

ESTANCIA BASIN WATER PLANNING COMMITTEE

OPEN MEETINGS RESOLUTION # 2023-01

EFFECTIVE 01/01/2023 – 12/31/2023

WHEREAS, the Estancia Basin Water Planning Committee met in regular session on December 15, 2023 at 9:30 A.M. as required; and

WHEREAS, Section 10-15-1-(B) of the Open meetings Act (Sections 10-15-1 through 10-15-4 NMSA 1978) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, commission, 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 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 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 public bodies to determine annually what constitutes reasonable notice of its public meetings:

NOW, THEREFORE, BE IT RESOLVED by the Estancia Basin Water Planning Committee on this 9th day of December 2021 that reasonable notice is hereby determined and given as follows:

1. Unless otherwise amended and noticed, regular committee meetings of the Estancia Basin Water Planning Committee shall ordinarily be held bi- monthly, on the second Thursday of even number months, at 9:30 AM and will be rotated between locations in Estancia NM and Moriarity NM or held remotely as announced. The first meeting of the calendar year will be held in February.

Meetings for February, June, and October will be held on the second Thursdays of those months at 9:30 AM at:

Edgewood SWCD Offices
2506 Route 66
Moriarty, New Mexico

Meetings for April, August, and December will be held on the second Thursdays of those months at 9:30 AM at:

Torrance County Administrative Offices
205 9th Street
Estancia, New Mexico

Meetings may be held as in person meetings, as hybrid meetings using teleconference means, or as remote meetings so long as the mode of the meeting is announced and that remote teleconference information is provided to interested parties in the meeting notice, and that the remote or hybrid meeting are compliant with the requirements and guidelines as provided by the State of New Mexico.

2. Meeting notices and agendas will be provided by the Secretary/Treasurer of the Committee or by other persons or parties as designated by the Committee or by the Secretary/Treasurer. For the effective period of this Open Meetings Act Resolution, and consistent with the appointed term of office, and unless otherwise noticed, the Secretary/Treasurer may be contacted at the address and point of contact provided at the end of this resolution.
3. The Secretary/Treasurer or designee shall give written notice of regular meetings ten (10) days in advance of the meeting to parties that have made a written request for notice of public meetings, including 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. The notice may be by mail in hard copy, by hand delivery, or provided/delivered in electronic format at such addresses as were provided in writing.
4. The Agenda for regular meetings shall be made available no later than 72 hours prior to the meeting through means of general distribution to members of the Committee, to those parties that have made a written request for notice of public meetings, by posting to the Committee website, and/or by posting at the designated meeting location for the subject meeting.
5. Special meetings of the Estancia Basin Water Planning Committee may be called by the Chair or a majority of the members upon three (3) calendar days' notice prior to any special meetings. The Secretary/Treasurer or designee shall provide electronic or telephonic notice to those parties that have made a written request for notice of public hearings.

Notices of special meetings will be posted at the following location:

- On the bulletin board next to the Torrance County Commission Room located in the Torrance County Courthouse, and/or
 - At the entrance to the Edgewood SWCD offices, and/or
 - On the Committee's designated website – ebwpc.org
6. Emergency meetings of the Estancia Basin Water Planning Committee are meetings called under circumstances which demand immediate action by the Committee. Although the Committee will avoid emergency meetings whenever possible, such circumstances may occasionally arise. Emergency meetings may be called by the Chair or a majority of the members upon (24) twenty-four hours' notice prior to any emergency meeting. The Secretary/Treasurer or designee shall provide electronic or telephonic notice to those parties that that have made a written request for notice of public hearings.

Notices of emergency meetings will be posted at the following location:

- On the bulletin board next to the Torrance County Commission Room located in the Torrance County Courthouse, and/or
 - At the entrance to the Edgewood SWCD offices, and/or
 - On the Committee's designated website – ebwpc.org
7. Pursuant to Section 10-15-1 (E) NMSA 1978, the Estancia Basin Water Planning Committee may close a meeting to the public if the subject matter is such that discussion or action is included in Subsection E of the

Open Meetings Act, Section 10-15-1 NMSA 1978. If any Estancia Basin Water Planning Committee meeting is closed pursuant to Section 10-15-1 (E) NMSA, such closure:

- a. if made in an open meeting, shall be approved by a majority vote of a quorum of the committee and authority for the closure shall be stated in the motion calling for the vote on a closed meeting. The vote 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 Committee may be discussed in a closed meeting; and
 - b. if called for when the Committee is not 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 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 meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meetings were limited only to those specified in the motion or notice for closure.
 - d. Except as provided in Section 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 Estancia Basin Water Planning Committee in an open public meeting.
8. A member of the committee may participate and be included in a meeting for the transaction of business by the committee by means of a conference telephone or other similar telecommunications device when it is difficult or impossible for the member to attend a meeting in person. In order for telephonic participation to satisfy the Open Meetings Act and this resolution, each member participating by conference telephone must be capable of being identified when speaking, all participants must be able to hear each other at the same time and members of the public attending the meeting must be able to hear any member of the public body who speaks during the meeting.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the meeting, please contact the Secretary/Treasurer of the Committee at the address listed below. Public documents, including the agenda and minutes can also be provided in various accessible forms. Public records inspection request, request for public documents, and Freedom of Information requests must be directed to the Secretary/Treasurer in writing at the address indicated below.

The point of contact for the Secretary/Treasurer of the committee for the period 01/01/2023 – 12/31/2023 is as follows:

Estancia Basin Water Planning Committee
Secretary/Treasurer c/o
Bernalillo County Public Works
415 Silver Ave, SE
Albuquerque, NM, 87102
505-848-1578
dmcgregor@bernco.gov
ebwpc.org