

NEW MEXICO GAMING CONTROL BOARD

2019 OPEN MEETINGS RESOLUTION

WHEREAS, the New Mexico Gaming Control Board ("Board") met in a regular Board meeting at the Board office, located at 4900 Alameda Blvd. N.E., Albuquerque, New Mexico 87113, on January 23, 2019 at 9:00 a.m. for a closed session and at 11:00 a.m. for an open session; and

WHEREAS, the Board's Open Meetings policy is intended to follow the Open Meetings Act (NMSA 1978, Section 10-15-1 to 10-15-4) which requires at Section 10-15-1(B) that all meetings of a quorum of members of any Board, council, commission, administrative, adjudicatory body or other policymaking body of any state agency, any agency or authority of any county, municipality, district or any political subdivision, held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances discussing public business or for the purpose of taking any action within the authority of or the delegated authority of any board, commission or other policymaking body are declared to be public meetings at all times, except as otherwise provided in the constitution of New Mexico or the Open Meetings Act. Further, Section 10-15-1(D) requires that such policymaking body is to determine annually what constitutes reasonable notice of its public meetings.

NOW, THEREFORE, BE IT RESOLVED:

1. **Regular Meetings.** Regular meetings of the Board will be held at least monthly. Notice of regular meetings will be given at least ten (10) days prior to the meeting date. Meeting notices will 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. The agenda will be available from the Board at least seventy-two (72) hours prior to the regular meeting.

2. **Special Meetings.** Special meetings may be called by the Board Chairman, the executive director, or a majority of the members of the Board then in office upon at least five (5) days' notice. The notice will include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The agenda will be available to the public at least seventy-two (72) hours before any special meeting.

3. **Emergency Meetings.** Emergency meetings will be called only under circumstances that demand immediate action such as unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or substantial financial loss to the Board. Emergency meetings may be called by the Board Chairman or a majority of the members upon twenty-four (24) hours notice, unless circumstances require less notice. The notice for all emergency meetings will include an agenda for the meeting or information on how the public may obtain a copy of the agenda.

4. **Working Sessions.**

A. **Board Business.** A quorum of the Board may meet periodically in working sessions. A working session is any meeting of a quorum of the Board for the purpose of conducting Board business that does not involve any formal action by the Board. Such sessions may include, but are not limited to: (a) discussions related to the formulation of public policy prior to the formal discussion

or adoption of any resolution, rule, regulation, statement of policy or any order in any case pending before the Board or before taking any other formal action authorized by law; (b) discussions of internal administrative matters concerning the operations of the Board; and (c) discussions between Board staff and the Board in preparation for formal discussion or action. The agenda will indicate the topics to be discussed at the meeting.

B. Open Meetings. Working sessions of a quorum of the Board are open meetings and open to the public, unless the subject of the working session is included in NMSA 1978, Section 10-15-1(H), and the Board decides to close the working session to the public in accordance with NMSA 1978, Section 10-15-(I). Any person wishing to attend a working session of the Board that has not been closed pursuant to NMSA 1978, Section 10-15-1(H) and (I) and this Resolution will be allowed to attend and listen to the discussion.

5. Telephone Conference: Any or all members of the Board may participate in a meeting by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the members to attend the meeting in person, provided that each member participating by conference telephone 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 Board who speaks during the meeting.

6. Notice

A. Regular and Special Meetings. For purposes of regular meetings and special meetings described in paragraphs 1 and 2 of this Resolution, notice requirements are met if notice of the date, time, place and agenda, or notice of where to obtain an agenda, of the meetings is placed conspicuously at the offices of the Board located at 4900 Alameda Blvd. N.E., Albuquerque, New Mexico 87113 and posted on the NMGCb website located at www.nmgcb.org. The Board will also mail or e-mail copies of the written 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 Board meetings.

B. Emergency Meetings. For the purposes of emergency meetings described in paragraph 3 of this Resolution, notice requirements will be met by posting notice of date, time, place and agenda of the emergency meeting conspicuously at the offices of the Board located at 4900 Alameda Blvd. N.E., Albuquerque, New Mexico 87113 and on the NMGCb website located at www.nmgcb.org. The Board will also provide telephonic or e-mail 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 Board meetings.

C. Working Sessions. For purposes of working sessions described in paragraph 4 of this Resolution, and except in the case of an emergency as defined in NMSA 1978, Section 10-15-1(F), the Board will conspicuously post an agenda of the working session, at least 72 hours in advance, outside the Board office at 4900 Alameda Blvd. N.E., Albuquerque, New Mexico 87113. The Board also will provide notice by delivering an agenda by mail or e-mail to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of Board meetings. In addition, the agenda for the working session will be posted on the NMGCb website located at www.nmgcb.org.

7. Auxiliary Aids. In addition to the information specified above, all notices will include substantially 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 Board at (505) 841-9700 or gcb-pio@state.nm.us 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 Board at (505) 841-9700 or gcb-pio@state.nm.us if a summary or other type of accessible format is needed.

8. **Closed Meetings.** The 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 10-15-1(H) of the Open Meeting Act.

A. **Closure during Open Meeting.** If any meeting is closed during an open meeting, such closure will be by a majority vote of a quorum of the Board taken during the open meeting. The authority for the closure and the subjects to be discussed will be stated with reasonable specificity in the motion for closure and the vote on closure of each individual member will be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting.

B. **Other Closed Meetings.** If the decision to hold a closed meeting is made when the Board is not in an open meeting, the closed meeting will 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. **Minutes.** Following completion of any closed meeting, the minutes will state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

D. **Action in Open Meeting.** Except as provided in Section 10-15-1(H) of the Open Meeting Act, any action taken as a result of discussions in a closed meeting will be made by vote of the Board in an open public meeting.

After discussion, the foregoing Resolution was duly moved by the Board and adopted by the following vote:

Aye	Nay	Absent
Jeffery S. Landers		
Ray Willis		
Jeremiah Ritchie		

Date Adopted: January 23, 2019



Jeffery S. Landers, Chairman

2/4/19

Date



Ray Willis

1-23-19

Ray Willis
Ray Willis

1-23-19
Date


Jeremiah Ritchie

Date