

OPEN MEETINGS ACT RESOLUTION

of the

Eastern Area Workforce Development Board

WHEREAS, The members of the Eastern Area Workforce Development Board met in regular session on June 17, 2025 as required by law; and

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to 4) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings 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 deregulated 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 Eastern Area Workforce Development Board to determine annually what constitutes reasonable notice of its public meetings;

WHEREAS, Section 10-15-1 (C) allows a public body to provide members of a public body to participate in a meeting of the public body by means of a conference telephone or other similar communicating equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating, by conference telephone or other similar communicating equipment 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 public body who speaks during the meeting; and

NOW, THEREFORE BE IT RESOLVED by the Eastern Area Workforce Development Board that:

1. All meetings shall be held at the time indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held quarterly on the third Tuesday of September, December, March, and June. The agenda will be available at least seventy-two hours prior to the meeting from the Eastern Area Workforce Development Board - Administrative office which is located at 110 W. Country Club, Roswell, New Mexico. The agenda will also be

posted at the offices of the Eastern Area Workforce Development board and on the Eastern Area Workforce Development board's website at www.eawdb.org.

3. Telephonic or virtual attendance by board members shall only be permitted when it is otherwise difficult or impossible for members to attend the in-person meeting. Notice must be provided to the board chair at least 24 hours in advance of the meeting. Allowable examples of difficult or impossible include, but are not limited to:

- a. Illness or injury
- b. Family health circumstances
- c. Other meeting commitments that coincide with the travel time required to attend the in-person meeting
- d. Being on personal or work-related travel during the regularly scheduled meeting
- e. Loss of work productivity resulting from the travel time required to attend the in-person meeting when the travel time would exceed the length of the meeting time

Board members attending virtually or by telephone must identify themselves when speaking.

4. Notice of regular meetings other than those described in Paragraph 2 will be given ten days in advance of the meeting date. The notice will include a copy of the agenda or information on how a copy of the agenda may be obtained. If not included in the notice, the agenda will be available at least seventy-two hours before the meeting and posted on the Eastern Area Workforce Development Board's website at www.eawdb.org.

5. Special Meetings may be called by the Chair or a majority of the members upon three (3) days notice. The notice shall include an agenda for the meeting and information on how members of the public may obtain a copy of the agenda. The agenda shall be available at least seventy-two hours before the meeting and posted on the Eastern Area Workforce Development Board's website at www.eawdb.org.

6. Emergency meetings will be called only if unforeseen circumstances arise that demand immediate action in order to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Eastern Area Workforce Development Board 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 and information on how the public may obtain a copy of the agenda. Within ten days of taking action on an emergency matter, the Eastern Area Workforce Development Board will notify the Attorney General's office.

7. For the purpose of regular meetings described in Paragraph numbered 4 of this resolution, notice requirements are met if notice of the date, time, place, and agenda is placed in newspapers of general circulation in the eastern area and posted at the Eastern Area Workforce Development Board office located at 110 W. Country Club Rd., Suite 6, Roswell, NM 88201.

8. For the purpose of special meetings or emergency meetings described in Paragraphs numbered 5 and 6 of this resolution, notice requirements shall be met if notice of the date, time, place, and agenda is provided by telephone to newspapers of general circulation in the eastern area and posted in the offices of the NM Department of Workforce Solutions (NMDWS).

9. In addition to the information specified above, all notices shall include the following language: "if you are an individual with a disability and require assistance or auxiliary aid, or would like additional information on the agenda for the meeting, please contact Tamara Suarez at 575-208-1189."

10. The Eastern Area Workforce Development Board may close a meeting to the public only if the subject matter of such discussion or action is exempted from the open meeting requirement under Section 10-15-I(H) of the Open Meeting 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 Eastern Area Workforce Development Board taken during the open meeting. The authority for the closure and the subjects to be discussed shall be stated with reasonable specificity in the motion for closure and the vote on closure of each individual member shall 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 is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provisions of the law authorizing the closed meetings and the subjects to be discussed with reasonable specificity to be 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-I(H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by a vote of the Eastern Area Workforce Development Board in an open public meeting.

Open Meetings Resolution passed by the Eastern Area Workforce Development Board on this 17th day of June 2025.

As Approved:

A handwritten signature in blue ink that reads "Darren Davis". The signature is written in a cursive style with a horizontal line underneath it.

Darren Davis, Chair

06/17/2025

Date