

GRANT COUNTY  
RESOLUTION NO. R-13-01 A

WHEREAS, the Board of Grant County Commissioners met in regular session at the Grant County Administration Center on June 13, 2013, at 9:00 a.m.; and

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to -4) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policymaking body of any state or local public agency 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 open to the public at all times; and

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

WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the Board of Grant County Commission to determine annually what constitutes reasonable notice of its public meetings; and

WHEREAS, during the 51st Legislature—State of New Mexico—First Session, 2013, House Bill 21 was adopted. The Bill was signed by the Governor and becomes effective June 14, 2013. HB 21 amends Section 10-15-1, subsection F of the Open Meetings Act; and

WHEREAS, due to the amendments to Section 10-15-1, subsection F, the Board finds it necessary to amend its annual open meetings resolution, Resolution 13-01.

NOW, THEREFORE, BE IT RESOLVED by the Board of Grant County Commissioners that:

1. The first regular meeting of each calendar year the commission will elect a Chairperson for that year.
2. All regular meetings shall be held at the Grant County Administration Center at 9:00 a.m., or as indicated in the meeting notice.
3. Unless otherwise specified, regular meetings shall be held each month on the second and fourth Thursdays. All regular, special, and emergency meetings of the Grant County Board of Commissioners shall generally be conducted with Robert's Rules of Order as parliamentary governance, unless the Chairman determines that circumstances require a variance from Robert's Rules of Order.
4. All work sessions shall be held at the Grant County Administration Center at 9:00 a.m., or as indicated in the meeting notice.
5. Work sessions shall be held twice monthly on the Tuesday preceding each regular meeting unless otherwise changed by the Board of Grant County Commissioners.
6. The draft agenda for work sessions and regular meetings shall be made available to the public and posted on the Grant County website at least seventy-two hours before the

respective meeting. A final draft of the agenda for work sessions and regular meetings shall be made available to the public and posted on the Grant County website at least thirty-six hours before the respective meeting.

7. A hardcopy of the agenda may be obtained at the Grant County Administration Center, located at 1400 Highway 180 East, Silver City, New Mexico.
8. Special meetings may be called by the Chairman or a majority of the members upon at least three (3) calendar days notice. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The final agenda shall be available to the public and posted on the Grant County website at least seventy-two hours before any special meeting.
9. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Board of Grant County Commissioners will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairman or a majority of the members upon twenty-four (24) hours' notice, unless threat of personal injury or property damage requires less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda. Within ten days of taking action at an emergency meeting, the Board shall report to the New Mexico Attorney General's Office the action taken and the circumstances creating the emergency.
10. For the purposes of regular meetings described in paragraph 3 of this resolution, notice requirements are met if notice of the date, time, place and a draft agenda is provided to a newspaper of general circulation in the county and posted at the County Admin Building and Grant County website. Copies of the written notice shall also be e-mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings. Notice of regular meetings will be given at least three (3) calendar days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
11. For the purposes of work sessions described in paragraph 6 of this resolution, notice requirements are met if notice of the date, time, place and a draft agenda is provided to a newspaper of general circulation in the county and posted at the County Administration Building and Grant County website. Copies of the written notice shall also be e-mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings. Notice of work sessions will be given at least three (3) calendar days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
12. For the purposes of special meetings described in paragraph 8 of this resolution, notice requirements are met if notice of the date, time, place and a draft agenda is provided to a newspaper of general circulation in the county and posted at the County Admin Building and Grant County web site. Copies of the written notice shall also be e-mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings. Notice of special meetings will be given at least three (3) calendar days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
13. For the purposes of emergency meetings described in paragraph 9 of this resolution, notice requirements are met if notice of the date, time, place and agenda is provided by

telephone to newspapers of general circulation in the county and posted in the offices of the Grant County Manager. Telephone notice also shall be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.

14. In addition to the information specified above, all notices shall include the following language:

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 Grant County Manager at 1400 Highway 180 E., Silver City, New Mexico at least one week prior to the meeting or as soon as possible.

15. Public participation in any Regular Meeting of the Board of Grant County Commissioners shall be subject to and governed by the policies for public participation as set out in this resolution. Requests to be placed on the agenda of a regular meeting will be submitted to the Grant County Manager's office no later than 5:00 p.m. on the Wednesday of the week preceding the relevant regular meeting. Requests for inclusion will need to be made on the Request to be Placed on Agenda form available from the County Managers office.

16. Items that have relevance to the conducting of Grant County Government Business will be approved to be placed on the agenda and will be limited to fifteen (15) minutes, unless the Chairman deems that additional time is necessary.

17. Except as circumstances require there will be no public input at Work Sessions, Special Meetings or Emergency Meetings of the Board of Grant County Commissioners. Public input will generally be permitted at the beginning of Regular Meetings and will be limited to five (5) minutes, unless the Chairman deems that additional time is necessary.

18. The Board of Grant 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 Section 10-15-1(H) of the Open Meetings Act.

(a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Board of Grant County Commissioners taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.

(b) If a closed meeting is conducted when the Board of Grant County Commissioners 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 law authorizing the closed meeting and the subjects to be discussed with reasonable specificity, is given to the members and to the general public.

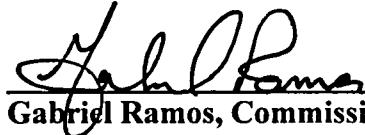
(c) Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

(d) Except as provided in Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote of the Board of Grant County Commissioners in an open public meeting.

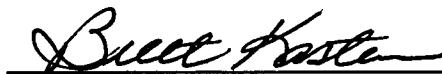
19. In the event that the Chairman deems it necessary to cancel or postpone a meeting due to inclement weather, the county will make a reasonable attempt to notify the public by notifying, at a minimum, one local radio station and one New Mexico television station as soon as practicable under the circumstances.

Passed, Approved and Adopted by the Board of Grant County Commissioners this 13<sup>th</sup> day of June 2013.

Attest:



Gabriel Ramos, Commissioner District 1



Brett Kasten, Commissioner District 2



Ron Hall, Commissioner District 3

Robert Zamarripa  
County Clerk

