

New Mexico Board of Veterinary Medicine
October 2021 – October 2022
OPEN MEETINGS RESOLUTION

WHEREAS, the **New Mexico Board of Veterinary Medicine** met via Zoom Videoconferencing at a regular meeting on October 22, 2021, in Albuquerque, New Mexico, as provided 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 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 such board, are declared to be public meetings open to the public; 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 **New Mexico Board of Veterinary Medicine** to determine annually what constitutes reasonable notice of its public meeting;

NOW, THEREFORE, BE IT RESOLVED by the **New Mexico Board of Veterinary Medicine (“Board”)** that:

- (1) Regular Meetings: Notice shall be given at least ten (10) days in advance of any regular meeting. 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 on the Board’s website and at the Board’s office, located at 7301 Jefferson Street NE, Ste. H Albuquerque, NM 87109-4363.
- (2) Special Meetings: Notice shall be given at least three (3) days in advance of any special meeting. 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 on the Board’s website and at the Board’s office, located at 7301 Jefferson Street NE, Ste. H Albuquerque, NM 87109-4363.
- (3) Emergency meetings: 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 Board from substantial financial loss. The Board will avoid emergency meetings whenever possible. Notice shall be given at least twenty-four (24) hours in advance of any emergency meeting. The notice shall indicate how a copy of the agenda may be obtained. The agenda will be available at least twenty-four (24) hours

prior to the meeting from the Board's office, located at 7301 Jefferson Street NE, Ste. H Albuquerque, NM 87109-4363. Within five (5) days of taking action on an emergency matter, the Board will report the action taken and the circumstances creating the emergency to the Attorney General's Office.

- (4) Rule Hearings: Rulemaking proceedings shall be governed by NMSA 1978, Sections 61-1-29 to -31 of the Uniform Licensing Act. As required by Section 61-1-29, notice of rulemaking proceedings shall be given at least thirty (30) days prior to the hearing date. Notice of rulemaking proceedings shall also be made in the New Mexico Register in accordance with the State Rules Act, NMSA 1978, Sections 14-4-1 to -11. The notice shall include information on the date, time, place, and subject of the hearing, the manner in which interested persons may present their views, and where copies of the proposed regulations may be obtained.
- (5) Teleconference Participation: When it is difficult or impossible for a member of the Board to attend a meeting in person, the member may participate by means of a conference telephone, or other similar communications equipment, as authorized by Section 10-15-1(C) and as provided by the Board's rules and regulations.
- (6) Requirements of Legal Notice of Regular Meetings: For the purposes of regular meetings described in paragraph (1) of this resolution, notice requirements shall be met if notice of the date, time, place and information on how to obtain an agenda is placed in a newspaper of general circulation and posted at the Board's office, located at 7301 Jefferson Street NE, Ste. H Albuquerque, NM 87109-4363. The Board's Executive Director shall also 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 public meetings.
- (7) Requirements of Legal Notice of Special and Emergency Meetings: For the purposes of special and emergency meetings described in paragraphs (2) and (3) of this resolution, notice requirements shall be met if notice of the date, time, place, and information on how to obtain an agenda is given by telephone to a newspaper of general circulation in the state and posted at the Board's office located at 7301 Jefferson Street NE, Ste. H Albuquerque, NM 87109-4363. Telephone notice of those meetings shall also 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.
- (8) Requirements of Legal Notice of Hearings: Reasonable efforts will be made to give notice of the rulemaking to the public. For the purpose of hearings described in paragraph (4) of this resolution, notice requirements shall be met if notice of the date, time, place, subject of the hearing, the manner in which interested persons may present their views, and where copies of the proposed regulations may be obtained, is published in a newspaper of general circulation and the New Mexico Register. Copies of the written notice shall be mailed or emailed to individuals, as well as for newspapers of general circulation, that have made a written request for notice of public hearings.

- (9) Provisions for Americans With Disabilities Act (ADA): 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 Board's Executive Director at (505) 553-7021 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 Executive Director at (505) 553-7021 if a summary, or other type of accessible format, is needed.

- (10) Closed Session Requirements: 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 Meetings Act.

- (a) Requirements to Enter into Closed Session: 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 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) Legal Notice Requirements for Closed Session: 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) Requirements Following Closed Session: 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. This statement shall be approved by the Board as part of the minutes.
- (d) Board Action: Except as provided in Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussion held in a closed meeting shall be made by a vote of the Board in an open public meeting.

Adopted by the **New Mexico Board of Veterinary Medicine** this 22nd day of October, 2021.

Signed: Rebecca J. Washburn DVM October 22, 2021
Board Chair Date