

THE NEW MEXICO
COUNTY INSURANCE AUTHORITY
GENERAL MEMBERSHIP
2021 OPEN MEETINGS ACT RESOLUTION

WHEREAS, Section 10-15-1(B) of the Open Meetings Act, (NMSA 1978, § 10-15-1 to 10-15-4, "Act") provides that, except as may otherwise be provided in the constitution or the provisions of the Act, all meetings of a quorum of members of any board, commission, or other policy-making body of any state agency, any agency or authority of any county, municipality, district or political subdivision, 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; and

WHEREAS, any meetings subject to the 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 III(E)(7) of the By Laws of the New Mexico County Insurance Authority requires General Membership meetings to comply with the Act;

WHEREAS, Section 10-15-1(D) of the Act requires the General Membership of the New Mexico Counties Insurance Authority to determine annually what constitutes a reasonable notice of its public meetings;

NOW THEREFORE, BE IT RESOLVED by the General Membership of the New Mexico Counties Insurance Authority that:

Section 1. Regular Meetings

- A. Time and Place.** The General Membership shall meet at least once annually in conjunction with the Legislative Conference of the New Mexico Association of Counties held in January of each year in Santa Fe, New Mexico.
- B. Notice.** Notice of regular meetings shall be posted at least fifteen (15) calendar days in advance of the meeting in a conspicuous and appropriate place at the New Mexico Counties ("NMC") Offices located at 444 Galisteo St., Santa Fe, New Mexico and on the NMC website.
- C. Notice of Rescheduled Regular Meeting.** Notice of the rescheduled meeting shall be posted in a conspicuous and appropriate place at the NMC Offices and website at least ten (15) days prior to the date of the meeting.
- D. Notice to Radio, Television and Print Media.** Notice of a regular meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

Section 2. Special Meetings.

- A. **When Held.** A special meeting of the General Membership may be called by the Chair or by a majority of the members of the Board at such time and place as the Chair or a majority of the members of the Board deem appropriate.
- B. **Notice of Special Meeting.** Notice of a special meeting shall be posted in a conspicuous and appropriate place at the NMC Offices and on the NMC's website at least fifteen days (15) days before such meeting.
- C. **Notice to Radio, Television and Print Media.** Notice of a special meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

Section 3. Emergency Meetings.

- A. **Emergency Meeting, When, Where Held.** An emergency meeting of the General Membership may be called by the Chair or by a majority of the members of the Board to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss to the Pool. An emergency meeting may be conducted at a time and place as the Chair or a majority of the members of the Board deem appropriate.
- B. **Notice.** If possible given the emergency circumstances, notice of an emergency meeting shall be posted in a conspicuous and appropriate place at the NMC Offices and on the NMC's website at least twenty-four (24) hours prior to the meeting. If twenty-four (24) hours advance notice cannot be given, notice shall be posted as soon as possible.
- C. **Notice to Radio, Television and Print Media.** Notice of an emergency meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.
- D. **Required Report.** Within ten (10) days of taking action on an emergency matter, the Membership shall report to the Attorney General's Office the action taken and the circumstances creating the emergency, except in the event of a declared state or federal emergency.

Section 4. Agendas.

Meeting notices shall include an agenda containing a list of specific items of business to be discussed or transacted at the meeting or information on how the public may obtain a copy of such an agenda. If not included in the notice of meeting, a final agenda shall be prepared and posted in a conspicuous and appropriate place at the NMC Offices and on the NMC website at least seventy-two (72) hours before the meeting. Except for emergency matters, action shall be taken only on items appearing on the final agenda.

Section 5. Recessed Meetings.

A meeting may be recessed to a later day, if, prior to recessing, the date, time and place for continuation of the meeting is specified, and, immediately following the recessed meeting, notice of the date, time and place for the reconvened meeting is posted on or near the door of the place where the original meeting was held. Only matters appearing on the agenda of the

original meeting may be discussed at the reconvened meeting unless notice of the reconvened meeting is provided as otherwise set forth herein.

Section 6. Cancelled Meetings.

A meeting may be cancelled by posting a notice of cancellation in a conspicuous and appropriate place at the NMC Offices and posting notices of the cancelled meeting on the doors of the building where the meeting was to be held as soon as practicable prior to the time and date of the cancelled meeting.

Section 7. Telephonic Participation.

A Member Representative may participate in a General Membership Meeting by means of a telephone conference, as authorized by Section 10-15-1(C), when it is otherwise difficult or impossible for the member to attend the meeting in person. Any member participating by telephone conference shall be identified when speaking. The Chair shall ensure that all Member Official Representatives and the public are able to hear any Member Official Representative participating telephonically.

Section 8. Closed Meetings. A meeting may be closed in the following manner:

- A. If the General Membership is in open session when a closed meeting is desired and authorized by the Act, then the closed meeting shall be approved on motion by a majority of a quorum of the General Membership, and the authority for the closure shall be stated in the motion. The votes of the members on the motion shall be recorded in the minutes.
- B. If the General Membership is not in a public meeting and a closed meeting is desired and authorized, public notice of the closed meeting, appropriate under the circumstances, shall be given stating the authority for the closure.
- 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 that the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

Section 9. Notice Responsibility.

The New Mexico Counties Risk Management Director shall be responsible for drafting and delivering all notices required herein.

Section 10. Authorized Signature.

The Chair of the New Mexico Counties Insurance Authority Board is authorized to sign this resolution on behalf of the General Membership and in the absence of the Chair, the Vice Chair will preside.

Section 11. Prior Resolutions Rescinded.

The General Membership's prior Open Meetings Act resolutions are hereby rescinded.

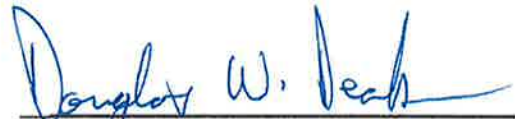
Section 12. Disability Accommodation.

All notices shall include the following: "If you are an individual with a disability who is need of a reader, amplifier, qualified sign or language interpreter, or any other form of auxiliary aid or service to attend or participate in the meeting, please contact the NMC Risk Management Department at (505) 820-8115 at least one (1) week prior to the meeting or as soon as possible."

ADOPTED AND APPROVED BY THE GENERAL MEMBERSHIP THIS THE NINETEENTH DAY OF JANUARY, 2021.



NMCI Vice Chair



Doug Decker,
Attorney Affiliate Representative