



**New Mexico Foundation for Open Government (FOG)
Board of Directors Meeting Minutes
Thursday, November 18, 2020
12 p.m.
Bravo Restaurant
Albuquerque, NM**

The final meeting of the Board of the New Mexico Foundation for Open Government for 2021 was held at the Bravo Restaurant, notice having been given.

Members Attending:

Susan Boe, president; , Sammy Lopez, secretary; Carl Baldwin, treasurer; Members: Billie Blair, Dede Feldman, Tom Johnson Paula Maes, Steve McKee, Karen Moses, Kip Purcell, Mary Lynn Roper, Kristelle Siarza, Robert B. Trapp and Greg Williams.

Members Not Present:

Mary Ann Armijo, Heather Ferguson, Tim Maestas, Michael Melody, Fred Nathan, Lucas Peerman, Jessica Onsurez, and Daniel Yohalem.

Staff:

Melanie Majors, Executive Director.

Public:

Penny Baldwin, friend of FOG; Albuquerque City Clerk Ethan Watson; Albuquerque Deputy City Clerk Miriam Diemer; and Jason Espinoza, FOG lobbyist.

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. Mr. Pfeifer moved to approve the agenda. Ms. Moses seconded. Motion carried.

Approval of Minutes:

Ms. Boe called for a motion to approve the meeting minutes from the August 19, 2021 meeting; Ms. Blair moved. Mr. Purcell seconded. Motion carried.

PRESIDENT'S REPORT

President Boe gave the Board an update on the Sunshine Lawyer project. She reminded the Board of the donations from every person on the Board. She had a particular thanks for the Peifer, Hanson & Mullins, for the donation of more than \$70,000 remaining

from a class action lawsuit. She reported the fund had pledges and donations of \$266,000.

She said the Inasmuch Foundation did not approve FOG's grant request and the Santa Fe Community Foundation also denied FOG a contribution in 2021. An application was sent to the McCune Foundation. That agency will decide in March or April 2022 whether FOG will receive the requested \$25,000. She said FOG has been in contact with the Albuquerque Community Foundation concerning a donation.

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

Ms. Boe also reported that the Executive Director search committee was on schedule with its efforts to find, interview and hire a new Executive Director following Ms. Majors' announcement she would be retiring in December.

FINANCE COMMITTEE REPORT

Mr. Baldwin presented the Financial Report which was included in the packet sent to the Board prior to the meeting. He said our financial position continues to be strong.

Statement of financial position:

- FOG has \$38,542.59 in its cash account.
- FOG has \$167,205 in the Legal Initiative account.
- Investments in 2021 are at \$157,161.48.
- Total net assets are at \$362,909.44.

Mr. Baldwin also pointed out the funds for the Legal Initiative were transferred to a separate account and not considered assets until FOG complies with the restrictions of the Legal Initiative donation. A transfer of funds was also made from the checking account to the investment account.

Ms. Siarza made a motion to accept the financial committee report, and Ms. Blair seconded the motion. All approved.

President Boe thanked Mr. Baldwin and the other committee members – Mr. Trapp and Mr. Melody for their work. The Finance Committee will work on a new budget for 2022.

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 media outlets that had published the ads. She expressed thanks to all of the FOG Board members for their assistance and help over the past almost four years.

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

COMMITTEE REPORTS

DIXON COMMITTEE

Ms. Majors provided final numbers on the 2021 Dixon event. The virtual event resulted in \$15,300 in sponsorships, \$2,943 in online tickets and income of \$18,243. Expenses totaled \$1,286.14 for thank you gifts, the awards and the video. Total net proceeds were \$16,956.86.

Martin Baron former editor of the Washington Post was the guest for the event. KOAT-TV 7s Nancy Laflin acted as emcee. She said Mr. Baron thanked FOG for the gift of Nambe and told the group he was pleased to have been able to contribute to its “good and important work.” Those in attendance at the lunch heard from 2021 Dixon award recipients, Doug Michel, citizen; Rep. Kelly Fajardo and Rep. Matthew McQueen for government; and Ed Williams, media, as well as Ms. Boe.

LEGAL COMMITTEE

Greg Williams pointed out there had been no change on the two cases FOG was following at the appellate level. He reminded the Board that FOG filed an amicus brief in the New Mexico Court of Appeals on behalf of the Santa Fe Reporter concerning a case about City of Santa Fe police disciplinary records. Also, he said FOG is a party in an amicus brief in the New Mexico Court of Appeals in *The New Mexican v. Public Serv. Co. of New Mexico & BHP Billiton New Mexico Coal*, a case involving an attempt by utility companies to impose a prior restraint on the newspaper. Mr. Yohalem is the author of the briefs in both cases.

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The continuing legal education was scheduled for Dec. 10, 2021, a hybrid event.

MEDIA COMMITTEE

Ms. Majors thanked Steve McKee and all of the members of the marketing committee for their work to create new ads, etc. for FOG. His work included producing ads and two broadcast public service announcements that are currently airing on NMBA-member stations throughout the state; news logos for the Dixon luncheon and for the FOG Hackathon, plus a host of other items. Mr. McKee is leaving the Board, as his term is over, but he offered to provide FOG with all of the files for all of the collateral produced over the past three years.

NOMINATING COMMITTEE

The Nominating Committee, comprised of Karen Moses, Lucas Peerman, Tom Johnson, Fred Nathan, Kathi Bearden and Susan Boe, presented the following slate of Board members and officers for 2022. This slate was approved by the Executive Committee.

Existing Board member re-elected to three-year terms:

- Tom Johnson
- Carl Baldwin
- Dan Yohalem
- Mary Lynn Roper
- Paula Maes
- Henry Lopez

Existing Board member re-elected to one-year term:

Susan Boe

The Nominating Committee presented a report on recommendations for new FOG Board members. The recommendations including:

- Lori Walden, KOAT TV general manager,
- Nate Gentry, a former New Mexico Legislator.
- Rashad Mahmood, New Mexico Local News Fund Co-Director.
- Alexis Tappan, a public relations specialist,
- Daniel Russell, publisher of the Hobbs Sun News and
- John Moses, editor of the Farmington Daily Times.

The Board members who are not returning include: Steve McKee, Bob Trapp, Mary Ann Armijo and Tim Maestas.

In addition to the new members, an election of new officers was held.

President: Mary Lynn Roper (she will serve for one year)

Vice President: Kathi Bearden (she will become president in 2023 for one year)

Secretary: Sammy Lopez

Treasurer: Carl Baldwin

Immediate Past President: Susan Boe

On a motion made by Greg Williams and seconded by Carl Baldwin, the Board approved all of the officers by acclamation.

Committee Reports

There were no other reports from other committees.

NEW BUSINESS

President Boe introduced Albuquerque City Clerk Ethan Watson and his deputy Miriam Diemer. Both attended the meeting and presented Ms. Majors with a proclamation from Albuquerque Mayor Tim Keller. He said the honor was in recognition of Ms. Majors' contributions to transparency and open government and said November 18, 2021, was proclaimed as Melanie Majors Day in the City of Albuquerque.

In addition, Ms. Moses presented Ms. Boe with a silver Nambe platter in thanks for her work on behalf of FOG over the past two years. Ms. Boe then presented Ms. Majors with a similar platter, and a card of thanks from the Board.

DATES FOR 2022 BOARD MEETINGS

No dates for the 2022 meetings were announced.

ADJOURNMENT

As there was no other business, Ms. Boe called for motion to adjourn. Ms. Siarza moved, and Ms. Moses seconded. Motion carried. Everyone was thanked. Meeting adjourned at 1:15 p.m.