



### Resolution 2013-17

**WHEREAS**, the Board of County Commissioners met in regular session at the Torrance County Administrative Offices on January 9th, 2013 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, commission, administrative adjudicatory body or other policymaking body of any state agency or any agency or authority of any county, municipality, district or political subdivision, held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or taking any action within the authority of or the delegated authority of any board, commission or other policymaking 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 County Commissioners to determine annually what constitutes reasonable notice of its public meetings;

**WHEREAS**, Section 10-15-1(F) of the Open Meetings Act, with the exception of emergency meetings, requires notice and an agenda for a public meeting at least seventy-two hours prior to the meeting;

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

1. All meetings shall be held at the Torrance County Administrative Offices, Commission Chambers 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 seventy-two (72) 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 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 Chairperson or a majority of the members upon a minimum of three 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 agenda shall be available to the public at least seventy-two (72) hours before any special meeting.
4. 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 County Commissioners will avoid emergency meetings whenever possible. Emergency Meetings may be called by the Chairperson 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 on an emergency matter, unless the attorney general waives this requirement, a report shall be made to the attorney general's office indicating the action taken and the circumstances creating the emergency.
5. For the purposes of regular meetings described in paragraph two (2) of this resolution, notice requirements are met if notice of the date, time, place and agenda is placed in newspapers of general circulation in the state and

posted in the following locations: Administrative Offices of Torrance County and on the County's website. Copies of the written notice shall also be 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.

6. For the purposes of special meetings and emergency meetings described in paragraph three (3) and four (4) 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 state and posted in the Administrative Offices of Torrance County and on the County's website. 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.
7. 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 the Torrance County Manager's Office at 205 9<sup>th</sup> Street Room 12 Estancia, NM 87016 (505) 246-4752 at least one week prior to the meeting or as soon as possible. Public documents, including the agendas and minutes, can be provided in various accessible formats. Please contact the Torrance County Clerk's Office at 205 9<sup>th</sup> Street Room 1 Estancia, NM 87016 (505) 246-4735 if a summary or other type of accessible format is needed.

8. The Board of County Commissioners may close a meeting to the public only if the subject matter of such discussion or action is excepted 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 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 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 discussion in a closed meeting shall be made by vote of the Board of County Commissioners in an open public meeting.

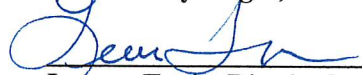
**BE IT FURTHER RESOLVED** that this Resolution supersedes Resolution No. 2013-02.

**PASSED** by the Torrance County Board of Commissioners on May 22<sup>nd</sup>, 2013.

**TORRANCE COUNTY COMMISSION**



Lonnie Freyburger, District 1

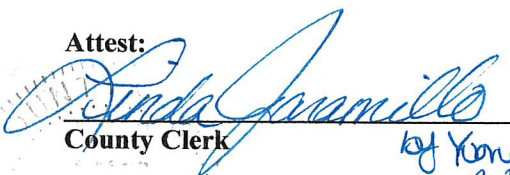


Leanne Tapia, District 2



LeRoy M. Candelaria, District 3

Attest:



County Clerk

by Yvonne Gero  
A.H.I.