

## **R-04-01**

# **OPEN MEETINGS RESOLUTION**

**WHEREAS**, the Grant County Board of County Commissioners is required to adopt a Resolution concerning the Public Meetings Law (10-15-1 NMSA 1978), 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 provision of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory 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 Grant County Board of County Commissioners to determine annually what constitutes reasonable notice of its public meetings;

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

1. All Meetings shall be held in the County Commissioners' Meeting Room located in the Grant County Administration Center, 1400 Highway 180 East, Silver City, New Mexico unless otherwise indicated in the meeting notice.
2. Regular meetings shall be held twice monthly, every second and fourth Thursday of each month at 9:00 a.m., unless otherwise changed by the Grant County Commission. The agenda will be available at least twenty-four hours prior to the meeting from the Grant County Manager's Office. Notice of regular meetings will be given five (5) days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
3. All regular meetings of the County Commission shall be conducted using Robert's Rules of Order as parliamentary governance.
4. Requests from the general public for inclusion on the agenda for regular meetings should be submitted to the office of the

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County Manager no later than 5:00 P. M. on the Friday preceding the relevant regular meeting.

5. All notices of regular meetings of the Grant County Commission, as described in Section 2 above, shall also include a provision stating that individuals with disabilities will be supplied with the assistance of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service reasonably required to allow that individual to attend or participate in the meeting. This provision will also state that any individual requiring such assistance shall contact the office of the Grant County Manager not less than one week prior to a regular meeting of the Grant County Commission.
6. Work Sessions shall be held twice monthly on the Tuesday preceding each of the month's Regular Meetings, at 9:00 A.M.; unless otherwise changed by the County Commission. Notice of Work Sessions will be given three (3) days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
7. The Chairman or a majority of the members upon three (3) day notice may call special meetings. 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 agenda shall be available to the public at least twenty-four (24) hours before any special meeting.
8. Emergency meetings will be called only under 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 Chairman or a majority of the members upon twenty-four (24) hours' notice may call emergency meetings, unless a threat of personal injury or property damage require less notice. The notice for all emergency meetings shall include an agenda for the meetings or information on how the public may obtain a copy of the agenda.
9. For the purposes of regular meetings, as described in paragraphs 2 and 3 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 County and posted in the office of the Grant County Manager. The Grant County Manager's Secretary shall also mail or facsimile copies of the written notice to those broadcast stations licensed by the Federal Communications Commission and newspapers of

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general circulation, which have made a written request for notice of public meetings.

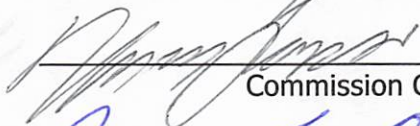
10. For the purpose of special meetings and emergency meetings, described in paragraphs 7 and 8 of this Resolution, notice requirements shall be met by posting notice of the date, time, place, and agenda in the office of the Grant County Manager. The Grant County Manager's Secretary shall also provide facsimile notice 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.
11. Policies for public participation at meetings of the Grant County Commission shall be governed by Resolution #R-04-01. This resolution has established a permanent agenda item for public input at every regular meeting of the County Commission.
12. The Grant County Commission may close a meeting to the public only if the subject matter of such discussion or action is exempt 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 Commission taken during the open meeting. The authority for the closure and the subjects to be discussed shall be stated with reasonable specificity in the motion for closure and the vote on closure of each individual member shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting.
  - B. If the decision to hold a closed meeting is made when the Grant County Commission 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 the general public.
  - C. Following completion of any closed meeting, the minutes of the open meeting that was closed 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 Meeting Act, any action taken as a result of discussions in a

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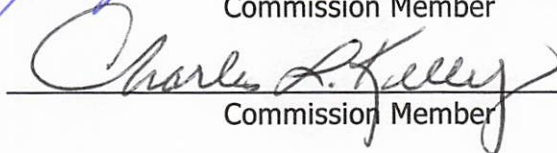
closed meeting shall be made by vote of the Grant County  
Board of County Commissioners in an open public meeting.

**PASSED, APPROVED, AND ADOPTED** by the Board of County Commissioners  
of Grant County, New Mexico, this 8<sup>th</sup> day of January 2004.

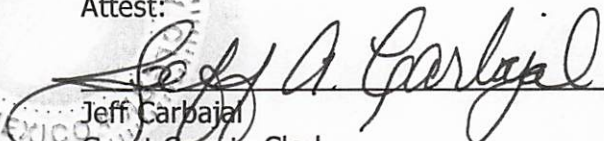
BOARD OF GRANT COUNTY COMMISSIONERS

  
Commission Chairman

  
Commission Member

  
Commission Member

Attest:

  
Jeff Carbajal  
Grant County Clerk

