NEW MEXICO STATE WORKFORCE DEVELOPMENT BOARD
OPEN MEETINGS RESOLUTION

November 14, 2018

WHEREAS, the Open Meetings Act, Section 10-15-1 thru 4, NMSA 1978, 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 New Mexico State Workforce Development Board to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the New Mexico State Workforce Development Board gathered in regular meeting this May 18, 2017, that:

1. All meetings shall be held as indicated in the meeting notice, except that meetings may be canceled due to a lack of a quorum, due to inclement weather, or for other appropriate reasons.

2. Regular Meetings: Notice of regular meetings shall be given at least ten (10) days in advance of the meeting.

3. Special Meetings: Notice shall be given at least seventy-two (72) hours in advance of any special meeting.

4. Emergency Meetings: Emergency meetings may be called by the Chair upon at least twenty-four hours’ notice, or by the Vice Chair should the Chair be unavailable, unless threat of personal injury or property damage requires less notice. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens, or of the State of New Mexico, or of local public bodies from substantial financial loss.

5. For purposes of regular meetings described in Paragraph 2, notice requirements are met if notice of the date, time, place, and how to obtain a copy of the agenda is published in a newspaper of general circulation at least ten (10) days prior to the meeting. Notice shall also 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. The meeting agenda shall also be made available and placed on the web page of the New Mexico Department of Workforce Solutions at least 72 hours prior to the meeting.

6. For purposes of special meetings described in Paragraph 3, notice shall be placed on the web page of the New Mexico Department of Workforce Solutions, and notice shall also 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. The meeting agenda shall be made available and placed on the web page of the New Mexico Department of Workforce Solutions at least seventy-two hours prior to the meeting.

7. For purposes of emergency meetings described in Paragraph 4, notice requirements are met if notice of the date, time, place, and a copy of the agenda is made reasonably available under the circumstances, which may include posting at the office or on the web page of the New Mexico Department of Workforce Solutions, and using other methods that may be appropriate under the circumstances. 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 foregoing requirements, all notices shall include information on how persons with disabilities may request a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service in order to attend or participate in the meeting as may be required by the Americans with Disabilities Act.

9. A member of the New Mexico State Workforce Development Board may attend by conference telephone or other similar communications equipment, including Internet-based technologies. However, such attendance is allowed only when it is otherwise difficult or impossible for the member to attend in person. Such attendance is allowed at the discretion of the Chair, or of the Vice-Chair in the absence of the Chair. In addition, each member thus participating must be identified when speaking, all participants must be able to hear each other at the same time, and the public must be able to hear any member who speaks during the meeting.

10. The New Mexico State Workforce Development Board 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 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. The vote of each 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 to be conducted when the Board is not in an open meeting, the closed meeting shall not be held until appropriate public notice is given.
(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.

Passed by the New Mexico State Workforce Development Board this May 18, 2017.