

Village of Mosquero
Resolution No. 2024-03

OPEN MEETINGS ACT FOR CALENDAR YEAR 2024 (Amended)

WHEREAS, The Village of Mosquero Council met in regular session in the Council Chambers, 38 Main St, Mosquero, NM on December 5, 2023 at 6:00 p.m. as per law; and

WHEREAS, Section 1-15-1(B) of the Open Meetings Act (NMSA 1978 *et seq*, Section 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 meeting of a quorum of members of any board, council, commission, administrative and judicatory 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 Meeting Act requires the Village Council to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the Village of Council that:

1. All meetings shall be held the second Tuesday of each month located at the Village of Mosquero Chambers at 38 Main St., Mosquero, New Mexico, at 5:00 p.m. for regular meeting.
2. Unless otherwise specified, regular meetings shall be held each month on the second Tuesday at 5:00pm at the Village Hall Council Chambers. A proposed agenda will be available during the week before the meeting from the Clerk Treasurer, whose office is located at 38 Main St, Mosquero, New Mexico. ***The final agenda will be available from the Clerk Treasurer at least seventy-two (72) hours in advance of each regular meeting.*** Notice of all 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. ***No action will be taken on any item not on the agenda unless such action pertains to an emergency as defined in the Open Meetings Act.***
3. ***Special meetings may be called by the Mayor or a majority of the members upon seventy-two (72) hour's notice.*** The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The agenda shall be available to the public at least ***seventy-two (72) hours*** before any Special Meeting.
4. ***Public Hearings will have a fifteen (15) day notice period for the public. Public hearings for Liquor License will have a thirty (30) day notice period for the public.***

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 Mosquero will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairman or a majority of the members with twenty-four 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 Mayor of the Village of Mosquero will notify the Attorney General's Office. *As used herein, "emergency" refers to unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss to the Village. If any such action as described in this paragraph is taken, such action and the circumstances creating the emergency shall be reported to the attorney general of the state of New Mexico within ten (10) days of such action as required by the Open Meetings Act.*
6. For the purpose of regular meetings described in paragraph 2 of this resolution, notice requirements are met, the notice of date, time, place, and general subject matter to be discussed is posted on the Village Website and in three places in the community. Notices will be placed at the following places in the Town of Mosquero:

Website: www.villageofmosquero.com
Village Hall
Harding County Courthouse
Post Office
Harding County Senior Center – Mosquero location
Mosquero Public School

7. For the purposes of special meetings and emergency meetings described in 3 and 4 of this resolution, notice requirements shall be met by posting notice of the date, time, place, and agenda in the office of the Clerk Treasurer. 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 Hall office at 575-673-2322 at least one week prior to the meeting or as soon as possible.

8. The Village Council 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 Village Council taken during the open meeting.

The authority for the closure and the subjects to be discussed shall be stated in the motion for closure and the vote on closure of each individual member shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting; and

(b.) If the decision to hold a closed meeting is made when the Village Council is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances and stating the specific provision of law authorizing the closed meeting and the subjects to be discussed, is given to the members and to the general public; and

(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(E), any action taken as a result of discussions in a closed meeting shall be made by vote of the Village Council in an open public meeting.


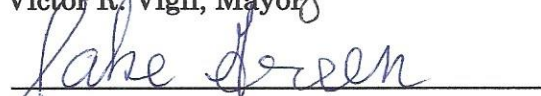


PASSED, ADOPTED AND APPROVED THIS 9TH DAY OF January 2024.

Governing Board of Mosquero, New Mexico

ATTEST:



Dallas Baker, Clerk


Victor R. Vigil, Mayor
Jake Green, Councilor
Margaret Green, Councilor
Theresa Trujillo, Councilor
Jimmie Ridge, Councilor