



Torrance County Board of County Commissioners

Resolution No. 95-4

WHEREAS, the Torrance County Board of County Commissioners met in regular session at the Torrance County Courthouse on January 27, 1995 at 9:00 A.M. as required by law; 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 Torrance County Commission to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE BE IT RESOLVED by the Torrance County Commission that:

1. All meetings shall be held at the Torrance County Courthouse at 9:00 A.M. or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held twice a month on the second and fourth Wednesday. The agenda will be available at least twenty-four hours prior to the meeting from the County Manager, whose office is located in Estancia, New Mexico. Notice of any other regular meetings will be given ten (10) days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
3. Special meetings may be called by the Chairman or a majority of the members upon twenty-four (24) hour 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 agenda shall be available to the public at least four (4) hours before any special meeting.

4. 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 Torrance County Commission will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairman or a majority of the members upon a four (4) 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 or information on how the public may obtain a copy of the agenda.
5. For the purpose of regular meetings described 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 and posted in the following locations: Torrance County Courthouse. The County Manager shall also mail copies of the written 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.
6. For the purposes of special meetings and emergency meetings described in paragraph 3 and 4 of this resolution, notice requirements shall be met by posting notice of the date, time, place and agenda in the office of the Torrance County Manager.
7. The Torrance County Commission 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 Torrance County Board of Commissioners 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 Torrance County Board of Commissions are 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

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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 meetings 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 Torrance County Board of Commissioners in an open meeting.

Passed by the Torrance County Board of Commissioners on January 27, 1995.

Burt Wick
Chairman

Rodger Keener
Member

Roy Spencer
Member

Attest:

Carla Clayton
Clerk of the Board