NEW MEXICO WASTEWATER TECHNICAL ADVISORY COMMITTEE ANNUAL OPEN MEETINGS POLICY AND NOTICE

Resolution Adopted March 22, 2013

I. Open Meetings

Pursuant to NMSA 1978, Sections 10-15-1(A) and (B), all meetings of a quorum of members of the Wastewater Technical Advisory Committee (WTAC) held for the purpose of formulating public policy, discussing public business, or for the purpose of taking any action within the authority delegated to the Committee shall be open to the public, except as otherwise provided by law. The location of such open meetings shall be as specified in the Notice of Open Meeting as discussed in Section II, below. Any member of the public may attend an open meeting and listen to the deliberations and proceedings of the WTAC. The public will be given an opportunity to present their views on issues discussed at the meetings, at the discretion of the Committee. A majority of the WTAC members constitutes a quorum for the transaction of business.

II. Notice of Regular Open Meetings

The WTAC will meet at least quarterly. The WTAC will post a Notice of Open Meeting, including the date, time, and place of the open meeting, at least fifteen calendar days prior to each meeting. Notice shall be posted at the Office of the Secretary, New Mexico Environment Department, Harold Runnels Building, 1190 St. Francis Drive, Santa Fe, New Mexico, 505-827-2855; and placed on the Environment Department website for matters related to the WTAC. Notice shall also be provided to any broadcast station licensed by the Federal Communications Commission and newspapers of general

circulation that have provided a request, in writing or by e-mail, for such notice. The WTAC will also give e-mail notices to persons who are registered on the Liquid Waste Program ListServ. Registration for the ListServ is available on the Liquid Waste Program website at: http://www.nmenv.state.nm.us/fod/LiquidWaste/index.html.

Except in case of an emergency as defined in NMSA 1978, Section 10-15-1(F), the WTAC will post an agenda of the meeting at least 72 hours prior to the meeting at the Office of the Secretary, New Mexico Environment Department, Harold Runnels Building, 1190 St. Francis Drive, Santa Fe, New Mexico, and place an agenda on the Environment Department website for matters related to the WTAC. The agenda will also be provided to any broadcast station licensed by the Federal Communications Commission and newspapers of general circulation that have provided a request, in writing or by e-mail, for such agenda. The WTAC will also send e-mail agendas to persons who are registered on the Liquid Waste Program ListServ. Registration for the ListServ is available on the Liquid Waste Program website at: http://www.nmenv.state.nm.us/fod/LiquidWaste/index.html.

The agenda shall indicate the date, time and place of the meeting, a description of the matter being discussed and considered for formal action, a list of any other specific items of business to be transacted, and the nature of the action contemplated at the open meeting. The order of items on the agenda may be amended at any time. Except for emergency matters as defined by NMSA 1978, Section 10-15-1(F), the Committee shall take action only on items appearing on the agenda. The agenda may be incorporated into the Notice of Open Meeting.

III. Notice of Special Open Meetings

The Chair or a majority of the members of the WTAC may call a special meeting upon 72 hours notice. The notice issued for a special meeting shall include the agenda for the special meeting, and both shall conform with the requirements of Section II of this policy. The WTAC shall only discuss the items listed on the agenda provided for the special meeting.

IV. Notice of Emergency Open Meetings

In the event of an emergency as defined in NMSA 1978, Section 10-15-1(F), the WTAC shall provide 24 hours notice, if practicable, and shall report the actions taken and circumstance creating the emergency to the New Mexico Attorney General within ten days provided that no reporting to the New Mexico Attorney General shall occur if a state or national emergency has been declared if the need for the emergency meeting arises from facts and circumstances related to the declaration of the state or national emergency.

V. Minutes

The WTAC shall keep written minutes of all its meetings. The minutes shall include at a minimum the date, time and place of the meeting, the names of members in attendance and those absent, the substance of the proposals considered and a record of any decisions and votes taken that show how each member voted. All minutes are available for public inspection. Draft minutes shall be prepared within ten working days after the meeting and shall be approved, amended or disapproved at the next meeting

where a quorum is present. Minutes of the WTAC are not official until approved by the WTAC.

VI. Closed Meetings

Meetings of a quorum which would otherwise be open shall not be closed except in conformance with NMSA 1978, Section 10-15-1 (H). If any meeting is closed, the closure shall be made in an open meeting and approved by a majority of the WTAC; the authority of the closure and the subject to be discussed shall be stated with reasonable specificity in the motion calling for the vote on a closed meeting; the vote shall be taken in an open meeting; and the vote of each member shall be recorded in the minutes. Only those subjects announced or voted upon prior to closure by the WTAC may be discussed in the closed meeting. If the closed meeting is called for outside of an open meeting, the Notice of Open Meeting shall state the provision of law under which the closures will take place and state the subject to be discussed. The minutes of a closed meeting shall state whether only those subjects specified when the meeting was closed were discussed in the closed meeting. Except as provided in NMSA 1978, Section 10-15-1(H), any action taken as a result of discussions in a closed meeting shall be made by vote of the WTAC in an open meeting.

VII. Participation by Telephone or Videoconference

Pursuant to NMSA 1978, Section 10-15-1(C), a WTAC member may participate in any open meeting by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the member to

attend the meeting in person; provided that each member attending and participating by conference telephone or videoconference 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 who speaks during the meeting.

Adopted and issued by the Wastewater Technical Advisory Committee on March 22, 2013.

W. Daniel Boivin, Chair