

**RESOLUTION NO. 2021-01**  
**OPEN MEETINGS ACT**  
**PINOS ALTOS MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION**

**WHEREAS**, the Pinos Altos Mutual Domestic Water Consumers Association met in regular session at the Pinos Altos Fire Station on January 13, 2021 at 7:00 PM as required by law; and

**WHEREAS**, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to -4) state that, except as may be otherwise provided in the Constitution or the provisions of the Open Meeting 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 Pinos Altos Mutual Domestic Water Consumers Association to determine annually what constitutes reasonable notice of its public meetings;

**NOW, THEREFORE, BE IT RESOLVED** by the Pinos Altos Mutual Domestic Water Consumers Association that:

- 1) All meetings shall be held at the Pinos Altos Fire Station at 7:00 PM or as indicated in the meeting notice.
- 2) Unless otherwise specified, regular meetings shall be held the third Wednesday of odd numbered months. The agenda will be available at least seven (7) days prior to the meeting from the Board President whose office is located in Pinos Altos, New Mexico. Notice of any other regular meetings will be given at least ten (10) days in advance of the meeting date. The agenda will be available at least seven (7) days prior to the meeting.
- 3) Notice for any special meetings will be given at least three (3) days in advance of the meeting date. The agenda will be available to the public at least seventy-two (72) hours prior to any special meeting.

- 4) 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 Pinos Altos Mutual Water Consumers Association will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairman or a majority of the members upon twenty-four (24) hours' 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.
- 5) For the purposes of regular meetings described in paragraph 2 of the resolution, notice requirements are met if notice of the date, time, place and agenda is posted at the Pinos Altos Fire Station and on the association's website at [www.pamdwca.org](http://www.pamdwca.org).
- 6) For the purpose of special meetings and emergency meetings described in paragraph 3 and 4 of this resolution, notice requirements are met if notice of the date, time and agenda is provided at the Pinos Altos Fire Station and on the association's website at [www.pamdwca.org](http://www.pamdwca.org).
- 7) In addition to the information specified above, all notices shall be written in English.

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 Pinos Altos Mutual Consumers Association office at (575) 654-6461 at least one 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 the office at (575) 654-6461 if a summary or other type of accessible format is needed.

- 8) The Pinos Altos Mutual Domestic Water Consumers Association 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 Pinos Altos Mutual Domestic Water Consumers Association taken during the open meeting. The authority for the closed meeting and the subject 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 Pinos Altos Mutual Domestic Water Consumers Association 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) the Open Meeting Act, any action taken as a result of discussions in the closed meeting shall be made by vote of at least three (3) members in an open public meeting.

**PASSED, ADOPTED AND APPROVED** on the thirteenth (13) day of January 2021.

Thom M. Gelpaucher  
President

Allan Phillips V.P.  
Vice President

Rebecca S. Durand  
Treasurer

[Signature]  
Member at Large

ATTEST:

[Signature]  
Secretary

(seal)

