

NEW MEXICO OIL CONSERVATION COMMISSION
RESOLUTION DATED: JANUARY 18, 1996

WHEREAS, the New Mexico Oil Conservation Commission met in regular session at the New Mexico Oil Conservation Division hearing room on the 2nd floor at 2040 Pacheco Street, Santa Fe, New Mexico 87505, on January 18, 1996 at 9 a.m. 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 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 Oil Conservation Commission to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the Oil Conservation Commission that:

1 All meetings shall be held at the New Mexico Oil Conservation Division hearing room on the 2nd floor at 2040 S. Pacheco Street, Santa Fe, New Mexico 87505, at 9 a.m. or as indicated in the meeting notice.

2. Unless otherwise specified, regular meetings shall be held each month on the third Thursday. The agenda will be available at least twenty-four hours prior to the meeting from the New Mexico Oil Conservation Division, whose office is located at 2040 S. Pacheco Street, Santa Fe, New Mexico 87505. Notice of any other regular meetings will be given ten (10) days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.

3. Special meetings may be called by the Chairman or a majority of the members upon three (3) days notice. The 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 twenty-four hours before any special meeting.

4. Emergency meetings will be called only under unforeseen circumstances which demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Oil Conservation Commission 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 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 placed in a newspaper of general circulation in the state and posted in the following locations: 2nd Floor, 2040 S. Pacheco Street, Santa Fe, New Mexico 87505. The Oil Conservation Commission Secretary shall also mail copies of the written notice 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 and emergency meetings described in paragraphs 3 and 4 of this resolution, notice requirements shall be met by posting notice of the date, time, place and agenda in the offices of the New Mexico Oil Conservation Division, 2040 S. Pacheco Street, Santa Fe, New Mexico 87505. The Oil Conservation Commission Secretary shall also provide telephone notice 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. 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 New Mexico Oil Conservation Division at 2040 S. Pacheco Street, Santa Fe, New Mexico 87505, (Phone No. 827-7131) 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 New Mexico Oil Conservation Division at 2040 S. Pacheco Street, Santa Fe, New Mexico 87505, (Phone No. 827-7131) if a summary or other type of accessible format is needed.

8. The Oil Conservation Commission 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 10-15-1(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 Oil Conservation Commission 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 Oil Conservation Commission 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 Oil Conservation Commission in an open public meeting.

9. The Rules and Procedure of the Rules and Regulations of the Oil Conservation Division are applicable to all cases docketed before the Oil Conservation Commission and before Oil Conservation Division Examiners.

Passed by the Oil Conservation Commission this 18th day of January, 1996.