

OTERO SOIL AND WATER CONSERVATION DISTRICT

3501 Mesa Village Drive

Alamogordo, NM 88310

Phone (575) 437-3100 x 3

OTERO SOIL AND WATER CONSERVATION DISTRICT RESOLUTION NO. 3

WHEREAS, the Otero Soil and Water Conservation District met in regular session at 3501 Mesa Village Drive on November 6, 2019, at 9:30, a.m. as required by law; and

WHEREAS, Section 10-15-1 (B) of the Open Meeting Act (Sections 10-15-1 through 10-15-4 NMSA 1978) states that, except as may be otherwise provided in the Constitution or the provision of the Open Meeting Act, all meetings of a quorum of members of any board, commission or other policy-making body of any state agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of such board, commission or other policy-making body, are declared to be public meetings open to the public at all times; and

WHEREAS, any meetings subject to the Open meeting 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 Meeting Act requires the Otero Soil and Water Conservation District to determine annually what constitutes reasonable notice of its public meetings;

NOW THEREFORE BE IT RESOLVED by the Otero Soil and Water Conservation District that:

1. Unless otherwise specified, regular meetings shall be held each month at 9:30 a.m. on the first Wednesday of each month. The agenda will be available at least seventy-two hours prior to the meeting from Victoria Milne, whose office is located in at 3501 Mesa Village Drive, Alamogordo NM and posted on the public body's web site oteroswcd.org. Notice of any other regular meetings will be given ten (10) days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.

2. Special meetings of the Otero Soil and Water Conservation District may be called by the Chairman or a majority of the members upon three days notice. Parties who have requested notice of meetings in writing will be notified by telephone. Notice will be published in the Alamogordo Daily News at least three days before each meeting.

3. Emergency meetings of the Otero Soil and Water Conservation District are meetings called under circumstances, which demand immediate action, by the Board of supervisors. Although the Board of Supervisors would avoid emergency meetings whenever possible, such circumstances may occasionally arise. Emergency meetings may be called by the Chairman or a majority of the members upon twenty-four hours notice. Parties who have requested notice of meetings in writing will be notified by telephone. Notice of emergency meetings will be posted on the door at 3501 Mesa Village Drive, Alamogordo, NM. The following broadcast station will be notified by telephone: KRSY.

4. If otherwise allowed by law or rule of the public body, a member of a public body may participate in a meeting of the public body by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.

5. Pursuant to Section 10-15-1 (E) NMSA 1978, the Otero Soil and Water Conservation District may close a meeting to the public if the subject matter of such discussion or action is included in Subsection E or the Open Meeting Act, Section 190- 15-1 NMSA 1978. If any Board of Supervisors meeting is closed pursuant to Section 10-15-1 (E) NMSA, such closure:

(1) If made in an open meeting, shall be approved by a majority vote of a quorum of the Board of Supervisors and authority for the closure shall be stated in the motion calling for the vote on a closed meeting. The vote on a closed meeting shall be taken in an open meeting and the vote of each individual member is to be recorded in the minutes. Only those subjects announced or voted upon prior to closure by the Board of Supervisors may be discussed in a closed meeting; and

(2) If called for when the Board of Supervisors 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 the law authorizing the closed meeting is given to the members and to the general public.

Passed by the Otero Soil and Water Conservation District this 6th day of November 2019.

William F. Mershon

Chairman, Board of Supervisors
Otero Soil and Water Conservation District