



SANDOVAL COUNTY, NEW MEXICO

RESOLUTION NO. 1-26-21.7A

OPEN MEETINGS ACT

WHEREAS, the Sandoval County Planning and Zoning Commission met in regular session on January 26, 2021 at 4:30 p.m., as required by law; and

WHEREAS, adoption of this resolution, Resolution 8-25-20.6B and any amendments thereto are hereby rescinded in their entirety; and

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, except as otherwise in the Open Meetings Act; 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 Sandoval County Planning and Zoning Commission, Sandoval County, to determine annually what constitutes reasonable notice of its public meetings;

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/Notice**

1. **Location:** The physical location of the meetings of the P+Z Commission will normally 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. **Regular Meetings:** a. Unless otherwise specified, regular meetings of the P+Z Commission will be held on the dates as specified in the Sandoval County Board of Commission (“Board”) Resolution 12-12-19.9A. Generally, regular meetings will 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.

b. 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.

3. **Special meetings:** a. 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.  
  
b. 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.
4. **Emergency meetings:** 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.
5. **Closed Meetings:** The P+Z Commission 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) and (I) of the Open Meetings Act.
6. **Cancellations and/or Different Meeting Times and Locations:** Meetings may be cancelled or scheduled at different times and location than set forth herein. The announcement of such changes should be made, when possible, at a prior meeting of the P+Z Commission meeting.

7. **Notice for all Meetings:** For the purpose of all meetings, as described in Paragraph (A)2, 3 and 4 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](http://www.sandovalcountynm.gov). Copies of the written notice shall also be provided to those broadcast stations licensed by the Federal Communications Commission and newspaper(s) of general circulation that have made a written request for notice of public meetings for the calendar year. Notice of any other regular meetings will be given seven (7) calendar days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
  
8. **Accessibility:** Public documents, including agenda and minutes, can be provided in various accessible formats. Please contact the Planning and Zoning Department at (505) 867-7628, if a summary or other type of accessible format is needed. In addition to the information specified above, all notices shall include the following language:

“NOTICE TO PERSON WITH DISABILITIES: 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 to the meeting date.”

PASSED by the Sandoval County Planning and Zoning Commission, this 26<sup>th</sup> day of January 2021.

**SANDOVAL COUNTY  
PLANNING AND ZONING COMMISSION**

Chair, Aparcio C. Herrera

Dennis Trujillo (electronic signature)  
Vice Chair, Dennis Trujillo

Keith Brown (electronic signature)  
Member, Keith Brown

James Maduena (electronic signature)  
Member, James G. Maduena

Geoffrey Stamp (electronic signature)  
Member, Geoffrey Stamp

Jerry Duarte (electronic signature)  
Member, Jerry Duarte

Stephen Conrad (electronic signature)  
Member, Stephen Conrad

**ATTEST:**

Anne Brady, County Clerk

**APPROVED AS TO FORM:**



Robin S. Hammer, County Attorney