

PUBLIC IMPROVEMENT DISTRICT 2007-1
PID RESOLUTION NO. 2011-1

A RESOLUTION ADOPTING AN ANNUAL OPEN MEETINGS ACT POLICY.

WHEREAS, the Board of Directors (the "Board") of the Public Improvement District No. 2007-1, located in the Village of Angel Fire, New Mexico (the "District"), a public improvement district duly created, established and existing pursuant to Sections 5-11-1 through 5-11-27, NMSA 1978, as amended ("PID Act"), met in regular session at the Village of Angel Fire, Village Hall Meeting Room, 3388 Mountain View Blvd. in Angel Fire, New Mexico on January 12, 2011, at 1:30 p.m.; and

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (Sections 10-15-1 through 10-15-4, NMSA 1978) ("Open Meetings Act") 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, 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;

WHEREAS, Section 10-15-1(C) provides that "if otherwise allowed by law or rule of the public body, a member of a public body may participate in a meeting of the public body by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the member 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 public body who speaks during the meeting."

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD THAT:

1. All future regular meetings of the Board through January 31, 2012 shall be held at Village Hall Meeting Room, Village of Angel Fire, 3388 Mountain View Boulevard, Angel Fire, New Mexico at 1:30PM on the 2nd Wednesday of each month or as otherwise indicated in the meeting notice.

2. The agenda for each regular meeting will be available at least twenty-four (24) hours prior to the meeting from the Village of Angel Fire Village Clerk's Office at Village Hall, 3388 Mountain View Boulevard, Angel Fire, New Mexico. Notice of

regular meetings will be given at least seven (7) days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.

3. Special meetings may be called by the Chairperson or any other Director upon two (2) 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 twenty-four hours before any special meeting.

4. Emergency meetings will be called only under unforeseen circumstances which demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Board will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairperson or a majority of the members upon twenty-four (24) hours' notice, unless threat of personal injury or property damage require 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 a newspaper which maintains an office in the municipality and is of general circulation within the Village of Angel Fire, or, if there is no newspaper which maintains an office in the municipality, then notice shall be accomplished by posting notice in three (3) public places within the Village of Angel Fire on the first day that publication is required in a newspaper which maintains an office in the municipality and is of general circulation within the Village of Angel Fire. The District's Clerk 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 paragraph 3 and 4 of this resolution, notice requirements shall be met by posting notice of the date, time, place and agenda in the offices of the District and two (2) other public places within the Village of Angel Fire. The District Clerk shall also provide telephone 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. 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 Public Improvement District No. 2007-1 at PO Box 1046, Angel Fire, NM 87710 at least one (1) 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 Public Improvement District No. 2007-1, phone number 575-377-3483 at 3465 Mountain View Blvd. Ste. 14 Angel Fire, New Mexico 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 exempted 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 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) If the decision to hold a closed meeting is made 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 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. A Board member of the District may participate and be included in a meeting for the transaction business by the District by means of a conference telephone or other similar telecommunications device when it is difficult or impossible for the Board member to attend a meeting in person. In order for telephone participation to satisfy the Open Meetings Act and this resolution, each member participating by conference telephone must be capable of being identified when speaking, all participants must be able to hear each other at the same time and members of the public attending the meeting must be able to hear any Board member of the District who speaks during the meeting.

PASSED, ADOPTED AND APPROVED by the Board of Directors this 12th day of January 2011.

BOARD OF DIRECTORS OF THE
PUBLIC IMPROVEMENT DISTRICT 2007-1

ACTING Charles Kerry
Chairperson

ATTEST:

SSollars
District Administrator

Charles Verry
District Clerk

[Signature]
DIRECTOR