

New Mexico Foundation for Open Government (NMFOG)
Board of Directors Meeting Minutes
Thursday, November 29, 2018
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 New Mexico Broadcasters Association, notice having been given.

Members Present:

Karen Moses, President; Susan Boe, Vice President, Carl Baldwin, Treasurer; Mike Melody, Secretary; members Dede Feldman, Viki Harrison (via telephone), Tom Johnson, Henry Lopez, Paula Maes, Rory McClannahan, Steve McKee, Fred Nathan (via telephone), Charles Peifer, Charles “Kip” Purcell, Hal Stratton, Bob Trapp, Greg Williams and Dan Yohalem.

Members Not Present: Kathy Bearden, Jeri Clausing, Mary Lynn Roper and Joseph Zebas

Staff:

Melanie Majors, Executive Director

Call to Order:

A quorum being present, Ms. Moses called the meeting to order at 12:05 p.m.

Approval of Agenda:

Ms. Moses called for a motion to approve the agenda. Ms. Feldman moved, Mr. McClannahan seconded. Motion carried.

Approval of Minutes:

Ms. Moses called for a motion to approve the minutes of the May, 16, 2018 minutes. Mr. Stratton moved, Mr. Baldwin seconded. Motion carried.

President’s Report:

Ms. Moses recapped a number of the organization’s successes in 2018. She commented on the current year financial performance, indicating that it was quite likely that NMFOG would break even for the year. This was especially notable, because of the lengthy administrative transition in quarters one and two. Ms. Moses expressed gratitude to Ms. Maes and the New Mexico Broadcasters Association for their considerable support of NMFOG.

She also gave a brief overview of the 2019 budget, to be presented in preliminary form by Mr. Baldwin. Ms. Moses thanked the exceptional work of the Legal Affairs and Body Camera Task Force committees, and commented especially on the structured, time consuming process employed by the Marketing and Membership committee, under Mr.

McKee's leadership. She also praised Ms. Majors' ongoing efforts to restore order to NMFOG's administrative functions.

Finance Committee Report: Mr. Baldwin reported on the excellent status of the organization's relationship with its newly acquired bookkeeping firm. He reported on the current financial position, reiterating that a breakeven outcome appears likely, and better than the 2018 budget. Mr. Baldwin asked for a motion to fully write off the remaining value of an unusable laptop computer. Mr. Yohalem moved, Mr. Melody seconded, and the motion carried. He also reported that NMFOG's federal form 990 was completed, as were the Attorney General's report.

Mr. Baldwin then gave a brief overview of the current status of the 2019 budget. A preliminary draft had been completed during a Finance Committee meeting immediately prior to the board meeting. The initial outlook is for a likely excess of spending over revenue of approximately \$8,600. Ms. Boe moved, Mr. Nathan seconded, a motion to approve the Treasurer's report; motion carried.

Executive Director's Report:

Ms. Majors reported on several items, among them the Dixon Lunch, CLE program, and Giving Tuesday. Her detailed report is attached, and included in these minutes by reference.

Nominating Committee Report:

Ms. Boe reported that the committee had selected candidates for three open board positions, and that all currently serving officers had agreed to serve another term. She also reported that four existing board members whose terms were expiring had agreed to serve another term. Those members are Mr. Baldwin, Ms. Clausing, Mr. Williams and Mr. Yohalem.

Ms. Boe discussed the criteria employed in considering candidates for the board, summarized the current board makeup vs. the criteria, and the backgrounds and attributes of the three candidates proposed. The candidates were:

Ms. Mary Ann Armijo, General Manager, iHeart Media, Gallup
Mr. Timothy Maestas, J.D., News Director, KOB-TV, Albuquerque
Mr. Lucas Peerman, News Director, Las Cruces Sun-News

Ms. Boe distributed a ballot, containing the list of current officers and members to be reelected, and the new candidates. Ms. Feldman moved, Mr. Nathan seconded, a motion to approve the entire slate; motion carried.

Ms. Boe also reported that the Executive Committee is composed of the following: President, Ms. Moses; Vice President, Ms. Boe; Immediate Past President, Mr. Williams; Secretary, Mr. Melody; Treasurer, Mr. Baldwin; and at-large members Mr. Purcell and Mr. Yohalem.

Legal Affairs Committee:

Mr. Williams reported on several cases and other items in which the committee has been involved; his detailed report is attached and incorporated in these minutes by reference. In addition to his written report, Mr. Williams mentioned NMFOG's support of a proposal to open Magistrates' Courts to video cameras.

Three-Year Plan Committee:

Mr. McClannahan reported on changes and improvements to the draft three-year plan discussed at the August 18, 2018 board meeting, particularly changes to Year 1, Section 4, and Year 2, Sections 2 and 4. The draft plan, as of November 29, 2018, is attached for reference.

A motion pertaining the plan had been made but tabled during the August meeting. Mr. Yohalem moved, Mr. Stratton seconded, a motion to remove it from the table.

Mr. McClannahan offered to continue to work with Ms. Majors on implementation of the plan; Ms. Moses accepted his offer. She also suggested that the Executive Committee annually review progress made on the plan.

Mr. Yohalem suggested the plan's first sentence be amended to read (changes underlined), "The New Mexico Foundation for Open Government (NMFOG) drafted this report following a board retreat on May 16, 2018, to come up with a three-year plan of organizational improvement."

Mr. Yohalem moved, Ms. Feldman seconded, a motion to accept the first sentence as amended, and to add improving internal communications as an element of Year 1, Section 1. Motion carried.

Body-worn Camera Task Force Committee:

Mr. Purcell reported on the issues being explored by the legislature-authorized Body-worn Camera Task Force. Among those issues are:

Retention Period: how long should such records be retained?

Cost of Video Records: What will acquisition and retention cost governmental agencies?

Victims' Rights: Should victims have special rights under IPRA?

Behavioral Health Calls: Are videos of those who have behavioral health issues protected health records?

Legislative Committee:

Mr. Nathan reported that legislators are expecting 4,000 bills to be posted in the 60-day legislative session. Mr. Nathan also spoke to NMFOG's need to retain a lobbyist for assistance during the session.

Mr. Yohalem spoke to the public's need for access to government-compiled data sets.

Marketing and Membership Committee:

Mr. McKee and Ms. Majors reported on the detailed activity schedule the committee had created, and which was distributed at the meeting. Mr. McKee's primary report would be a display of promotional materials created by the committee and Mr. McKee's staff, and would occur after the meeting is formally adjourned.

Ms. Moses adjourned the meeting at 2:05pm, after which board members examined the materials prepared by the Marketing and Membership committee.

Respectfully submitted,

Michael Melody
Secretary