



SANDOVAL COUNTY, NEW MEXICO

RESOLUTION NO. 8-25-20.6B

OPEN MEETINGS ACT

WHEREAS, the Sandoval County Planning and Zoning Commission met in regular session on February 25, 2020, at 4:30 p.m., as required by law; and

WHEREAS, the Sandoval County Planning and Zoning Commission adopted Resolution 2-25-20.7 which established Open Meetings Act and Rules of Procedures for the Planning and Zoning Commission; and

WHEREAS, the Sandoval County Planning and Zoning Commission wishes to repeal Resolution 2-25-20.7 and any amendments, in order to separate the Open Meetings Act and Rules of Procedure into two (2) separate Resolutions;

WHEREAS, this Resolution 8-25-20.6B addresses the Open Meeting Act requirements for notice of public meeting and commission agendas;

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, §10-15-1 to §10-15-4) states that, except as may otherwise be provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policy-making body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated 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, the Sandoval County Planning and Zoning Commission wishes to establish Open Meeting Act Compliance for determination of what constitutes reasonable notice of its public meetings and commission agendas.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Sandoval County Planning and Zoning Commissioners, Sandoval County (hereinafter referred to as the "P+Z Commission");

I. OPEN MEETINGS ACT COMPLIANCE

A. Meetings

1. All meetings shall be held at the Sandoval County Administrative Building, 1500 Idalia Road, Building D, 3rd Floor, Bernalillo, New Mexico, at 4:30 p.m. or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings of the Board shall be held each month on the fourth Tuesday of the month, the agenda will be available at least seventy-two (72) hours prior to the meeting from the Department of the Planning and Zoning Department, located at 1500 Idalia Road, Building D, 2nd Floor, Bernalillo, New Mexico. Notice of any other regular meetings will be given ten (10) calendar 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 Chair or a majority of the members (in a prior open meeting) upon seventy-two (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 Chair may schedule informal meetings, inspections, trips, or retreats. When a quorum of the Commission 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 Chair.
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 Chair 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. Within ten days of taking action on an emergency matter, the Chair shall report to the attorney general's office the action taken and the circumstances creating the emergency; provided that the requirement to

report to the attorney general is waived upon the declaration of a state or national emergency.

B. Notices

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 , 87004, and posted on the Sandoval County website at www.sandovalcountynm.gov. Copies of the written notice shall also be provided to newspaper(s) 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 provided by posting on the first floor official bulletin board located in the Sandoval County Administrative Building, 1500 Idalia Road, Building D, Bernalillo, New Mexico, 87004, and posted on the Sandoval County website at www.sandovalcountynm.gov. 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 Manager's office at (505) 867-7500 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 Planning and Zoning Department, if a summary or other type of accessible format is needed.

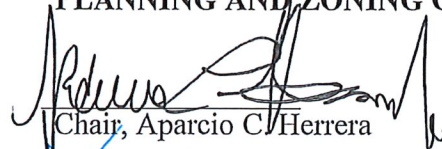
C. Closed Meetings

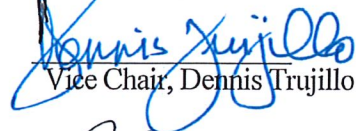
1. The Board may close a meeting to the public only if the subject matter of such discussion or action is excerpted from the open meeting requirements under §10- 15-1(H) of the Open Meetings Act.

- 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.
- b. If a closed meeting is conducted when the Board 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 and to the general public.
- 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 whether the matters discussed in closed meeting were limited only to those specified in the motion or notice for closure.
- d. Except provided in §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 Board in an open public meeting.

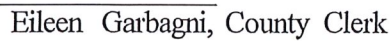
PASSED by the Sandoval County Planning and Zoning Commission, this 25th _____ day of August 2020.

**SANDOVAL COUNTY
PLANNING AND ZONING COMMISSION**


Chair, Aparcio C. Herrera


Vice Chair, Dennis Trujillo

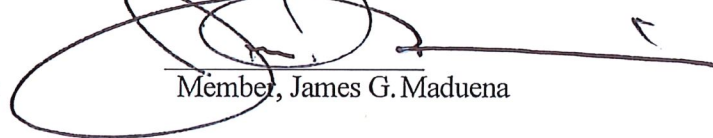
ATTEST:


Eileen Garbagni, County Clerk


Member, Keith Brown

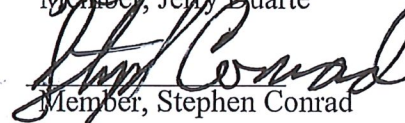
APPROVED AS TO FORM:


Robin S. Hammer, County Attorney


Member, James G. Maduena


Member, Geoffrey Stamp


Member, Jerry Duarte


Member, Stephen Conrad