



# NEW MEXICO MILITARY INSTITUTE

## Board of Regents

101 West College Boulevard  
Roswell, New Mexico 88201-5173



### OPEN MEETINGS NOTICE RESOLUTION

**WHEREAS**, the Board of Regents of New Mexico Military Institute (“Board”) met in regular session on 13th of July, 2021 at 10:00 A.M., as required per 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, including the development of personnel policy, rules or regulations, 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 Board to determine annually what constitutes reasonable notice of its public meetings;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Regents of the New Mexico Military Institute that:

1. All meetings shall be held as indicated in the meeting notice.
2. Notice of 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. The agenda will be available at least seventy-two (72) hours prior to the meeting from the President and Superintendent’s office located in Lusk Hall, New Mexico Military Institute, 101 West College, Roswell, New Mexico.
3. Special meetings may be called by the President or a majority of the board 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 seventy-two (72) hours before any special meeting.
4. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Board of Regents will avoid emergency meetings whenever possible. Emergency meetings may be called by the President and Superintendent or a majority of the members of the Board of Regents upon twenty-four hours’ notice, unless threat of personal injury or property damage

# NEW MEXICO MILITARY INSTITUTE

## Board of Regents

101 West College Boulevard  
Roswell, New Mexico 88201-5173

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.

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 the Roswell Daily Record and posted in Lusk Hall. The Board 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 are met if notice of the date, time, place and agenda is provided by telephone to newspapers of general circulation in the state and posted in Lusk Hall. Telephone notice also shall be given 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 Office of the President and Superintendent at New Mexico Military Institute 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 call (575) 624-8001 if a summary or other type of accessible format is needed.

8. The Board may close a meeting to the public only if the subject matter of such discussion or action is excepted 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 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 to close, and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.

(b) If a closed meeting is conducted 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 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

# NEW MEXICO MILITARY INSTITUTE

## Board of Regents

101 West College Boulevard  
Roswell, New Mexico 88201-5173

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 Board in an open public meeting.

9. The Board recognizes that Board members will occasionally attend social events, community functions, school activities or programs, athletic events or meetings of other groups or entities, or be present at local commercial establishments. In the event a quorum of the membership of the Board is present on such occasions, a violation of this resolution and the Open Meetings Act does not occur so long as the board members do not discuss school business or prospective Board actions as described in this resolution. By adoption of this resolution, each member represents and agrees to abide by these limitations and not to engage in such discussions outside the context of a duly-called board meeting that complies with the Open Meetings Act.

Passed by the Board of Regents of New Mexico Military Institute this 13th day of July, 2021.