

OPEN MEETINGS ACT RESOLUTION

Southwestern Area Workforce Development Board

WHEREAS, the members of the Southwestern Area Workforce Development Board met in a duly noticed meeting in **Silver City, New Mexico**, on **March 26, 2026**, as required by law; and

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 through 10-15-4) states that, except as otherwise provided in the Constitution of New Mexico or the Open Meetings Act, all meetings of a quorum of members of any public body held for the purpose of formulating public policy, discussing public business, or taking any action within the authority of such body are declared to be public meetings open to the public at all times; and

WHEREAS, Section 10-15-1(C) allows members of a public body to participate in meetings through conference telephone or other similar communications equipment when it is otherwise difficult or impossible to attend in person; and

WHEREAS, Section 10-15-1(D) requires the Southwestern Area Workforce Development Board to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Area Workforce Development Board adopts the following procedures:

1. Regular Meetings

Regular meetings of the Southwestern Area Workforce Development Board shall be held at least quarterly at dates, times, and locations identified in the meeting notice.

The Board may establish a regular meeting schedule each year to provide advance notice to the public.

Notice of Regular Meetings

Notice of regular meetings shall be provided at least ten (10) days in advance of the meeting date.

Notice requirements are met if the date, time, location, and information on how to obtain the agenda are provided through the following methods:

- posted on the Board's website, www.employnm.com
- posted at local America's Job Center New Mexico offices in the Southwestern Area
- submitted to newspaper(s) of general circulation that have requested notice from the Board
- provided to broadcast media that have requested notice from the Board.

When notices are published in newspaper(s) as legal notices, affidavits of publication shall be retained as part of the Board's official records.

Additionally, public notices will be posted on social media outlets, including but not limited to Facebook, LinkedIn, and Instagram.

Agendas for Regular Meetings

Agendas for regular meetings will be available at least seventy-two (72) hours prior to the meeting and may be obtained from the Administrative Entity office located at:

600 Highway 195, Suite C
Elephant Butte, New Mexico 87935

Mesilla Community Center
2251 Calle de Santiago, Room 2
Mesilla, NM 88046

Agendas will also be:

- posted on the Board's website, www.employnm.com
- posted at local America's Job Center New Mexico offices in the Southwestern Area
- submitted to newspaper(s) of general circulation that have requested notice from the Board
- provided to broadcast media that have requested notice from the Board.

Additionally, a link to the agenda will be posted on social media outlets, including but not limited to Facebook, LinkedIn, and Instagram.

2. Special Meetings

Special meetings may be called by the Chair or a majority of the Board members upon three (3) days notice.

Notice of Special Meetings

Notice requirements are met if the date, time, location, and information on how to obtain the agenda are provided through the following methods:

- posted on the Board's website, www.employnm.com
- posted at local America's Job Center New Mexico offices in the Southwestern Area
- submitted to newspaper(s) of general circulation that have requested notice from the Board
- provided to broadcast media that have requested notice from the Board.

When notices are published in newspaper(s) as legal notices, affidavits of publication shall be retained as part of the Board's official records.

Additionally, public notices will be posted on social media outlets, including but not limited to Facebook, LinkedIn, and Instagram.

Agendas for Special Meetings

Agendas for special meetings will be available at least seventy-two (72) hours prior to the meeting and may be obtained from the Administrative Entity office located at:

600 Highway 195, Suite C
Elephant Butte, New Mexico 87935

Mesilla Community Center
2251 Calle de Santiago, Room 2
Mesilla, NM 88046

Agendas will also be:

- posted on the Board's website, www.employnm.com
- posted at local America's Job Center New Mexico offices in the Southwestern Area
- submitted to newspaper(s) of general circulation that have requested notice from the Board
- provided to broadcast media that have requested notice from the Board.

Additionally, a link to the agenda will be posted on social media outlets, including but not limited to Facebook, LinkedIn, and Instagram.

3. Emergency Meetings

Emergency meetings will be called only under unforeseen circumstances that require immediate action to protect:

- public health
- public safety
- public property
- the public body from substantial financial loss.

Emergency meetings may be called by the Chair or a majority of the members upon twenty-four (24) hours notice unless a threat of personal injury or property damage requires less notice.

Notice of Emergency Meetings

Notice of emergency meetings will be provided as soon as practicable, including posting on the Board's website, www.employnm.com, and other available notice locations when feasible.

Within ten (10) days of taking action at an emergency meeting, the Board shall notify the New Mexico Attorney General's Office of the meeting, the actions taken, and the circumstances that created the emergency.

4. Teleconference Participation

Board members may participate by conference telephone or similar communications equipment when attendance in person would otherwise be difficult or impossible.

Members planning to participate telephonically/remotely should notify the Administrative Entity board meeting staff 24 hours in advance, if possible. The staff will notify the Board Chair prior to the meeting.

Examples of circumstances that may limit or prevent in-person attendance include, but are not limited to, health or medical conditions, caregiving responsibilities, work-related conflicts, unavoidable personal conflicts, transportation barriers, distance or rural travel constraints, weather or safety conditions, and other reasonable circumstances that would make in-person participation impractical.

Members participating remotely must be identifiable when speaking. All participants must be able to hear each other simultaneously. Members of the public attending the meeting in person must also be able to hear all participants. If technical issues prevent a Board member from being heard or from hearing the proceedings, the member may not be counted toward establishing a quorum.

Meeting minutes shall indicate whether members attended in person or participated remotely. Supporting documentation, including the attendance sheet with the reason for remote participation, will be maintained by the Administrative Entity (AE) Board staff.

5. Public Participation

Members of the public may attend meetings in person. When available, meetings may also be accessible through electronic communication systems. Electronic access is provided solely as a convenience, and the Board is not responsible for individual technical difficulties experienced by participants of the public, including issues related to internet connectivity, devices, or user error. Access may be limited or disrupted by conditions beyond the Board's control.

Public comment opportunities may be included on meeting agendas consistent with Board policy.

6. Closed Meetings

The Board may close a meeting only if the subject matter is exempt from the open meeting requirement under Section 10-15-1(H), NMSA 1978.

The motion to close a meeting must:

- state the specific statutory authority for the closure
- identify the subject matter with reasonable specificity
- record the vote of each member.

No other matters may be discussed during a closed meeting.

Following a closed meeting, the Board shall reconvene in open session, and the presiding officer shall state that the matters discussed in the closed meeting were limited only to those specified in the motion for closure.

Any action resulting from a closed meeting must be taken in an open public meeting.

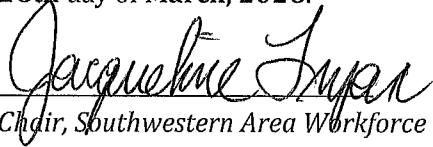
7. Accessibility

All notices shall include the following statement:

The Southwestern Area Workforce Development Board is an Equal Opportunity Employer and will make every effort to provide reasonable accommodations for

people with disabilities who wish to attend a public meeting. Please provide notification at least 72 hours before the meeting by calling (575) 744-4857.

PASSED AND ADOPTED by the Southwestern Area Workforce Development Board on this **26th** day of **March, 2026**.

A handwritten signature in cursive script that reads "Jacqueline Super". The signature is written in black ink and is positioned above a horizontal line.

Chair, Southwestern Area Workforce Development Board