SFC CLERK RECORDED 02/02/2007

RESOLUTION NO. 2007- 6
SANTA FE COUNTY, NEW MEXICO

A RESOLUTION
DETERMINING REASONABLE NOTICE FOR PUBLIC MEETINGS OF THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY, AND FOR BOARDS AND COMMITTEES APPOINTED BY OR ACTING UNDER THE AUTHORITY OF THE BOARD OF COUNTY COMMISSIONERS

WHEREAS, NMSA 1978, Section 10-15-1(A) and -1(B) (1999) (the "Open Meetings Act")(hereinafter referred to as "the Act") provides that "... meetings of a quorum of members of any board, commission or other policymaking body of any ... county ... held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or for the purpose of taking any action within the authority 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, except as otherwise provided in the constitution of New Mexico or the ... Act ..."

WHEREAS, the Act further provides that "(a)ny meetings at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs and at which a majority or quorum of the body is in attendance, and any closed meetings, shall be held only after reasonable notice to the public ...";

WHEREAS, the Act further requires a public body to determine in a public meeting at least annually what notice is reasonable when applied to that body; and

WHEREAS, the Board of County Commissioners of Santa Fe County (hereinafter referred to as "the Board") desires to determine what constitutes reasonable notice to the public of its meetings as required by the Act, and to otherwise specify important elements of its continuing compliance with the Act.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY, AS FOLLOWS:

1. **Regular Meetings.** Unless otherwise specified in the notice of meeting, a regular meeting of the Board will be held beginning at 3:00 p.m. on the second Tuesday of each month, and an Administrative Meeting will be held beginning at 10 a.m. on the last Tuesday of each month. Notice of a Regular Meeting shall be published in a newspaper of general circulation at least ten (10) days before such meeting. Notice of a Regular Meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notices.

2. **Special Meetings.** A Special Meeting of the Board may be called by the Chair or by a majority of the members of the Board at such time and place as in the opinion of the Chair or a majority of the members of the Board deem appropriate. Notice of a Special Meeting shall be published in a newspaper of general circulation at least three (3) days before such meeting.

Notice of a Special Meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

3. **Emergency Meetings.** An Emergency Meeting of the Board may be called by the Chair or by a majority of the members of the Board to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss. An Emergency Meeting may be conducted at a time and place as in the opinion of the Chair or a majority of the members of the Board deem appropriate. If possible given the emergency circumstances, notice of an Emergency Meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least twenty-four (24) hours prior to the meeting. If twenty-four (24) hours advance notice cannot be given, notice shall be posted as soon as possible under the emergency circumstances in existence. Notice of an Emergency Meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

4. **Agendas.** Meeting notices shall include a preliminary agenda containing a list of specific items of business to be discussed or transacted at the meeting, or information on how the public may obtain a copy of an agenda. A preliminary agenda shall be prepared and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building and on the County's internet web site (www.santafecounty.org) at least three (3) working days prior to the meeting. A final agenda shall be prepared and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building no later than twenty-four (24) hours preceding the meeting.

5. **Recessed Meetings.** The Board may recess and reconvene a meeting to a later day, if, prior to recessing, the Board specifies the date, time and place for continuation of the meeting, and, immediately following the recessed meeting, posts notice of the date, time and place for the reconvened meeting on or near the door of the place where the original meeting was held. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting unless notice of the reconvened meeting is provided as otherwise set forth herein.

6. **Participation by Conference Telephone.** A member of the Board may participate in a meeting of the Board by means of conference telephone or other similar communications equipment when it is difficult or impossible for the member to attend the meeting in person.

7. **Closed Meetings.** A meeting may be closed in the following manner:

a. If the Board is in an open meeting when a closed meeting is desired and authorized by the Open Meetings Act, then the closed meeting shall be approved on motion by a majority of a quorum of the Board and the authority for the closure shall be stated in the motion. The votes of the members on the motion shall be recorded in the minutes.

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b. If the Board is not in a public meeting and a closed meeting is desired and authorized, public notice of the closed meeting, appropriate under the circumstances, shall be given stating the authority for the closure.

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 that the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

8. **Application to County Boards, Committees.** This Resolution shall apply to each meeting of a Board or Committee whose members are appointed by the Board or which is acting under the authority of the Board of County Commissioners (hereinafter referred to as a "Committee"), except the Extraterritorial Zoning Commission and the Extraterritorial Zoning Authority.

9. **Definition: "Meeting."** For purposes of this Resolution, the term "meeting" shall be defined as a meeting of a quorum of the members of the Board or a Committee held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of the Board or a Committee.

10. Resolution No. 2006-03 is hereby rescinded.

APPROVED AND ADOPTED this 9 day of January 2007.

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

~~Harry B. Montoya~~, Chair
Virginia Vigil

Valerie Espinoza, County Clerk

APPROVED AS TO FORM:

Stephen C. Ross, County Attorney

COUNTY OF SANTA FE) BCC RESOLUTIONS
STATE OF NEW MEXICO) ss PAGES: 3
I Hereby Certify That This Instrument Was Filed for Record On The 2ND Day Of February, A.D., 2007 at 15:16 And Was Duly Recorded as Instrument # 1469515 Of The Records Of Santa Fe County
Witness My Hand And Seal Of Office
Valerie Espinoza
Deputy
County Clerk, Santa Fe, NM