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**TORRANCE COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. R2021-1**

OPEN MEETINGS ACT ADMINISTRATIVE RESOLUTION

WHEREAS, the New Mexico Open Meetings Act, Sections 10-15-1 through 10-15-4, NMSA, 1978, as amended provides that affected bodies... “shall determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to that body” and “shall keep written minutes of all its meetings,” except as otherwise provided in Section 10-15-1 (H).

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners, the governing body of the County of Torrance, New Mexico, pursuant to the provisions of the New Mexico Open Meetings Act, that:

1. Reasonable notice was given to the public of the meeting of the County Commissioners of the County of Torrance, New Mexico, held this 13th day of January, 2021

2. Reasonable notice to the public of any meetings of the Board of County Commissioners of Torrance County, New Mexico shall consist of notice to newspapers of general circulation and FCC licensed broadcast media, who have made written request for such notice, according to the notice periods set forth hereafter, including but not limited to:

A. Any regular meetings:

- 1) public announcement at any previous meeting of the date, time and place it is to be held, and
- 2) giving notice of the date, time and place thereof either by telephone, or in person, or by written notice to the City Desk of at least one (1) daily

1 newspaper having circulation in Torrance County, New Mexico, not less
2 than three (3) days before the meeting is to commence, or

3 3) giving notice of the date, time and place thereof either by telephone, or in
4 person, or by letter at least three (3) days in advance of the meeting to a
5 representative of any radio or television station which regularly broadcasts
6 news within Torrance County, New Mexico, or

7 4) giving notice of the date, time and place of the meeting in a daily
8 newspaper having a general circulation in Torrance County, New Mexico,
9 not less than three (3) days in advance of the time the meeting is to
10 commence, or

11 5) during business hours have available for inspection by members of the
12 public three (3) days in advance of the meeting, a copy of the notice
13 including date, time, location and agenda at the Administrative Offices of
14 Torrance County 205 S. 9th Street, Estancia, New Mexico, or

15 6) providing a list of regular meetings to be published in the weekly calendar
16 of a daily newspaper having a general circulation in Torrance County,
17 New Mexico, or

18 7) posting a list of all regular meetings to be held in the calendar year,
19 including date, time and place of the meetings, on the County's
20 website.

21 B. As to any special meeting:

1 1) publishing notice of the date, time and place in a daily newspaper having a
2 general circulation in Torrance County, New Mexico, not less than 72 hours in
3 advance of the time the meeting is to commence, or

4 2) giving notice in person, by telephone or by written notice to the City Desk
5 of at least one (1) daily newspaper having general circulation in Torrance County,
6 New Mexico at least 72 hours before the commencement of the meeting, or

7 3) public announcement of the date, time and place of such special meeting
8 at any regular or special meeting held at least 24 hours before the commencement
9 of the special meeting is announced; or

10 4) giving notice of the date, time and place thereof either by telephone, or in
11 person, or by hand delivered letter at least 72 hours in advance of the meeting to
12 an employee of any radio or television station which regularly broadcasts news
13 within Torrance County, New Mexico.

14 C. As to any emergency meetings:

15 1) An emergency meeting is a meeting called by any member of the Board of
16 County Commissioners or the County Manager, orally or in writing to deal with
17 an emergency affecting life, safety or property, where the notice of the emergency
18 is such that substantial harm would be caused by the delay needed to conform to
19 the notice requirements for a regular or special meeting. The Board should avoid
20 emergency meetings wherever possible but understands that these types of
21 circumstances may necessarily arise.

22 2) Notice shall be as much notice as is permitted by the nature of the
23 emergency.

1 D. Each of the above described notices for regular and special meetings shall include
2 notice that a printed agenda for the meeting will be available in the Manager's Office of the
3 Torrance County Administrative Building at least seventy-two (72) hours prior to the meeting
4 unless it is a weekend, in which case the agenda will be available by 4:30 p.m. on the Friday
5 prior to the meeting.

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

8 "If you are an individual with a disability who is in need of a reader, amplifier,
9 qualified sign language interpreter or any other form of auxiliary aid or service to
10 attend or participate in the hearing(s) or meeting(s), please contact the
11 Manager's Office at 544-4700 at least one week prior to the meeting or as soon as
12 possible. Public documents, including the agenda and minutes, can be provided
13 in various accessible formats. Please contact the Manager's Office at the number
14 listed above if a summary or other type of accessible format is needed."

15 F. No action shall be taken at a meeting on any items, other than a declared
16 emergency item, not appearing on the final agenda for the meeting. An emergency refers to
17 unforeseen circumstances that, if not addressed immediately by the Board, will likely result in
18 injury or damage to persons or property or substantial financial loss to Torrance County.

19 G. Closed meetings shall not be held except under the conditions provided in
20 Sec. 10-15-1 (H) N.M.S.A. 1978 Comp. as amended.

21 H. Except as provided in Sec. 10-15-1 (H) N.M.S.A. 1978 Comp. as amended, any
22 necessary final action to be taken as a result of discussions in a closed meeting shall be made by
23 vote of the Board in an open public meeting.

1 It is further determined that substantial compliance with any one or more of the foregoing
2 alternatives which may be applicable is reasonable notice, but this determination shall not be
3 construed to prevent the use of additional means or methods of making known the date, time or
4 place of holding any public meeting, or other information with reference thereto, as may be
5 directed from time to time by or under authorization of the County Manager; further, this
6 resolution shall not be construed to require notice in instances where the same is not required by
7 law.

8 The foregoing determination shall be applicable to all meetings held after January 13,
9 2021.

10 3. Minutes of the open meetings of the Board shall be a concise, but an accurate
11 written summary statement of all subject matter discussed in addition to the following minimal
12 information:

- 13 (a) the date, time and place of the meeting,
- 14 (b) the names of staff members who address the Board and a list of those
15 Board members present,
- 16 (c) a statement of what proposals were considered; and
- 17 (d) a summary record of discussion made by the body and of how each Board
18 member voted.

19 4. A draft copy of the minutes shall be prepared within ten (10) working days of the
20 meeting. Draft copies of these minutes shall be available for public inspection and should clearly
21 indicate on the draft that they are not the official minutes and subject to approval by the Board.
22 Minutes become official when approved by the Board at a subsequent meeting.

1 5. All or any part of this resolution may be amended or modified by the Board from
2 time to time. If any provision or clause of this resolution is held invalid, such invalidity shall not
3 affect the other provisions or clauses and this and the provisions and clauses of this resolution are
4 declared to be severable.

5 **DONE THIS 13th DAY OF JANUARY, 2021.**

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8 **APPROVED AS TO FORM ONLY:**

BOARD OF COUNTY COMMISSIONERS

9
10 *Blair M. Botsford* 1/13/21
11 _____
 County Attorney Date

Kevin McCall

 Kevin McCall, District 1

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Ryan Schwebach

 Ryan Schwebach, District 2

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LeRoy Candelaria

 LeRoy Candelaria, District 3

16 **ATTEST:**
17 *Yvonne Otero*
18 _____
 Yvonne Otero, County Clerk
19
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