

**RESOLUTION 2023-001  
TOWN OF EDGEWOOD  
OPEN MEETINGS RESOLUTION**

**A RESOLUTION ESTABLISHING RULES OF PROCEDURE FOR TRANSACTION OF ALL MATTERS PRESENTED TO THE COMMISSION OF THE TOWN OF EDGEWOOD PRESENTING DETAILED RULES OF CONDUCT THEREOF, ESTABLISHING POLICY AND PROCEDURE WITH REFERENCE TO NOTICE OF GENERAL, SPECIAL, AND EMERGENCY MEETINGS OF THE MUNICIPAL COMMISSION.**

**WHEREAS,**

2022-02 Open Meetings Act Resolution will replace Open Meetings Resolution 2022-002; and

**WHEREAS,**

the Edgewood Governing Body met in regular session in the Commission Chambers located at 171-A State Road 344 Edgewood, NM 87015 on this 3<sup>rd</sup> day of January 2023 at 6:30 pm; and

**WHEREAS,**

section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to -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 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 action with 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 for 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 Commission to determine annually what constitutes reasonable notice of its public meeting.

**NOW, THEREFORE, BE IT RESOLVED** by the Commission that:

- 1) All meetings shall be held at the Town of Edgewood Commission Chambers located at 171-A State Road 344, Edgewood, NM 87015 at 6:30 pm or as indicated in the meeting notice.
- 2) Unless otherwise specified, regular meetings shall be held on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of each month beginning in February 2022. The agenda will be available at least seventy-two (72) hours prior to the scheduled meeting, posted at the following locations:

- I. Smith's Grocery - 2B Highway 344
- II. Mr. Gas - #1 Highway 344
- III. Edgewood Community Center - 27 E. Frontage Road
- IV. Mail and Copy Business Center - 2 Marietta Court
- V. Town Hall Office - 171A New Mexico 344
- VI. Town Website ([www.edgewood-nm.gov](http://www.edgewood-nm.gov))
- VII. Town Electronic Sign - (corner of NM 344 and 1-40)

- 3) Special meetings may be called by any Commission member upon seventy-two (72) hours' notice. The notice for all special meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda.
- 4) Emergency meetings will be called only under the unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens, acts of God, or to protect the public body from substantial financial loss. The Mayor and Commission will avoid emergency meetings whenever possible. The notice for all emergency meetings shall be given as soon as practicable and 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 two (2) of this resolution, notice required is met if the notice of the date, time, place, and the manner in which a copy of the agenda may be obtained is posted at the same locations listed in 2) above. Copies of the written notice shall also be emailed 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.
- 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, time, place, and agenda is posted at the same locations listed in 2) above:

Copies of the notice shall also be emailed to those broadcast stations licensed by the Federal Communications Commission and newspaper 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 an individual with a disability 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 of Edgewood five (5) days prior to the Commission meeting or as soon as possible at 505-286-4518. Public documents, including the agenda and minutes can be provided in various accessible formats.
- 8) When it is otherwise difficult or impossible for the Commission members to attend a meeting in person, the Commission members may participate in the meeting by means of conference telephone or other similar communications equipment, 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 Governing Body who speaks during the meeting.



9) The Mayor or Commission may close a meeting to the public only if the subject matter of such discussion or action is exempted 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 Commission 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 decision to hold a closed meeting is made when the Commission 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 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 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 discussion in a closed meeting shall be made by vote of the Commission in an open public meeting.

**PASSED, APPROVED, and ADOPTED by the Governing Body this 3<sup>rd</sup> day of January 2023.**

  
Audrey J. Jaramillo, CMO, Mayor

**ATTEST:**

  
Nina R. McCracken, Clerk

