

TAOS VALLEY ACEQUIA ASSOCIATION

RESOLUTION NO. 2016-2

WHEREAS, the Board of the Taos Valley Acequia Association (TVAA) met in regular session at the Taos County Agricultural Center on May 17, 2016, at 5:00 p.m; 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 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, there is an unresolved question whether TVAA is subject to the Open Meetings Act; and

WHEREAS, if TVAA is subject to the Open Meetings Act, Section 10-15-1(D) of the Open Meetings Act would require the TVAA to determine annually what constitutes reasonable notice of its public meetings;

WHEREAS, the TVAA Board wishes to avoid any question whether it is in compliance with the Open Meetings Act if it applies to TVAA;

NOW, THEREFORE, BE IT RESOLVED by the TVAA Board that:

1. All board meetings shall be held at the Taos County Agricultural Center at 5:00 p.m., or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held each month on the third Tuesday of the month. The agenda will be available at least seventy-two hours prior to the meeting from Judy Torres, Office Manager of the Taos Valley Acequia Association, whose office is located at 202 Chamisa Rd., Taos, New Mexico. The agenda will also be posted at the offices of the TVAA and on the TVAA's website at <http://taosacequias.org/>.
3. Notice of regular meetings other than those described in Paragraph 2 will be given ten days in advance of the meeting date. The notice will include a copy of the agenda or information on how a copy of the agenda may be obtained. If not included in the notice, the

agenda will be available at least seventy-two (72) hours before the meeting and posted on the TVAA's website at <http://taosacequias.org/>.

4. Special meetings may be called by the President or a majority of the members upon three (3) days notice. The notice for a special meeting shall include an agenda for the meeting or information on how a copy of the agenda may be obtained. The agenda will be available at least seventy-two (72) hours before the meeting and posted on the TVAA's website at <http://taosacequias.org/>.

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 TVAA will avoid emergency meetings whenever possible. Emergency meetings may be called by the President or a majority of the members with twenty-four (24) hours prior 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. Within ten days of taking action on an emergency matter, the TVAA will notify the Attorney General's Office.

6. For the purposes of regular meetings described in Paragraph 3 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: the TVAA office at the 202 Chamisa Rd., Taos, NM. Copies of the written notice shall also be mailed 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. For the purposes of special meetings and emergency meetings described in Paragraphs 4 and 5, notice requirements are met if notice of the date, time, place and agenda is provided by telephone to newspapers of general circulation in the state and posted in the offices of TVAA. 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.

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 Judy Torres at (575) 758-9461 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. Please contact Judy Torres at (575) 758-9461 if a summary or other type of accessible format is needed.

9. The TVAA 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.

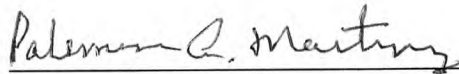
(a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Board of the TVAA taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to 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 TVAA 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.

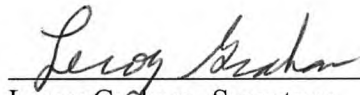
(c) Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or 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 TVAA Board in an open public meeting.

Passed by the Board of the Taos Valley Acequia Association this 17th day of May, 2016.



Palemon Martinez, President



Leroy Graham, Secretary