizon Health Case. He told the Board the case concluded in December when the N.M. Supreme Court declined to review the strong Court of Appeals and District Court decisions in the *NMFOG, ABQ Journal and Santa Fe New Mexican v. Corizon Health* case enforcing the state's Sunshine Laws. Mr. Yohalem reported on the work to get the documents released and said he was told he would soon be paid. Mr. Williams congratulated and thanked Mr. Yohalem for all his hard work.

Mr. Yohalem briefed the Board on The Reporters Committee's plans to file an amicus brief in support of a petition for a writ of superintending control by The Santa Fe New Mexican to the New Mexico Supreme Court. Mr. Yohalem is local counsel on the amicus brief.

Ms. Boe thanked the legal committee.

CLE—Mr. Williams reported the CLE was very successful and that the committee is discussing some options for 2020 including moving the class to the State Bar Offices.

Dixon Award/Lunch – The 2020 Dixon luncheon will be held on Thursday, Oct. 1, 2020.

Membership Director's Report -- Ms. Lopez reported FOG has 117 paid members and that she would be sending out renewal notices. She also reported that Lunch with the Mayor, a silent auction item from the 2019 Dixon would occur in February.

Marketing Committee – Mr. McKee, chair, showed the board the new print ads his office prepared for FOG. He also reported to the Board that the radio and television spots for the NMBA PEP are in production.

Legislative Committee -- Mr. Nathan, Chair, reported on the outcome of FOG's efforts for the 2020 Legislative Session. FOG supported two bills – SB 64 and HB and both passed both houses. He thanked Ms. Majors for the report in the board packets. Mr. Nathan pointed out that FOG's efforts to open up the budget process and the Senate's recording of tabled votes did not win approval. He pointed out that FOG responded when a local reporter was asked to leave a Senate committee which ultimately resulted in the Senate adopting a new rule about audio and video recordings.

A lengthy discussion ensued about the budget process and the lack of input by legislators and citizens. While no motion was made, suggestions included talking to individual lawmakers, talking with potential allies, investigating whether an ethics issues is involved and exploring possible legal questions.

New Business -- Ms. Majors said Sunshine Week is March 15-21. She asked for a volunteer to write an op-ed piece for newspapers. Ms. Boe volunteered.

Board members were asked to sign and return 2020 Disclosure statements

Adjournment:

The meeting was adjourned at 1:55 p.m.

Respectfully,

Tim Maestas
Secretary