

## TOWN OF EDGEWOOD

### RESOLUTION NO. 2007- 38

#### OPEN MEETING RESOLUTION

**WHEREAS,**

the Town of Edgewood Governing Body met in regular session at the Edgewood Community Center, located at #27 E. Frontage Road, December 19, 2007 at 6:30 P.M. as required by law; and

**WHEREAS,**

Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to 10-15-4) 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, council, commission, administrative adjudicatory body or other policymaking 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 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 the Town of Edgewood Governing Body to determine annually what constitutes reasonable notice of it public meetings;

**NOW, THEREFORE, BE IT RESOLVED** by the Town of Edgewood Governing Body that:

1. All meetings shall be held at the Edgewood Community Center (#27 E. Frontage Road) at 6:30 P.M. or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held each month on the first and third Wednesday. The agenda will be available at least twenty-four hours prior to the meeting from the Town Administrator Clerk-Treasurer, whose office is located in Edgewood, New Mexico. 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.

3. Special meetings may be called by the Mayor or a majority of the Council upon three days (3) days notice. The notice shall include an agenda for the meeting or information on how members of the public may obtain an agenda. The agenda shall be available to the public at least twenty-four hours before any special meeting.

4. Emergency meetings will be called only under unforeseen circumstances which demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Town of Edgewood Governing Body will avoid emergency meetings whenever possible. Emergency meetings may be called by the Mayor or a majority of the Council upon twenty-four (24) 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 meeting or information on how the public may obtain a copy of the agenda.

5. For the purposes of regular meetings described in paragraph 2 of this resolution, notice requirements are met if notice of the date, time, place and agenda is placed in newspapers of general circulation in the state and posted in the following locations:

- \*Radio Shack located at 1945 Old US Highway 66
- \*Smith's Grocery located at 2B S.R. 344
- \*Mr. Gas located at #1 S.R. 344
- \*Edgewood Community Center located at #27 E. Frontage Road
- \*East Mountain Grill located at #150 S.R. 344, Suite A
- \*Town Hall Office located @ 1911 Old Highway 66 (bulletin board on the South side of the building).

Copies of the written notice shall also be mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation which have made a written request for notice of public meetings.

6. For the purposes of special meetings and emergency meetings described in paragraph 3 and 4 of this resolution, notice requirements are met if notice of the date, place and agenda is provided by telephone to newspapers of general circulation in the state and posted in the offices of the Town Administrator Clerk-Treasurer. Telephone notice also shall be given to 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.

7. 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 Town Administrator Clerk-Treasurer at (505) 286-4518 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 Town Administrator Clerk-Treasurer at (505) 286-4518 if a summary or other type of accessible format is needed.

8. The Town of Edgewood Governing Body may close a meeting to the public only if the subject matter of such discussion or action is accepted 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 Town of Edgewood Governing Body 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 subject specified in the motion may be discussed in the closed meeting.

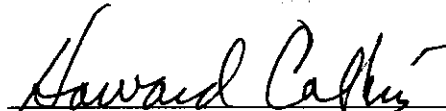
(b) If a closed meeting is conducted when the Town of Edgewood Governing Body is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed 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 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 Town of Edgewood Governing Body in an open public meeting.

**WHEREAS:** This Resolution supersedes Resolution No. 2007-12.

**PASSED, ADOPTED AND APPROVED this 19<sup>th</sup> day of December, 2007**

  
Howard Calkins, Mayor

ATTEST:

  
Jeff Condrey, Administrator Clerk-Treasurer