

## NEW MEXICO GAMING CONTROL BOARD

### 2017 OPEN MEETINGS RESOLUTION

2017-0001

**WHEREAS**, the New Mexico Gaming Control Board (“Board” or “NMGCB”) met in a regular Board meeting at the Board office, located at 4900 Alameda Blvd. N.E., Albuquerque, New Mexico 87113, on January 18, 2017 at 11:00 a.m.

**WHEREAS**, the Board’s Open Meetings policy is intended to follow the Open Meetings Act (NMSA 1978, Section 10-15-1 to 10-15-4) which requires at Section 10-15-1(B) that all meetings of a quorum of members of any Board, council, 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 at all times, except as otherwise provided in the constitution of New Mexico or the Open Meetings Act. Further, Section 10-15-1(D) requires that such policymaking body is to determine annually what constitutes reasonable notice of its public meetings;

#### **NOW, THEREFORE, BE IT RESOLVED:**

**1. Notice for Regular Meetings.** Regular meetings of the Board will be held at least monthly. Notice of regular meetings will be given at least ten (10) days prior to the meeting date. Meeting notices will adequately, accurately, and sufficiently in advance inform the public of the meeting’s time, place and date, and will be posted in a place and manner accessible to the public, such as the front lobby at the Board’s Albuquerque office where the public is allowed. In addition, the notice for these meetings will be posted on the NMGCB website located at [www.nmgcb.org](http://www.nmgcb.org). The Board will also mail or e-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 Board meetings.

**2. Notice for Special Meetings.** Special meetings may be called by the Board Chairman, the executive director, or a majority of the members of the Board then in office upon at least five (5) days’ notice. Meeting notices will adequately, accurately, and sufficiently in advance inform the public of the meeting’s time, place and date, and will be posted in a place and manner accessible to the public, such as the front lobby at the Board’s Albuquerque office where the public is allowed. In addition, the notice for these meetings will be posted on the NMGCB website located at [www.nmgcb.org](http://www.nmgcb.org). The Board will also mail or e-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 Board meetings.

**3. Notice for Emergency Meetings.** Emergency meetings will be called only under circumstances that demand immediate action such as unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or substantial financial loss to the Board. Emergency meetings may be called by the Board Chairman or a majority of the members upon twenty-four (24) hours’ notice, unless circumstances require less notice.

The notice for all emergency meetings will include an agenda for the meeting or information on how the public may obtain a copy of the agenda.

**4. Working Sessions.**

**A. Board Business.** A quorum of the Board may meet periodically in working sessions. A working session is any meeting of a quorum of the Board for the purpose of conducting Board business that does not involve any formal action by the Board. Such sessions may include, but are not limited to: (a) discussions and information gathering sessions where staff or licensees present information to the Board related to the development of resolutions, rules, regulations; and (b) discussions of internal administrative matters concerning the operations of the Board.. The agenda will indicate the topics to be discussed at the meeting.

**B. Open Meetings.** Working sessions of a quorum of the Board are open to the public, unless the subject of the working session is included in NMSA 1978, Section 10-15-1(H), and the Board decides to close the working session to the public in accordance with NMSA 1978, Section 10-15-1(I).

**5. Telephone Conference.** Any or all members of the Board may participate in a meeting by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the members to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are 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 Board who speaks during the meeting.

**6. Agenda.**

**A. Regular and Special Meetings.** For purposes of regular meetings and special meetings described in paragraphs 1 and 2 of this Resolution, the agenda shall contain a list of specific items of business to be discussed or transacted at the Board meeting. The agenda will be available from the Board at least seventy-two (72) hours prior to the regular meeting on the NMGCB website located at [www.nmgcb.org](http://www.nmgcb.org).

**B. Emergency Meetings.** For the purposes of emergency meetings described in paragraph 3 of this Resolution, the agenda shall contain a list of specific items of business to be discussed or transacted at the Board meeting. In addition, the agenda for this meeting will be posted on the NMGCB website located at [www.nmgcb.org](http://www.nmgcb.org)

**C. Working Sessions.** For purposes of working sessions described in paragraph 4 of this Resolution, the agenda shall contain a list of specific items of business to be discussed or transacted at the Working Session. The agenda will be available from the Board at least seventy-two (72) hours prior to the Working Session on the NMGCB website located at [www.nmgcb.org](http://www.nmgcb.org).

**7. Auxiliary Aids.** In addition to the information specified above, all notices will include substantially 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 Public Relations Coordinator at 841-9700 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. The Board's Public Relations Coordinator will provide a summary or other type of accessible format as needed.

**8. Closed Meetings.** 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 Meeting Act.

**A. Closure During Open Meeting.** If any meeting is closed during an open meeting, such closure will be 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 will be stated with reasonable specificity in the motion for closure and the vote on closure of each individual member will be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting.

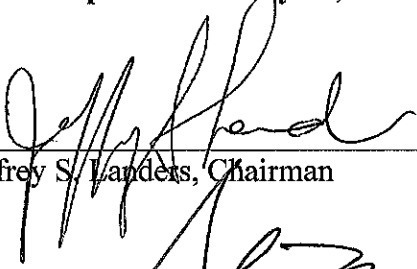
**B. Other Closed Meetings.** If the decision to hold a closed meeting is made when the Board is not in an open meeting, the closed meeting will not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity is given to the members and to the general public.

**C. Action in Open Meeting.** Except as provided in Section 10-15-1(H) of the Open Meeting Act, any action taken as a result of discussions in a closed meeting will be made by vote of the Board in an open public meeting.

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

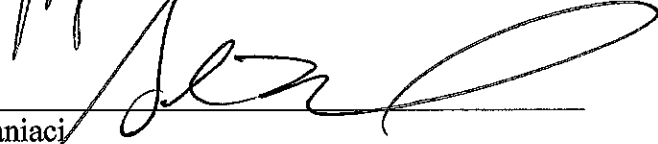
**A. Closed Meetings.** Following completion of any closed meeting, the minutes of the open meeting that was closed or the minutes of the next open meeting if the closed meeting was separately scheduled shall state that the matters discussed in the closed meeting were limited only to those specified in the motion for closure or in the notice of the separate closed meeting. This statement shall be approved by the Board under Paragraph 9 of this section as part of the minutes.

Date Adopted: January 18, 2017



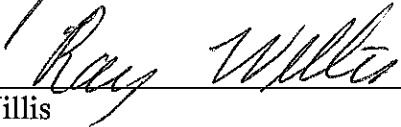
Jeffrey S. Landers, Chairman

1/18/17  
Date



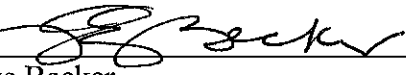
Sal Maniaci

1/18/2017  
Date



Ray Willis

1-18-2017  
Date



Paulette Becker

1-18-17  
Date