

VILLAGE OF RUIDOSO
RESOLUTION 2020-01

A RESOLUTION DECLARING REASONABLE NOTICE OF PUBLIC MEETINGS FOR
THE VILLAGE COUNCIL OF THE VILLAGE OF RUIDOSO.

PREAMBLE

A. Sections 10-15-1 et seq. NMSA 1978, the Open Meetings Act (in this Resolution the "Act"), states that all meetings of a quorum of members of any board, commission or other policy-making body of any municipality 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, are public meetings open to the public at all times; exceptions to this declaration are strictly limited.

B. The Act also provides that no resolution, rule, regulation, ordinance or action of any board, commission, committee or other policy making body shall be valid unless taken or passed at a meeting held in accordance with the requirements of the Act.

C. The Act also requires that meetings subject to the 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.

D. The Act provides that any person violating any of the above cited provisions is guilty of a misdemeanor and may be punished by a fine of \$500.00 for each offense.

E. The Act also requires the Governing Body of the Village of Ruidoso to determine annually what constitutes reasonable notice of its public meetings.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Village of Ruidoso, New Mexico:

1. Notice shall be given at least five (5) days in advance of any regular meeting of a quorum of the members of the Village Council held for the purpose of discussing public business or taking action within the authority of the Village Council. All meetings shall be conducted in accordance with Robert's Rules of Order, Newly Revised 10th Edition.
2. Notice shall be given at least seventy-two (72) hours in advance of any special meeting of a quorum of the members of the Village Council held for the purpose of discussing the business or taking any action within the authority of such body.
3. Notice shall be given at least three (3) hours in advance of any emergency meeting of a quorum of the members of the Village Council held for the purpose of considering any matter that needs emergency treatment because of a clear and present danger to the health, welfare, or safety of the people of the Village of Ruidoso. An "Emergency Meeting" is for unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or

substantial financial loss to the public body. Within ten (10) days of taking action on an emergency matter, the public body 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.

4. The notice requirements in Section 1 of this resolution will be complied with by the Village Clerk posting on the bulletin board at the Ruidoso Municipal Building a copy of this resolution, as well as the notice (attached to this resolution) setting forth the days and times of the regular meetings which have been set by ordinance and are held at 1:00 p.m. on the second Tuesday of each month. These copies shall remain on the bulletin board for the duration of calendar year 2020. The agenda will be available on the Thursday before the regular meetings from the Village Clerk, whose office is located at 313 Cree Meadows, Ruidoso, New Mexico.

5. Notice requirements as set out in Sections 2 and 3 of this resolution shall be complied with by the Village Clerk posting a notice on the bulletin board at the Ruidoso Municipal Building setting out the date, time, and place of meeting. The Village Clerk shall provide telephonic, facsimile or e-mail notice to those broadcast stations licensed by the Federal Communications Commissions and newspapers of general circulation that have made a written request for notice of public meetings.

6. As an alternative to the notice of regular, special, or emergency meetings provided by Sections 1 through 5 hereof, notice of regular, special, or emergency meetings may be given (but shall not be required to be given) by one publication of a written notice in a newspaper of general circulation in the Village by at least the time specified in Section 1, 2, or 3 hereof, whichever is applicable, i.e., depending upon whether the meeting is regular, special or emergency.

7. In the minutes of each meeting posted as required by this resolution and for which minutes are required by law to be kept, or in the official records of any meeting for which minutes are not required, the Village Clerk shall certify compliance with the provisions of this resolution. The certification of special and emergency meetings shall also state the time, the date, and the place where notices were posted. Certifications required by this section shall be filed with and become a part of the official minutes or record of any meeting held under this Resolution.

8. In addition to the information specified above, all notices shall include the following language:

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 hearing or meeting, please contact the Village Clerk at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Village Clerk if a summary or other type of accessible format is needed.

9. Pursuant to the Act, the Village Council of the Village of Ruidoso may close a meeting to the public if the subject matter of discussion or action is included in Subsection H of Section 10-15-1 NMSA 1978. If any meeting is closed pursuant to the above, the closure:

A. If made in an open meeting, shall be approved by a majority vote of a quorum of the Village Council 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 may be discussed in a closed meeting.

B. If called for when the Village Council 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 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 the closed meeting 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 Village Council in an open public meeting.

PASSED, APPROVED, AND ADOPTED ON THIS 14TH DAY OF JANUARY 2020.



Irma Devine, Village Clerk

Lynn D. Crawford, Mayor