

**STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION**

2015 OPEN MEETINGS ACT NOTICE RESOLUTION

WHEREAS, the New Mexico Water Quality Control Commission (the "WQCC" or "Commission") met in regular session at Santa Fe, New Mexico on January 13, 2015, at 9:00, a.m.; and

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to -4) ("OMA") requires that, except as may be otherwise provided in the New Mexico Constitution or the provisions of OMA, all meetings of a quorum of members of any board, 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 public meetings open to the public at all times; and

WHEREAS, the WQCC is a public body subject to the provisions of OMA;

WHEREAS, under Section 10-15-1(D), any meetings subject to the OMA 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) requires the WQCC to determine annually what constitutes reasonable notice of its public meetings;

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

1. All meetings shall be held at Santa Fe, New Mexico at 9:00 a.m. or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held on the second Tuesday of each month. The agenda will be available at least seventy-two (72) hours prior to the meeting from the WQCC Administrator, whose office is located at 1190 S. St. Francis Drive, S2100, Santa Fe, New Mexico. Notice of any other regular meetings will be given ten (10) days in advance of the meeting date. The agenda for other regular meetings will be posted on the WQCC website at least seventy-two (72) hours prior to the meeting. The notice shall also indicate how a copy of the agenda may otherwise be obtained. In the event it is difficult or impossible to attend a Commission meeting in person, Commissioners may participate by electronic or telephonic means as long as the Commission can hear and communicate clearly with the physically absent participant.
3. Special meetings may be called by the Chair or a majority of the members upon three (3) days notice. The agenda for the meeting shall be posted on the WQCC website at least seventy-two (72) hours in advance of any special meeting, and the meeting 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 prior to any special meeting.

4. Emergency meetings will be called only under unforeseen circumstances which demand immediate action to protect the health, safety or property of citizens or to protect the public body from likely substantial financial loss. The WQCC will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chair or a majority of the members upon twenty-four (24) hours notice, unless threat of personal injury or property damage require 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 this Resolution, notice requirements are met if notice of the date, time, place and agenda is posted on the WQCC website maintained by the New Mexico Environment Department, at the office of the WQCC Administrator, and at the Governor's Office. Copies of the written notice shall also be mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation which have made a written request for notice of public meetings.

6. For the purposes of special meetings described in Paragraphs 3 of this Resolution, notice requirements are met if notice of the date, time, place and agenda is posted on the WQCC website maintained by the New Mexico Environment Department, at the office of the WQCC Administrator, and at the Governor's Office. Telephone notice 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.

7. For the purpose of emergency meetings described in Paragraph 4 of this Resolution, notice requirements are met if notice of the date, time, place and agenda is posted on the WQCC website maintained by the New Mexico Environment Department, at the office of the WQCC Administrator, and at the Governor's Office. Telephone notice 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 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 WQCC Administrator, whose office is located at 1190 S. St. Francis Drive, S2100, Santa Fe, New Mexico, 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 WQCC Administrator at the address above if a summary or other type of accessible format is needed.

9. The WQCC 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) Under Section 10-15-1(I), if any meeting of the WQCC is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the WQCC 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 and the vote of

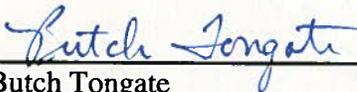
each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.

(b) If the decision to hold a closed meeting is made when the WQCC 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) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote of the WQCC in an open public meeting.

Passed by the New Mexico Water Quality Commission this 13th day of January, 2015.



Butch Tongate
Chair of the Commission