RESOLUTION 038-2020

OPEN MEETINGS

WHEREAS, the Catron County Board of Commissioners met upon notice of meeting duly published at the Catron County Fire Administration Building, 3 Mountaineer Rd., Reserve, New Mexico 87830 on January 9, 2020, at 9:00 a.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 Catron County Commission to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED, by the Catron County Commission.

1. All meetings shall be held at the Catron County Fire Administration Building, 3 Mountaineer Rd., Reserve, New Mexico 87830, as detailed below or as indicated on the meeting notice.

2. Unless otherwise specified, regular meetings shall be held once a month, on the second Thursday of the month at 9:00 a.m. The agenda will be available to the public at least seventy-two (72) hours prior to the meeting as specified in Paragraph 6 below.

3. Special meetings may be called by the Chair or a majority of the members upon seventy-two (72) hours notice. The agenda shall be available to the public at least seventy-two (72) hours prior to any special meeting as specified in Paragraph 6 below.
4. Meetings required by the federal or state government of county officials to close-out projects or funding such as grants, or to give or receive input, as grants, that are required to be held open to the public will require the same notice as contemplated by Paragraph 6 below.

5. 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 Catron 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 Catron County from substantial financial loss or a threat to the health, safety and property of the citizens of Catron 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. Within ten (10) days of taking action on an emergency matter, the County Manager on behalf of the Commission shall report to the New Mexico Attorney General’s office the action taken and the circumstance creating the emergency unless the made pursuant to a declaration of state or national emergency.

6. 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 a copy of the agenda is posted at the Catron County Administration Building, 100 Main Street, Reserve, New Mexico 87830, and the County’s web site www.catroncounty.us. 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.

7. 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 copy of agenda is posted at the Catron County Administration Building, 100 Main Street, Reserve, New Mexico 87830 and on the County’s web site www.catroncounty.us. 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.

8. 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 Catron County Manager, Catron County Administration Building, 100 Main Street, Reserve, New Mexico 87830, phone (575) 533-6423 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 Catron County Manager if a summary or other type of accessible format is needed.

9. The Catron 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 Catron 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 closed meeting shall be made by vote of the Catron County Commission in an open public meeting.

10. 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 participate in meetings of the Board of County Commissioners by means of conference telephone.

11. Catron County Resolution 035-2019 is hereby repealed with the adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Catron County Commissioners approve open meetings on this 9th day of January 2020.

Anita Hand
Commissioner, District I

John Cliff Snyder
Commissioner, District II

Van J. "Bucky" Allred
Commissioner, District III

Attest:

Keith Riddle,
Catron County Clerk