

RESOLUTION NO. 2024/2025-001
BOARD OF DIRECTORS OF THE
TIMBERON WATER AND SANIATION DISTRICT
TIMBERON, NEW MEXICO
OPEN MEETINGS ACT RESOLUTION

WHEREAS, the Board of Directors of the Timberon Water and Sanitation District met in a "Regular Public" monthly meeting at the Timberon Community Center on January 14th, 2025, at 4:00 pm; and

WHEREAS, the Board of Directors of the Timberon Water and Sanitation District State of New Mexico has determined that the formation of policies and the conduct of business by vote shall be conducted in monthly meetings which are open to the public, as set forth in Section 10-15-1 NMSA (As Amended); and

WHEREAS, reasonable notice of the time and place of any meeting of the Board of Directors of Timberon Water and Sanitation District is necessary to carry out the business of the District; and

WHEREAS, the Open Meetings Act states, "all meetings of a quorum of members of any board, 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 open to the public at all times, except as otherwise provided in the constitution of New Mexico or the Open Meetings Act. (NMSA 1978, 10-15-1); and

WHEREAS, any meeting subject to the Open Meetings Act 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 delegated authority of the body, shall be held only after reasonable notice to the public; and

WHEREAS, the district is a quasi-municipal local governmental body subject to the provisions of the Open Meeting Act; and

WHEREAS, PURSUANT TO THE Open Meetings Act, the Board shall determine annually what notice for a public meeting of the Board is reasonable, (NMSA 1978 Section 10-15-1).

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Timberon Water and Sanitation District that:

1. All Board meetings shall be held in accordance with the annual schedule of meetings adopted by the Board. Provided that, dates and locations of Board meetings may be changed by the Board from time to time and notice of such changes shall be provided as appropriate.
2. All regular meetings of the Board of Directors shall be held at 4:00 pm at the Timberon Community Center, "Lodge", 1 Bobwhite Circle, Timberon, New Mexico, 88350, on the second Tuesday of each month.

3. This NOTICE OF PUBLIC MEETINGS shall be posted at the Timberon Community Center, "Lodge", located at 1 Bobwhite Circle, Timberon, New Mexico, 88350; posted at the Timberon Public Bulletin Board located at 1559 Sacramento Dr., Timberon New Mexico, 88350, and the Timberon Water and Sanitation District website at timberonwater.com.
4. A member of the Governing Body of the Timberon Water and Sanitation District, or any of its boards, commissions, committees, agencies, authorities, or policymaking bodies of the District may participate in a meeting or that public body by means of a conference telephone or similar communications equipment *when a quorum of the board isn't present*. The board members must be 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.
5. Regular meetings of the Board shall be held once monthly. A proposed agenda containing a list of specific items of business to be discussed or transacted at the regular meetings shall be available and posted at least seventy-two (72) hours prior to the regular meeting at the Timberon community Center at 1 Bobwhite Circle, "Lodge", Timberon, New Mexico, 88350; posted at the Timberon Public Bulletin Board located at 1559 Sacramento Drive, Timberon, New Mexico, 88350, and on the District's website at: <https://timberonwater.com>. Copies of the agenda may be obtained at the Offices of the Timberon Water and Sanitation District Office located at 1 Bobwhite Circle, Timberon, New Mexico, 88350.
6. Special meetings of the Board shall be called by the Chairman or by a majority of the members of the Board upon no less than three (3) days' notice. The notice shall include an agenda for the meeting. The agenda shall be available to the public at least seventy-two (72) hours before the special meeting.
7. Informational and educational meetings may be called by the Chairman or by a majority of the members of the Board upon no less than one (1) day notice. No decisions on matters of public policy or relating to public business will be made at such informational and educational meetings.
8. Emergency meetings shall be called only when necessary to address unforeseen circumstances that, if not addressed immediately by the District, would likely result in injury or damage to persons or property or substantial loss to the District. The District will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairman or by a majority of the Board members, upon twenty-four (24) hours' notice, unless threat of personal or property damage requires 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. Except for emergency matters, action shall be taken only on items appearing on the final agenda. An "emergency" refers to "unforeseen circumstances that, if not addressed immediately by the Board, will likely result in injury or damage to persons or property or substantial loss to the public body." NMSA 1978 Section

10-15-1 (F). Within ten (10) days of taking action on an emergency matter, the District 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 of federal emergency.

