

1                                   **LABOR MANAGEMENT RELATIONS**  
2                                   **BOARD, SANDOVAL COUNTY, NEW**  
3                                   **MEXICO**  
4                                   **OPEN MEETINGS ACT AND RULES OF**  
5                                   **PROCEDURE RESOLUTION NO. 2-15-17.7**

6  
7           WHEREAS, the Labor Management Relations Board of Sandoval County, met in  
8 session on February 15, 2017, as required by law; and

9           WHEREAS, upon adoption of this Resolution, Resolution No. 2-03-16.7 and any  
10 amendments thereto are hereby rescinded in their entirety; and

11           WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, §10-15-1  
12 to §10-15-4) states that, except as may otherwise be provided in the Constitution or the  
13 provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council,  
14 commission, administrative adjudicatory body or other policy-making body of any state or local  
15 public agency held for the purpose of formulating public policy, discussing public business or  
16 for the purpose of taking any action within the authority of or the delegated authority of such  
17 body, are declared to be public meetings open to the public at all times; and

18           WHEREAS, any meetings subject to the Open Meetings Act, at which the discussion  
19 or adoption of any proposed resolution, rule, regulation or formal action occurs, shall be held  
20 only after reasonable notice to the public; and

21           WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the Labor  
22 Management Relations Board of Sandoval County to determine annually what constitutes  
23 reasonable notice of its public meetings.

24           WHEREAS, the Labor Management Relations Board of Sandoval County wishes to  
25 establish Rules of Procedure for the conduct of meetings and preparation of Board agendas.

26           NOW, THEREFORE, BE IT HEREBY RESOLVED by the Labor Management Relations

27 Board of Sandoval County (hereinafter referred to as "the Board").

28 **A. Meetings**

29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70

1. All meetings shall be held at the Sandoval County Administrative Building, 1500 Idalia Road, Building D, 3rd Floor, Bernalillo, New Mexico, at 3:00 PM or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings of the Board shall be held quarterly (February, May, August and November) on or about the third Wednesday of the month, the agenda will be available at least seventy-two (72) hours prior to the meeting from the Sandoval County Human Resources Department, located at 1500 Idalia Road, Building D, 1st Floor, Bernalillo, New Mexico. Notice of any other regular meetings will be given three (3) days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
3. A member of the Board may participate in a meeting by means of a telephone conference when it is otherwise difficult or impossible for the member to attend the meeting in person. Any member participating by telephone conference shall be identified when speaking. The Board shall ensure that all members of the Board and of the public are able to hear any member of the Board who speaks during the meeting.
4. Special meetings may be called as required by law or by the Chairman or a majority of the members (in a prior open meeting) upon 72 hours' notice. The notice shall include an agenda for the meeting or information on how 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.
5. The Chairman or a majority of the members may schedule informal meetings, inspections, trips, or retreats. When a quorum of the Board is present, notice of these meetings shall be given in the same manner as special meetings. Minutes of these meetings shall be made by an individual designated by the Chairman.
6. 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 will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairman 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.

71 B. Notices

72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113

1. For the purpose of regular meetings, as described in Paragraph (A) 2 of this Resolution, notice requirements are met if notice of the date, time, place and agenda is posted on the first floor official bulletin board located in the Sandoval County Administrative Building, 1500 Idalia Road, Building D, Bernalillo, New Mexico and posted on the Sandoval County website. Copies of the written notice shall also be provided 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.
2. For the purpose of special meetings and emergency meetings, as described in paragraph (A) 4 and (A) 6 of this resolution, notice requirements are met if notice of the date, time, place and agenda is posted on the first floor official bulletin board located in the Sandoval County Administrative Building, 1500 Idalia Road, Building D, Bernalillo, New Mexico and posted on the Sandoval County 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.
3. In addition to the information specified above, all notices shall include the following language:

If you are an individual with a disability who is need of a reader, amplifier, qualified sign or language interpreter, or any other form of auxiliary aid or service to attend or participate in the meeting, please contact the County Clerk's Office at (505) 867-7572 at least one (1) week prior or the meeting or as soon as possible. Public documents, including agenda and minutes, can be provided in various accessible formats. Please contact the County Clerk's Office at (505) 867-7572, if a summary or other type of accessible format is needed.

C. Closed Meetings

1. The Board may close a meeting to the public only if the subject matter of such discussion or action is excepted from the open meeting requirements under §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 taken during the open meeting. The authority of 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.

- 114  
115 (b) If a closed meeting is conducted when the Board is not in an open  
116 meeting, the closed meeting shall not be held until public notice,  
117 appropriate under the circumstances, stating the specific provision of law  
118 authorizing the closed meeting and the subjects to be discussed with  
119 reasonable specificity is given to the members and to the general public.  
120  
121 (c) Following completion of any closed meeting, the minutes of the open  
122 meeting that was closed, or the minutes of the next open meeting, if  
123 the closed meeting was separately scheduled, shall state whether the  
124 matters discussed in closed meeting were limited only to those specified  
125 in the motion or notice for closure.  
126  
127 (d) Except provided in §10-15-1(H) of the Open Meetings Act, any action  
128 taken as a result of discussions in a closed meeting shall be made by vote  
129 of the Board in an open public meeting.  
130

131 **D. Rules of Procedure**

132  
133 1. Rules of Order and Debate.

