

RESOLUTION NO. 929

Determination of Reasonable notice of meetings of the Village of Hatch for 2017

The Village of Hatch Board of Trustees is informed that:

WHEREAS, Village of Hatch Board of Trustees met in regular session at 6:00 p.m. on December 13, 2016, and

WHEREAS, Section 10-15-1 (D) of the Open Meetings Act requires the Village of Hatch Board of Trustees to determine annually what constitutes reasonable notice of its public meetings.

NOW THEREFORE, Be it resolved by the governing body of the Village of Hatch:

1. Notice shall be given at least three (3) days in advance of any regular meeting of a quorum of the members of the governing body or any board, commission, committee, agency, authority or other policy-making body held for the purpose of discussing public business or taking any formal action within the authority of such body.
2. The regularly scheduled meetings of the governing body will be held at 6:00 P.M. the second Tuesday of each month in the governing body meeting room of the municipal building located at 133 N Franklin Street in Hatch, New Mexico (Exhibit A). In the event that the regular meeting date falls on a holiday, the governing body shall designate an alternate meeting date.
3. The agenda will be available at least twenty-four hours prior to the meeting from the Municipal Clerk, whose office is located in 133 N Franklin Street, Hatch, New Mexico. Notice of any other regular meetings will be given ten days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
4. Notice shall be given at least seventy-two (72) hours in advance of any special meeting of a quorum of the members of the governing body, board, commission, committee, agency, authority or other policy-making body held for the purpose of discussing public business or taking any formal action within the authority of

such body. The agenda shall be available to the public at least twenty-four hours before any special meeting.

5. 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 Village of Hatch will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairman or a majority of the members upon twenty-four 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 meetings or information on how the public may obtain a copy of the agenda.
6. The notice requirements of Section 1, of this Resolution are complied with if notice of the date, time, place and subject matter of any regular or special meeting are published. Additionally, the notice shall contain information on how the public may obtain a copy of the meeting agenda, said agenda to be available at least twenty-four hours prior to the meeting. "Publish" means printing in a newspaper which maintains an office in the municipality and is of general circulation within the municipality. If such newspaper is a nondaily paper which will not be circulated to the public in time to meet publication requirements, or, if no such newspaper exists, "publish" shall mean posting in six public places within the municipality, and one of the public places where posting shall be made is the office of the Municipal Clerk, who shall maintain the posting for public inspection within the time limits specified. The public places notice shall be posted are:

The Office of the Municipal Clerk
Jim's Supermarket
United Drug
Hatch Auto Electric
Village Market
Sun Valley
Hatch Public Library

The Municipal Clerk may, in addition to posting, publish one or more times in a newspaper of general circulation within the municipality, even though it does not maintain an

office within the municipality. In addition, written notice of such meetings shall be mailed or hand delivered to federally licensed broadcast stations and newspapers of general circulation in the municipality which have provided a written request for such notice.

7. For the purposes of emergency meetings described in paragraph 4 of this resolution, notice requirements are met if notice of the date, time, place and agency is provided by telephone to newspapers of general circulation in the state and posted in the offices of the Municipal Clerk.
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 of Hatch office at (575) 267-5216 at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats.

9. The Village of Hatch may close a meeting to the public only if the subject matter of such discussion or action is excepted from the open meeting requirement under Section 10-15-1(H) of the Open Meetings Act.
 - (a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Village of Hatch Board of Trustees taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.
 - (b) If a closed meeting is conducted when the Board of Trustees 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 and the subjects to be discussed with reasonable specificity, 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 Board of Trustees in an open public meeting.
10. **THAT** if any section, paragraph, clause or provision of this resolution shall be for any reason held to be invalid or unenforceable, the validity or unenforceability of such section, paragraph or clause or provision shall not affect any of the remaining provisions of this resolution or its application to other situations.

PASSED, APPROVED AND ADOPTED THIS 13th day of December, 2016.

ATTEST:

Andy Nunez, Mayor

Patrick S. Banegas, Municipal Clerk

Moved by: Trustee R. Torres
Seconded by: Trustee Martinez

VOTE:

Trustee Franzoy	<u>Absent</u>
Trustee R. Torres	<u>Aye</u>
Trustee Martinez	<u>Aye</u>
Trustee G.D. Torres	<u>Aye</u>

**2017 Village of Hatch Regular Meeting Schedule
Exhibit "A"**

January 10, 2017
February 14, 2017
March 14, 20107
April 11, 2017
May 9, 2017
June 13, 2017
July 11, 2017
August 8, 2017
September 12, 2017
October 10, 20107
November 14, 2017
December 12, 2017