Cumbres & Toltec Scenic Railroad Commission

Resolution 2023-011

A Resolution to Adopt an Open Meeting Policy

WHEREAS, the Cumbres & Toltec Scenic Railroad Commission met in regular session at Chama, New Mexico on November 11, 2023 at 9am as required by law;

WHEREAS, it is the desire of the Commission to honor the intent of the New Mexico and Colorado Open Meetings Acts;

WHEREAS, any meeting subject to Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action shall be held only after reasonable notice to the public;

WHEREAS, The Commission is required to determine annually what constitutes reasonable notice of its public meetings and the Commission desires to establish its 2024 regular meeting schedule;

NOW, THEREFORE BE IT RESOLVED that:

1. Meetings shall be held at alternating locations, between New Mexico and Colorado, at 9am, or as indicated in the meeting notice.

2. Unless otherwise specified, regular meetings shall be held on February 17, May 11, August 10, and November 2, 2024. The meeting agendas will be available at least 72 hours prior to the meeting from the Commission, whose office is located at 5250 US Hwy 85, Antonito, Colorado, or the satellite office at 500 Terrace Ave, Chama, New Mexico. The agendas will also be posted at the United States Post Office in Antonito, Colorado and Chama, New Mexico and on the Commission's website at: http://commission.ctsrr.com.

3. Special meetings may be called by the Chairman or a majority of the members of the Commission upon three days' notice. The notice shall include an agenda for the meeting OR information on how a copy of the agenda may be obtained. The agenda will be available at least seventy-two hours before the meeting and posted on the Commission's website at: http://commission.ctsrr.com.

4. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect health, safety, and property, or to protect the Commission from substantial financial loss. The Commission will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairman or a majority of the members with twenty-four hours' notice unless threat of personal injury or property damage 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 the date, time and place and agenda is posted at the United States Post Office in Chama, New Mexico, and Antonito Colorado, and posted on the Commission's website at: http://commission.ctsrr.com.

6. For the purposes of special and emergency meetings described in Paragraph 3 & 4 of this resolution, notice requirements are met if the date, time and place and agenda is posted at the United States Post Office in Chama, New

Mexico and Antonito Colorado, and posted on the Commission's website at: http://commission.ctsrr.com.

7. The Commission may close a meeting to the public if the subject matter of such discussion or action is excepted from the Open Meeting Acts requirements, including but not limited to limited personnel matters, attorney-client privilege pertaining to threatening or pending litigation, and discussion of the purchase, acquisition or disposal or real property or water rights by the Commission. No action will be taken by the Commission in a closed session. The Commission may revise the order of the agenda items being considered.

Passed by the Cumbres & Toltec Scenic Railroad Commission this 11th day of November, 2023.

Billy R. Elbrock, Chairman

W. Scott Gibbs

Mark Graybill

Kim Smith Casford