

THE DOÑA ANA COUNTY PLANNING AND ZONING COMMISSION

2017 ANNUAL NOTICE REQUIREMENTS FOR REGULAR, SPECIAL, AND EMERGENCY MEETINGS

WHEREAS, pursuant to the Open Meeting Act, NMSA 1978, §§ 10-15-1 et seq., in particular § 10-15-1(B), all meetings of a quorum of the members of the Planning and Zoning Commission (P&Z), held for the purpose of discussing public business or for the purpose of taking any action within the authority delegated to the P&Z, are declared to be public meetings and shall be open to the public, consistent with the provisions of the Open Meetings Act; and

WHEREAS, the Open Meetings Act, in particular § 10-15-1(D), requires that the P&Z determine, on at least an annual basis, what shall constitute reasonable notice to the public of meetings of the P&Z;

NOW, THEREFORE, the Planning and Zoning Commission, consistent with the By-Laws of the Commission, hereby adopts the following notice requirements for meetings of the Commission for 2017:

I.

Unless otherwise specified, regular meetings of the Commission shall be held on the second and fourth Thursday of each month, (with the exception of no second Thursday meeting in November and December), at nine o'clock a.m. in the County Commission Chambers, 845 North Motel Blvd., Las Cruces, New Mexico. **See attached Exhibit A for the schedule of P&Z meetings for 2017.**

II.

Notice of cancellation of a regularly scheduled meeting shall be announced and/or posted by County Planning staff after notification by the Chair. Although other statutory or regulatory notice and publication requirements may apply, notice of regular meetings shall be given at least seventy-two (72) hours in advance of the meeting date. Notice requirements are met if notice of the date, time, place, and agenda is delivered to newspapers of general circulation in the County, if required by law, and posted at the County Government Center. Copies of the notice and agenda shall be made available for the public at the Community Development Office. The Community Development Staff (Staff) shall also provide notice by mail, telephone, facsimile transmission, or other means of electronic communications to those broadcast stations licensed by the FCC, and newspapers of general circulation, that have made a written request for notice of the Commission's meetings.

III.

Notice of a special or emergency meeting shall be met by posting notice of the date, time, place, and agenda at the Community Development Office and on the County Website at www.donaanacounty.org seventy-two (72) hours in advance of the meeting, unless the

threat of personal injury or property damage require/ justify less notice for an emergency meeting. Copies of the notice and agenda shall be available at the Community Development Office. The Staff shall also provide notice by mail, telephone, facsimile transmission, or other means of electronic communications to those broadcast stations licensed by the FCC and newspapers of general circulation that have made a written request for notice of public meetings. Within ten (10) days of taking action on an emergency matter, the public body shall report to the Attorney General's Office the action taken and the circumstances creating the emergency.

IV.

Substantial compliance with any one of the appropriate foregoing methods of giving notice shall constitute compliance with these Annual Notice Requirements and the Open Meetings Act. Nothing herein shall prevent the use of additional means or methods of giving notice of regular, special, or emergency meetings. Nothing herein shall require new notice of any public meeting, or case, for which notice has been given, and which recessed or adjourned. Provided, however, that in recessing such meeting or case, the presiding officer shall announce the date, time, and place at which the meeting or the case shall resume.

Approved this 12th day of January, 2017 by the Doña Ana County Planning and Zoning Commission.

Brent Westmoreland, Chair

Mel Acosta, Vice-Chair

Robert J. Czerniak, Secretary

Gregory T. Daviet, Member

Bill Zarges, Member

Maryann Galindo, Member

John S. Townsend, Member