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TAOS COUNTY
RESOLUTION NO. 2025-1

ESTABLISHING PUBLIC MEETING PROCEDURES OF THE TAOS COUNTY BOARD OF COMMISSIONERS PURSUANT TO THE NEW MEXICO OPEN MEETINGS ACT

WHEREAS, the Taos County Board of Commissioners met in regular session at 105 Albright Street, Taos, NM 87571 on January 7th at 9:00 a.m.; and

WHEREAS, Section 10-15-1D of the Open Meetings Act, NMSA §10-15-1 *et. seq.* (1978) requires the Taos County Board of Commissioners to determine annually what constitutes reasonable notice of its public meetings; and

WHEREAS, the Office of the Attorney General's Open Government Division, provides guidance to public entities regarding obligations to maintain compliance with the Open Meetings Act. The current guidance is attached hereto for all purposes; and

WHEREAS, the Taos County Board of Commissioners wishes to establish additional procedures for its public meetings.

NOW, THEREFORE, BE IT RESOLVED by the Taos County Board of Commissioners for the 2025 Calendar year that:

Section 1: Scheduling and Notice of Meetings

1. All regularly scheduled meetings shall begin at 9 a.m. at the Taos County Commission Chambers at 105 Albright Street, Taos New Mexico, or as otherwise indicated in the meeting notice.

2. Unless otherwise specified, regular meetings shall be held on the first and third Tuesday of each month. In the event that the regular meeting falls on a legal holiday or conflicts with another meeting or training, the governing body shall designate an alternate meeting date and/or time at a regular meeting prior to the holiday or training. Notice of all regular, meetings shall be provided as set out in this Resolution at least seventy-two (72) hours prior to each regular meeting. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda.

3. Special meetings may be called by the Chairperson, or a majority of the Commissioners. Notice of all special meetings shall be provided as set out in this Resolution at least seventy-two (72) hours prior to each special meeting. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda.

4. In the event that the date, time or place of a scheduled Regular Meeting or Work-study Meeting is to be changed or the meeting canceled, notice thereof shall be given in accordance with Paragraph 6 below, as soon as practicable prior to the time and date of the canceled meeting.

5. Emergency meetings may be called by the Chairperson, or a majority of the Commissioners upon twenty-four (24) hours notice prior to the meeting unless the circumstances of the emergency allow less than twenty-four (24) hours notice, in which case the notice may be less than twenty-four (24) hours. The notice shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda. Emergency meetings may be called only under unforeseen circumstances that if not addressed immediately will likely result in injury or damage to persons or property or substantial financial loss to the County. The Taos County Board of Commissioners will avoid emergency meetings whenever possible. Within 10 days of taking action on an emergency matter, the County shall report to the Attorney General's office the action taken and the circumstances creating the emergency; unless the requirement to report to the Attorney General is waived upon the declaration of a State or National emergency.

6. Notice of the date, time, place, and agenda shall be provided by: e-mail to a newspaper of general circulation within Taos County; posting in a conspicuous place at the Taos County Administration Building, 105 Albright Street, Taos, New Mexico; posting on the Taos County website; and emailing notice 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. Notice requirements of each Regular, Work-study and Special Meeting are met if completed within the time limits set out above.

7. A member of the Board of Commissioners may participate in a meeting of the Board of Commissioners by means of video conference or telephone when it is otherwise difficult or impossible for the Commissioner to attend the meeting in person, provided that each Commissioner 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 public body who speaks during the meeting.

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 meetings, please contact the Taos County Administration Office at 105 Albright Street, Suite G, Taos County, New Mexico, if a summary or other type of accessible format is needed.

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Section 2: Chairperson and Vice Chairperson

1. The Taos County Board of Commissioners shall choose its Chairperson and Vice Chairperson in an open meeting.

2. The Chairperson, and in his/her absence, the Vice Chairperson, shall preside over all meetings of the Board of Commissioners.

3. The Chairperson and the Vice Chairperson have all the rights of any other commission member for purposes of voting and making and seconding motions at all meetings.

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Section 3: Procedure for Placement of Items on Agenda

1. Any Commissioner, elected official, the County Attorney or County Manager may have items included on the agenda. All items to be placed on the agenda shall be provided to the County Manager no less than seven (7) days prior to the scheduled meeting. The County Manager shall finalize the agenda.

