

County Commissioners

Veronica M. Serna
Commission Chair

Johnny Trujillo
Commission Vice-Chair

L. Frank Maestas
Member



Michael A. Rivera
County Manager

RESOLUTION NO. 2022-002

OPEN MEETINGS ACT RESOLUTION

WHEREAS, the Mora County Board of County Commission met on January 24, 2022, at 9:00 a.m. as required per law; and

WHEREAS, Subsection B of Section 10-15-1, NMSA 1978, of the Open Meetings Act, requires that all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policy making body of any county held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings that are open to the public at all times except as otherwise provided in the Constitution or the provisions of the Open Meetings Act; and

WHEREAS, any meeting subject to the Open Meetings Act at which the discussion or adoption of any proposed rule, resolution, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, the Board of County Commission, as a local public body subject to the Open Meetings Act, in accordance with Subsection D of Section 10-15-1, NMSA 1978, shall determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE BE IT RESOLVED by the Mora County Board of County Commission that:

1. **Location:** All meetings shall be held at the Mora County Commission Chambers located in the Administration Building or as otherwise indicated in the meeting notice.
2. **Regular Meetings:** Unless otherwise specified, Regular Meetings shall be held each month on the third Thursday of the month beginning at 9:00 a.m.

- a. Notice of Regular Meeting will be given no fewer than ten (10) days in advance of the meeting date specifying the time, date and location and shall indicate how a copy of the agenda may be obtained.
 - b. A meeting agenda for the Regular Meeting will be available 72 hours prior to the meeting and will be published by the County Manager's Office, whose office is located at the Mora County Administration Building in Mora, New Mexico.
 - c. Regular Meetings may be canceled, postponed or rescheduled by a majority vote of the Commission.
3. **Special Meetings:** Special Meetings may be called by the Chairperson or a majority of the members of the Commission upon three (3) day notice. The notice shall include an agenda for the meeting and information on how members of the public may obtain a copy of the agenda. The agenda shall be available to the public at least seventy-two (72) hours before any special meeting.
4. **Work Sessions:** Work Sessions of the Commission may be scheduled periodically throughout the year.
 - a. No action shall be taken at a work session.
 - b. Work session topics can be proposed by members of the Commission or the County Manager.
 - c. Notice of work session will be given no fewer than 72 hours in advance of the meeting date identifying the time, date and location and shall indicate how a copy of the agenda may be obtained.
 - d. An agenda for the work session will likewise be available 72 hours prior to the work session and will be published by the County Manager's Office, whose office is located at the Mora County Administration Building in Mora, New Mexico.
 - e. A work session may be canceled, postponed or rescheduled by a majority vote of the Commission.
5. **Emergency Meetings:** In accordance with Subsection F of Section 10-15-1, NMSA 1978, Emergency Meetings will be called only upon unforeseen circumstances which demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Mora County Commission will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairperson or a majority of the members of the Commission upon twenty-four (24) hour notice, unless threat of personal injury or property damage require less notice. The notice for all Emergency Meetings shall include an agenda for the meeting and information on how the public may obtain a copy of the agenda for the Emergency Meeting. Within ten days of taking action on an emergency matter, the County shall

report to the Attorney General's office the action taken and the circumstances creating the emergency; provided that the requirement to report to the Attorney General is waived upon the declaration of a state or national emergency.

6. **Closed Meetings:** The Mora County Board of County Commissioners may close a meeting to the public only if the subject matter of such discussion or action is exempted from the open meeting requirement under Subsection H of Section 10-15-1, NMSA 1978, of the Open Meetings Act. If any meeting is closed pursuant to the exclusions set forth in Subsection H of the Act:
 - a. The closure, if made in an open meeting, shall be approved by a majority vote of a quorum of the policymaking body; the authority for the closure and the subject to be discussed shall be stated with reasonable specificity in the motion calling for the vote on a closed meeting; the vote shall be taken in an open meeting; and the vote of each individual member shall be recorded in the minutes. Only those subjects announced or voted upon prior to closure by the policymaking body may be discussed in a closed meeting; or
 - b. If a closure is called for when the policymaking body is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of the law authorizing the closed meeting and stating with reasonable specificity the subject to be discussed is given to the members and to the general public.
 - c. Following completion of any closed meeting, the minutes of the open meeting that was closed or the minutes of the next open meeting if the closed meeting was separately scheduled shall state that the matters discussed in the closed meeting were limited only to those specified in the motion for closure or in the notice of the separate closed meeting. This statement shall be approved by the Commission.
 - d. In accordance with the Open Meetings Act, any action taken as a result of the discussion in a Closed Meeting shall be made by a vote of the Commission in an open public meeting.
7. **Notice Requirements:** For the purpose of Regular Meetings described above in Paragraph 2 of this Resolution, notice requirements are met if notice of the date, time, place and agenda is placed in a newspaper of general circulation in the state, when practical, and posted to the County website, as well as in the following locations at the Mora County Administrative Office: the lobby door and interior bulletin board. The County Manager's Administrative Assistant shall also provide appropriate notice to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation, which have made a written request for notice of public meetings. For the purposes of special meetings, work sessions and emergency meetings, notice requirements are met if notice of the time, place and agenda is posted on the County's website and in the locations noted above. The Manager's

Administrative Assistant shall also provide telephone notice to those broadcast stations licensed by the Federal Communication Commission and Newspapers of general circulation that have made a written request for notice of public meetings.

8. **Means of Attendance:** In accordance with Subsection C of Section 10-15-1, NMSA 1978, a member of the Commission may participate in a meeting by means of a conference call or other electronic means, to include virtual attendance when it is otherwise difficult or impossible for the member to attend the meeting in person. Such attendance will require the participant to identify themselves when speaking and those in attendance, to include members of the public, will need to be able to hear the member of the Commission who speaks during the meeting.
9. **Recessed and Reconvened Meetings:** In accordance with Subsection E of Section 10-15-1, NMSA 1978, a public body may recess and reconvene a meeting to a day subsequent to that stated in the meeting notice if, prior to recessing, the public body specifies the date, time and place for continuation of the meeting and, immediately following the recessed meeting, posts notice of the date, time and place for the reconvened meeting on or near the door of the place where the original meeting was held and in at least one other location appropriate to provide public notice of the continuation of the meeting. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting.
10. **Required Language in the Notice:** "If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the County Manager's Office at the Mora County Complex at least 48 hours in advance or as soon as possible to make arrangements. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Mora County Manager's Office at (575) 387-5925 if a summary or other accessible format is needed."

PASSED AND ADOPTED by the Board of County Commissioners on this ___ day of January 2022.

MORA COUNTY COMMISSION:



Veronica M. Serna, Chairwoman



Johnny Trujillo, Vice-Chair



L. Frank Maestas, Member



Carlos J. Arellano, County Clerk