

VALENCIA COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. 2013- 17

OPEN MEETINGS ACT

WHEREAS, the Valencia County Board of Commissioners met upon notice of a regular meeting duly published at the Valencia County Administration Building, 444 Luna Avenue, Los Lunas, New Mexico 87031 on Wednesday, April 3, 2013, at 5:00 P.M. as required by law; and,

WHEREAS, Section 10-15-1 (B) of the Open Meetings Act (NMSA 1978, Section 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 or their policy-making body of any state or local public agency held for the purpose of formulating public policy, or for the purpose of taking any action within the 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 Valencia County Commission to determine at least annually what constitutes reasonable notice of its public meetings;

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

1. All meetings shall be held at the Valencia County Administration Building, 444 Luna Avenue, Los Lunas, New Mexico 87031 or as indicated on the meeting notice.
2. Regular business meetings shall begin at 5:00 p.m. and regular public hearing meetings shall begin at 5:00 p.m. or as indicated in the meeting notice. Regular business meetings will be held the 1st and 3rd Wednesday of each month and regular public hearing meetings will be held on the 2nd Wednesday of each month, if needed, unless otherwise specified. The agenda will be available at least four (4) calendar days prior to a regular business meeting or a regular public hearing meeting from the County Manager, whose office is located at 444 Luna Avenue, Los Lunas, New Mexico 87031. Notice of any other regular meetings will be



given at least business four (4) calendar days in advance of the meeting date. The notice shall include a copy of the agenda or information on how a copy of the agenda may be obtained.

3. Special meetings may be called by a majority of the members upon four (4) calendar 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 four business days 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 the citizens or to protect the public body from substantial financial loss. The Valencia County Commission will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairman or a majority of the members upon twenty-four hours notice, unless protecting Valencia County from substantial financial loss or a threat to the health, safety and property of the citizens of Valencia County 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.
5. For the purposes of regular meetings and special meetings described in paragraphs 2 and 3 of this resolution, notice requirements are met if the notice of the date, time, place and agenda is published online at the County's website www.co.valencia.nm, is posted at the following locations:

- A. Valencia County Administration Office, 444 Luna Avenue, Los Lunas, New Mexico 87031;
- B. Valencia County District Courthouse, 1835 Hwy 314 SW, Los Lunas, NM, 87031;
- C. Del Rio Senior Center, 351 Rio Communities Blvd., Belen, NM 87002;
- D. Meadowlake Senior Center, 100 Cuero Lane, Los Lunas, NM 87031;

and if the date, time, and place of the meeting, and information on how the public may obtain a copy of the agenda, is placed in a newspaper of general circulation in Valencia County. Copies of the written notice shall also be mailed, faxed or emailed 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 emergency meetings described in paragraph 4 of this resolution, notice requirements are met if notice of the date, time, place and agenda is provided by telephone, facsimile or email to newspapers of general circulation in the County and posted at the Valencia County Administration Office, 444 Luna Avenue, Los Lunas, New Mexico 87031. Notice shall also be given by telephone, facsimile or email 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 agendas 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 Valencia County Manager, at 444 Luna Avenue, Los Lunas, New Mexico 87031, phone (505) 866-2014 at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Valencia County Manager if a summary or other type of accessible format is needed "

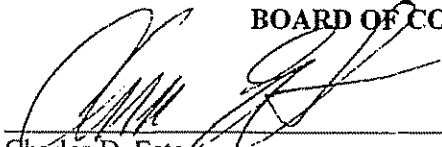
8. The Valencia County Commission may close a meeting to the public only if the subject matter of such discussion or action is exempted from the Open Meeting requirement under Section 10-15-1 (H) (1 through 10) of the Open Meetings Act.
 - A. If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the County Commission 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 Valencia 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 of the general public.
 - C. Following completing 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 proved in Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussions in a close meeting shall be made by vote of the Valencia County Commission in an open public meeting.
9. A member of the Board of County Commissioners or any of its Boards may participate in a meeting by means of a conference telephone or other similar communications equipment when it is difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other



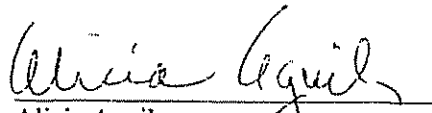
- at the same time, and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.
10. The Open Meetings Act Compliance Guide is hereby specifically incorporated by reference to this resolution and attached hereto.
 11. Resolution 2013-02 is hereby repealed with the adoption of this resolution

APPROVED, ADOPTED, AND PASSED on this 3rd day of April, 2013.

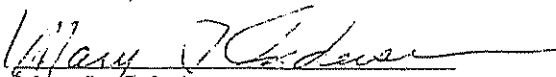
BOARD OF COUNTY COMMISSIONERS



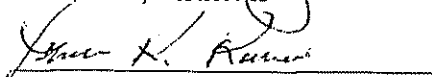
Charles D. Eaton
Chairman, District IV




Alicia Aguilar
Vice-Chair, District II



Mary J. Andersen
Commissioner, District I



Lawrence R. Romero
Commissioner, District III



Donald E. Holliday
Commissioner, District V

Attest:



Peggy Carabajal, County Clerk