9. Board meetings may be closed to the public only if the subject matter of the discussion or action is exempted from the open meetings requirement under Section 10-15-1 (H) of the Open Meetings Act.
 - a) If any meeting is closed during an open meeting, such closures shall be approved by a majority vote of a quorum of the Board taken during an open meeting. The authority for closure and the subjects to be discussed shall be stated in the motion for closure and the vote on closure of each individual member shall be recorded in the minutes. Only those items specified in the motion may be discussed in the closed meeting.
 - b) If the decision to hold a closed meeting is made when the Board is not in open meeting, the closed meeting shall not be held until public notice appropriate under the circumstances and stating the specific provisions of law authorizing the closed meeting and the subjects to be discussed is given to the members of the Board and to the general public by posting a notice at the Timberon Lodge, Post Office and TWSD website.
 - c) Except as provided in Section 10-15-1 (H) of the Open Meetings Act, any action taken because of discussions in a closed meeting shall be made by vote of the Board in an open public meeting.

10. Following completion of any closed Board meeting the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately held, shall state that the matters discussed in the closed meeting were limited to those specified in the motion for closure or in the notice of the separate closed meeting. This statement shall be approved by the Board as part of the minutes.

11. The Board shall keep written minutes of all meetings. Minutes shall, as a minimum, include the date, time, and place of the meeting, the names of Board members in attendance and those absent. The substance of the agenda items considered and a record of any decisions and votes taken that show how each Board member voted. All minutes are open to public inspection. Draft minutes shall be prepared within ten (10) working days after the meeting and shall be approved, amended, or disapproved at the next meeting when a quorum is present. Minutes shall not become official until approved by the Board.

12. Provision shall be made for persons with handicaps to be able to attend and fully participate in regular meetings, special meetings of the Board, except only during closed meetings as described in Section 6 of this Resolution.

**NOTICE OF PUBLIC MEETINGS 2025
BOARD OF DIRECTORS OF THE
TIMBER WATER AND SANITATION DISTRICT**

In accordance with Section 10-15-1, NMSA 1978 (as amended), notice is hereby given that the Board of Directors of the Timberon Water and Sanitation District of Timberon, New Mexico, 88350, will meet in regular session the second Tuesday of every month at 4:00 p.m. The meetings will be held at the Timberon Community Center "Lodge" located at 1 Bobwhite Circle, Timberon, New Mexico 88350.

Bylaws 5.02 Citizen Participation: All persons who wish to, shall be permitted to attend and listen to the deliberations or proceedings.

Listed below are the Regular Meetings scheduled for 2025:

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|--------------------|------------------|--------------------|------------------|
| JANUARY 14 | 4:00 p.m. | JULY 8 | 4:00 p.m. |
| FEBRUARY 11 | 4:00 p.m. | AUGUST 12 | 4:00 p.m. |
| MARCH 11 | 4:00 p.m. | SEPTEMBER 9 | 4:00 p.m. |
| APRIL 8 | 4:00 p.m. | OCTOBER 14 | 4:00 p.m. |
| MAY 13 | 4:00 p.m. | NOVEMBER 11 | 4:00 p.m. |
| JUNE 10 | 4:00 p.m. | DECEMBER 9 | 4:00 p.m. |

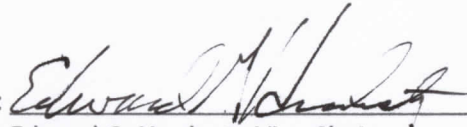
An agenda for each meeting is available and posted from the Timberon Water and Sanitation District seventy-two (72) hours prior to the meeting date. Note: The Timberon Water and Sanitation District is wheelchair accessible. Other special assistance for disabled attendees must be requested one week in advance by contacting the General Manager at the Timberon Water and Sanitation District Office at (575) 987-2250.

I hereby certify that this notice was posted on the public bulletin board located at 1559 Sacramento Drive, Timberon, New Mexico, 88350. On the bulletin board outside the Community Center, "Lodge" in the glass case located at 1 Bobwhite Circle, Timberon, New Mexico, 88350. This notice is also posted on the Timberon Water and Sanitation District web page (<https://timberonwater.co>) in January 2025 and will remain posted through the end of 2025.

Approved by the Board of Directors of the Timberon Water and Sanitation District on January 14th, 2025.

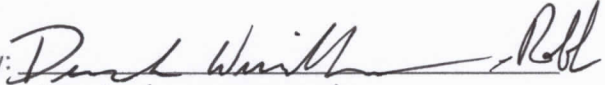
PASSED, APPROVED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE TIMBERON WATER AND SANITATION DISTRICT ON THE 14th day of January, 2025.

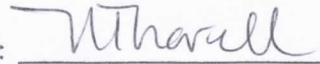
By: 
David Cruey, Chairman

By: 
Edward G. Hardesty, Vice Chairman

By: 
Jessie "JJ" Duckett, Treasurer

By: _____
Alan Burmeister, Director

By: 
Director (seat currently vacant)

Attested by: 
Nanett Thorell, Board Secretary