



# **New Mexico Rural Water Association**

## **Resolution 2013-1**

### **Open Meetings**

WHEREAS, the New Mexico Rural Water Association is a private, nonprofit organization that wishes to conduct business openly and in view of our members and the public; and

WHEREAS, any meetings held by the Association at which the discussion or adoption of any proposed resolution, rule, or formal motion occurs will be held only after reasonable notice to the public; and

WHEREAS, the New Mexico Rural Water Association wishes to determine what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the Association that:

1. All meetings will be held in accordance with the Bylaws that have been duly adopted by the Association and as provided through this resolution.
2. The agenda for each regular meeting will be made available by the New Mexico Rural Water Association at least seventy-two hours prior to the meeting at the office of the Association, 8336 Washington Place NE, Albuquerque, New Mexico, and on the Association's website: [www.nmrwa.org](http://www.nmrwa.org). Notice of regular meetings will be given not less than ten days in advance of the regular meeting date. The notice will indicate how a copy of the agenda may be obtained.
3. Notice of special meetings will be given not less than three days in advance of the special meeting. The notice will include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The agenda will be available to the public at least twenty-four hours before any special meeting.
4. Notice of emergency meetings will include an agenda for the meeting or information on how the public may obtain a copy of the agenda.
5. An emergency meeting may be called with less than seventy-two hours notice if the issues involved could not have been anticipated and which, if not addressed immediately by the Association, will threaten the health, safety or property of persons or likely result in substantial financial loss to the Association. Written notice and the agenda will be available at the meeting place prior to the commencement of the emergency meeting.
6. For the purposes of all meetings, notice requirements are met if notice of the date, time, place, and agenda availability is posted at the office of the Association in Albuquerque, New Mexico, and made available on the website of the Association.
7. Any or all members of the Board of Directors of the Association may participate in a meeting by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the members to attend the meeting in person, 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 Board who speaks during the meetings.

8. The Board of Directors of the Association may close a meeting to the public only if the subject matter of such discussion or motion 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 will be approved by a majority vote of a quorum of the Board taken during the open meeting. The authority for the closure and the subjects to be discussed will be stated with reasonable specificity in the motion for closure and the vote on closure of each individual member will be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting.
  - b. If the decision to hold a closed meeting is made when the Board of Directors is not in an open meeting, the closed meeting will 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, will 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 will be made by vote of the Board of Directors in an open public meeting.
  - e. No proxy voting will be permitted on any matter discussed during or related to a closed meeting of the Board of Directors.
9. The Association shall keep written minutes of all open meetings. The minutes shall include the date, time and place of the meeting, names of the members in attendance and those absent, the substance of proposals considered and a record of any decisions and votes taken that show how each member voted. Draft minutes shall be prepared within ten working days after each meeting and shall be approved, amended or disapproved at the next meeting where a quorum of the Board of Directors is present. Minutes shall not become official until approved by the Board; recordings of open meetings of the Board may be made by Association support staff but only for the purpose of preparing the official minutes. After the official minutes have been approved, the recordings of the open meetings shall be erased or used for recording other open meetings of the Association. No minutes shall be kept of closed meetings of the Association.

PASSED, APPROVED AND ADOPTED this 17<sup>th</sup> day of April, 2013.

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David Kenneke, President

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Clarence Aragon, Secretary / Treasurer