2. Any member of the public desiring to address the Board on a matter of public concern must submit a written request to be included on the agenda of a regular meeting to the County Manager or any Commissioner. The written request and all documents must be received by 5:00 p.m. on Tuesday, seven (7) days prior to the regularly scheduled meeting. The request shall state the name of the person who will speak, the subject upon which he or she will speak and a brief summary of the information to be provided. The matter to be addressed must be a matter of public concern and not a private dispute or issue between the speaker and another individual or group. The County Manager or the Commissioner to whom the request is submitted may either place the matter on the agenda or reject the request. The Chairperson shall determine the number of people who will be allowed to speak on any issue and shall determine appropriate time limitations for the presentation.

3. Anything in the immediately preceding paragraph to the contrary notwithstanding, the Chairperson may allow unscheduled comment by members of the public during a period identified for Public Comments in the agenda for any meeting. The matter to be addressed must be a matter of public concern and not a private dispute or issue between the speaker and another individual or group. The Chairperson shall determine the number of citizens who will be allowed to speak and shall determine appropriate time limitations for presentations. No action shall be taken by the County Commission during any Public Comments agenda item.

Section 4: Consent Agenda

The Consent Agenda is a portion of the full agenda that contains routine, non-controversial matters with which the governing body members are already familiar and which should not normally need discussion.

Any member of the Taos County Board of Commissioners or member of the public may request to have an item pulled from the Consent Agenda and acted on individually by the Board.

Section 5: Work-Study Sessions

The Taos County Board of Commissioners occasionally needs to gather, review and study information and documentation regarding a specific matter or a series of related matters. The Board may do so in a work-study session. Work-study sessions will be held whenever the majority of the Board calls for a work-study session. Work-study sessions shall be noticed in the same manner as a special meeting. If present, the Chairperson shall preside at the work-study session. The Vice-Chairperson shall preside at the session if the Chairperson is not present. The time limitations for presentations are at the discretion of the Chairperson for any work-study session. No decision of the Board shall be made and no votes shall be taken during a work-study session. Minutes will be kept by the Taos County Clerk or authorized delegate.

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Section 6: Closed Meetings

1. The Taos County Board of Commissioners 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 Board 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 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 Commissioners 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 Taos County Board of Commissioners in an open public meeting.

Section 7. Recess and Reconvene a Meeting

The Board may recess and reconvene a meeting to a later day, if, prior to recessing, the Board specifies the date, time, and place for the continuation of the meeting, and immediately following the recessed meeting, posts notice of the date, time and place for the reconvened meeting on the bulletin board at the Taos County Administrative Building, on the Taos County Website and other Taos County social media of the continuation of the meeting. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting.

Section 8. Public Hearings

Public hearings, which are required by State law or regulation or County ordinance to be held before the Commission, are sometimes listed on the agenda for regular or special meetings. The adjudicatory hearings shall be conducted in the manner required by the applicable State law or regulation or County Ordinance or Regulation. The Chairperson shall have the discretion to control the length of time for and the nature of any presentation to ensure the orderly presentation of the matter and to ensure that all points of view regarding the matter that is the subject of the adjudicatory hearing are heard.

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Section 9. Procedural Rules:

All procedural matters shall be determined in the first instance by applicable State statutes or regulations or County Ordinances or Resolutions.

PASSED AND APPROVED this 7th day of January 2025, by the Taos County Board of County Commissioners.

BOARD OF COUNTY COMMISSIONERS
OF TAOS COUNTY, NEW MEXICO

Chairperson

VOTE RECORD:

F.R. Romero	yes	no	abstain	absent
M. Romero Jr.	yes	no	abstain	absent
D. Vigil	yes	no	abstain	absent
A. Brush	yes	no	abstain	absent
R. Mascareñas	yes	no	abstain	absent

Attest:

Valerie Montoya, Taos County Clerk

Approved as to legal form:

Patrick Trujillo, Contract County Attorney

TAOS COUNTY CLERK
TAOS
RECORDER SEAL

TAOS COUNTY CLERK
RECORDER
SEAL
TAOS