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RESOLUTION 2017-01

OPEN MEETINGS ACT

A SPECIAL RESOLUTION TO CONCLUDE AND DETERMINE IN WHAT MANNER REASONABLE NOTICE SHALL BE GIVEN TO THE PUBLIC RELATIVE TO THE FORMULATION OF PUBLIC POLICY, DISCUSSION OF PUBLIC POLICY, DISCUSSION OF PUBLIC BUSINESS OR WHEN FORMAL ACTION IS TAKEN BY THE GOVERNING BODY OF THE COUNTY OF COLFAX, NEW MEXICO, OR ANY OF ITS AGENCIES, AUTHORITIES, COMMISSIONS, COMMITTEES, OR OTHER POLICY-MAKING BODIES AND REPEALING COLFAX COUNTY RESOLUTION 2016-01

WHEREAS, NMSA Section 10-15-1, et seq., the Open Meetings Act, provides in relevant part that "The formation of public policy or the conduct of business by vote shall not be conducted in a closed meeting." Such act further provides, "all meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policy, making 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 such board, commission or other policy-making 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 provisions of the Open Meetings Act;" and

WHEREAS, the Open Meetings Act further provides in material part that "any 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; and

WHEREAS, the governing body of the County of Colfax, by virtue of this Resolution, is hereby complying with the annual requirements of the Open Meetings Act and further, the governing body is hereby determining what notice for its public meetings is reasonable, as contemplated by the provisions of the Open Meetings Act.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE COUNTY OF COLFAX, NEW MEXICO that:

SECTION 1. Notice, including an agenda, of any and all regular meetings shall be published in a newspaper of general circulation in the County at least 72 hours in advance of any meeting of a quorum of the members of the governing body held for the purpose of taking any action within the authority of such body. The Agenda for the regular meeting shall be available at the office of the Colfax County Manager, whose office is located in the Colfax County Building, 230 North 3rd St., Raton, New Mexico 72 hours in advance of the meeting, and the Colfax County Manager shall make the agenda available by publication in a newspaper and radio station of general circulation within the County and on the Colfax County Website.

SECTION 2. Two regular meetings shall be held on the second and fourth Tuesday of each month, to begin at the hour of 9:00 A.M., in the County Commission Chambers of the Colfax County Building, 230 North 3rd St., in Raton, New Mexico, unless the Board of Commissioners shall determine another date, time, or place for such regular meeting and shall give notice of such regular meeting as provided above.

SECTION 3. Notice of any special meetings of a quorum of the members of the governing body of Colfax County held for the purpose of formulating public policy, discussing public business, or for the purpose of taking any action within the authority of the body, may be given in any of the following ways:

- (a) Whenever possible, notice of special meetings shall be given in like manner as notice of regular meetings; however, when it is not possible to give notice of a special meeting in accordance with Section 1 above, notice of a special meeting shall be given to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have provided the County a written request for such notice, and shall be posted on the Colfax County Website at least three (3) days in advance of any special meeting of the governing body of Colfax County.

A certificate or affidavit concerning the manner in which notice has been given for a special meeting shall be filed in the county manager's office.

SECTION 4. Special meetings shall be held at the same place as contemplated by Section 2 of this resolution, unless otherwise advertised and further, the date, time and place shall appear on the agenda made available to the public and news media, in the office of the Colfax County Manager, County of Colfax, New Mexico.

SECTION 5. The County Commission hereby requires that the Airport Advisory Board, Subdivision Review Committee, Viewers appointed to consider County Road vacations, wherein a quorum of its members shall hold a meeting for the purpose of formulating public policy, discussing public business or taking action within such body shall follow notice requirements as provided by this Resolution and the Open Meetings Act. A quorum of the Airport Advisory Board and Subdivision Review Committee shall consist of those members present. Ad hoc or other committees appointed by the Commission to make recommendations to the Commission but acting solely in an advisory capacity and