- 134  
135 (a) The maker of a motion shall be entitled to the floor first for debate.  
136  
137 (b) A Board Member once recognized should not be interrupted when speaking  
138 unless to call said Board Member to order. The Board Member should then cease  
139 speaking until the question of order is determined, without debate, by the  
140 Chairman. If in order, said Board Member will be at liberty to proceed.  
141  
142 (c) Any matter not covered by these rules shall be governed by Robert's  
143 Rules of Order (latest edition), or, if not covered by Robert's Rules of Order,  
144 by a decision of the Chairman, subject to the Right of Appeal.  
145  
146 (d) Board Members shall confine their remarks to the question under  
147 discussion or debate, avoiding personalities. No Board Member shall engage in  
148 private discourse or commit any other act tending to distract the attention of  
149 the Board from the business before it.  
150

151 2. Suspension of Rules. Except for rules related to introduction and adoption of  
152 Ordinances, these rules, or any part thereof, may be temporarily suspended by a  
153 majority vote of the Board's quorum.

154  
155 3. Amendment of Rules. These rules, or any part thereof, may be amended,  
156 repealed, altered or rescinded by a majority vote of all Board Members after two  
157 week's notice of his/her intention to amend. Such notice shall be presented in  
158 writing at a Regular Administrative meeting of the Board.  
159

160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191

4. Motions.

- (a) No motion shall be entertained or debated until announced by the Chairman, and every motion shall be seconded to be considered for action. When a question is before the Board, only the following additional motion(s) shall be entertained and such motion(s) shall have precedence in the following order:
  - (1) To adjourn
  - (2) To recess
  - (3) To reconsider
  - (4) To table
  - (5) To move the previous question
  - (6) To postpone to a time certain (to defer)
  - (7) To amend or substitute
  - (8) To postpone indefinitely
  - (9) Any other motion
- (b) A motion to adjourn, to recess, to table, or move the previous question shall be decided without debate and cannot be amended.
- (c) A motion to move the previous question must be approved by a majority of those present and voting, and may apply to only the immediate pending question.
- (d) All other motions are debatable.
- (e) A motion to amend or substitute shall be clearly stated.
- (f) A motion to adjourn when no fixed time is set shall mean an adjournment to the next Regular Administrative meeting of the Board.

192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204

5. **Voting.** The votes during all Board meetings should be transacted as follows:

- (a) Except for the election of the Chairman, when the Chairman calls for a vote on a motion, every Board Member in the Chambers, must give his/her vote, unless the member has publicly stated that s/he is abstaining from voting due to a conflict of interest. If any Board Member declines to vote "aye" or "nay" by voice, his or her vote shall be counted as an "aye" vote.
- (b) The passage of any motion shall require the affirmative vote of at least a majority of the membership of the Board Members who are present and eligible to vote. In case of a tie in votes on any proposal, the proposal

- 205 shall be considered lost.  
206  
207 (c) A Board Member shall be allowed to change his/her vote, but only  
208 before the result has been announced.  
209  
210 (d) Any Board Member shall have the right to express dissent from, or protests  
211 against, any item being acted on by the Board, and to have the reason  
212 therefore entered in the minutes.  
213  
214 (e) If a motion is not carried by at least a majority of Board's quorum, the  
215 proposal shall be considered lost.  
216  
217 (f) A record of each Board Member's vote shall be entered in the minutes of  
218 each meeting.

219  
220 6. Election of Chairman. The Procedures for electing officers are as follows:  
221

222 (a) At the first meeting of the Board each year, the Board shall elect one of  
223 its members to act as Chairman of the Board (Section 4-38-10, NMSA  
224 1978). The Chairman shall serve until the election of a Chairman at the  
225 first meeting of the Board each year.

226  
227 (b) The current Chairman calls for nominations for Chairman.  
228 Nominations require a second. A roll-call vote is conducted if there is  
229 more than one nomination. If a vacancy occurs in the office of the  
230 Chairman, the Board shall, at its next meeting, select a Chairman for the  
231 remainder of the term.

232  
233 **E. Agendas**  
234

235 1. Preparation of Agenda-Regular Administrative Meetings.  
236

237 (a) The Human Resources Department Director shall prepare and disseminate  
238 the agenda. The Chairman or a majority of the members in a previous open  
239 meeting may place an item on the agenda.

240 (b) The Chairman and the Human Resources Department Director will discuss  
241 each agenda. Items for Final Action on a Board Meeting agenda may be placed  
242 on the Agenda by the Human Resources Department Director, after consultation  
243 with the Chairman, if s/he believes that no discussion or amendment is needed.  
244 Thereafter, the Human Resources Department Director shall finalize the  
245 agenda.

246  
247 2. Agenda Material. A copy of the agenda and supporting materials shall be  
248 prepared for Board Members and made available to them within a reasonable

249 time before the meeting but no later than 72 hours prior to the Regular Board  
250 meeting. The agenda, as well as supporting documents that are part of agenda  
251 documentation, shall be available for review in the Human Resources Office.  
252  
253

254 **PASSED** by the Labor Management Relations Board, Sandoval County this 15<sup>th</sup> day of  
255 February 2017.  
256  
257  
258  
259

260 **LABOR MANAGEMENT RELATIONS**  
261 **BOARD OF SANDOVAL COUNTY**  
262

263  
264  
265  
266  
267 \_\_\_\_\_  
268 Chairman

269 **ATTEST:**  
270

271 \_\_\_\_\_  
272 Member

273  
274 \_\_\_\_\_  
275 Eileen Garbagni, County Clerk

276 \_\_\_\_\_  
277 Member

278 **APPROVED AS TO FORM:**  
279

280 \_\_\_\_\_  
281 Natalia Sanchez Downey, County Attorney