

RESOLUTION  
R-07- 03

STATE OF NM, GRANT COUNTY  
200701687  
I hereby certify that this instrument was filed for record on 03/29/2007 at 01:15:13 PM & duly recorded in book 269 page 1687  
Pages 1 of 5  
Witness my hand & seal of office  
HOWIE MORALES, COUNTY CLERK  
DEPUTY- SANDRA

WHEREAS, the Grant County Board of County Commissioners is required to adopt a Resolution concerning the Open Meetings Act §10-15-1 et. sec. NMSA 1978; and

WHEREAS, § 10-15-1 (B) of the Open Meetings Act 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 or judiciary body of any state or local public agency held for the purpose of taking any action with 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, § 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 RESOVED by the Grant County Board of County Commissioners that:

General Schedule.

1. Unless otherwise specifically indicated in the Notice of a Regular Meeting, Work Session, Special Meeting or Emergency Meeting, all meetings of the Grant County Board of Commissioners shall be held in the County Commissioners' Meetings Room located in the Grant County Administration Center, 1400 Highway 180 East, Silver City, New Mexico.

Regular Meetings.

2. Regular Meetings shall be held twice monthly, at 3:00 p.m. on the second and fourth Thursday of each month unless otherwise changed by the Grant County Board of Commissioners. The agenda will be available at least twenty-four (24) hours prior to the meeting at 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 Board of Commissioners shall be conducted with Robert's Rules of Order as parliamentary governance. The County Attorney shall act as parliamentarian.
4. All Notices of Regular Meetings of the Grant County Commission shall also include a provision stating that individuals with disabilities shall 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 the requesting party to addend or participate in the meeting. This provision shall also state that such a request will be provided to the Grant County Manager not less than one week prior to the meeting the requesting party wishes to attend.

5. For the purposes of Regular Meetings, Notice requirements are met if Notice of the date, time, place and agenda or cancellation is placed in a newspaper of general circulation in the County and posted both on the Grant County Web Site and in the office of the Grant County Manager. Additionally, this information will be provided 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.

#### Work Sessions.

6. Work Sessions shall be held twice monthly at 10:00 a.m. on the Tuesday preceding each month's Regular Meetings 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. For the purposes of Work Sessions, Notice requirements are met if Notice of the date, time, place and agenda or cancellation is placed in a newspaper of general circulation in the County, and posted both on the Grant County Web Site and in the office of the Grant County Manager. Additionally, this information will be provided 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.

#### Special Meetings.

8. The Chairman or a majority of the members of the Grant County Board of Commissioners may, upon three (3) days notice, call a Special Meeting. Said 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;
9. For the purposes of Special Meetings, Notice requirements are met if Notice of the date, time, place and agenda or cancellation is placed in a newspaper of general circulation in the County, and posted both on the Grant County Web Site and in the office of the Grant County Manager. Additionally, this information will be provided 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.

#### Emergency Meetings.

10. An Emergency Meeting may be called only under unforeseen circumstances which demand immediate action to protect the health, safety and property of citizens or to protect Grant County Commissioners from substantial financial loss. The Chairman or a majority of the Board of Grant County Commissioners upon

twenty-four (24) hours' notice may call an Emergency Meeting, unless a threat of personal injury or property damage require 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.

11. For the purposes of Emergency Meetings, Notice requirements are met if Notice of the date, time, place and agenda or cancellation is posted both on the Grant County Web Site and in the office of the Grant County Manager. Additionally, this information will be provided 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.

**Public Participation/ Inclusion on the Agenda.**

12. Public participation in any Meeting of the Grant County Board of Commissioners shall be subject to and governed by the policies for public participation as set out in this Resolution. A permanent opportunity for public input shall be placed on every agenda for every Regular Meeting of the Grant County Board of Commissioners.
13. Except as circumstances require there will be no opportunity for public participation at Work Sessions, Special Meetings or Emergency Meetings of the Grant County Board of Commissioners.
14. Requests from the general public for inclusion on the agenda for Regular Meetings should be submitted to the County Manager for the County of Grant, State of New Mexico, no later than 5:00 p.m. on the Thursday preceding the relevant Regular Meeting. Requests for inclusion will only be granted for items of relevance to the conducting of Grant County Government business. Requests for inclusion must include an explicit request for time. For all but the most extreme circumstances presentation times will be limited to fifteen (15) minutes.

**Public Input**

15. At each Regular Meeting there will be an opportunity for the public to give their contemporaneous and relevant input regarding issues being considered by the Grant County Board of Commissioners. Public input is an opportunity for members of the public to express their concerns, ideas and opinions on any subject. Except by permission of the Chairman of the Grant County Board of Commissioners public input will be limited to five minutes.

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Closed Meetings/Executive Sessions.

16. The Grant County Board of Commissioners may close a meeting to the public only if the subject matter of such discussion or action is exempt from the requirements of § 10-15-1(H) of the Open Meetings Act.

- A. If any meeting of the Grant County Board of Commissioners is closed or the Board goes into executive session during any 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 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 with the Grant County Board of 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 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 of closure.
- D. Except as provided in § 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 Grant County Commissioners in an open public meeting.

PASSED, APPROVED AND ADOPTED by the Board of County Commissioners of the COUNTY OF GRANT, NEW MEXICO, this 8th day of February 2007.

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Rudy Martinez, Chairman



Marry Ann Sedillo, Member



Henry Torres, Member

ATTEST:

Howie Morales

Howie Morales PhD., County Clerk

Drafted, reviewed and approved as to form and legal sufficiency:

Hans William Voss, Esq., Grant County Attorney

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