

Be it remembered that at the Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 12th day of October, 2023, the following proceedings were had and entered of record.

FIRST AMENDED RESOLUTION 23-05

NOTICE OF RIGHT TO INSPECT PUBLIC RECORDS

WHEREAS, Luna County Government shall comply with the Inspection of Public Records Act of New Mexico, Section 14-2-1 through 12, NMSA 1978;

WHEREAS, any person wishing to inspect public records may submit an oral or written request to the Custodian of Public Records. However, the procedures set forth in the Act shall be in response to a written request. The failure to respond to an oral request shall not subject the custodian to any penalty. If a person requesting inspection would like a copy of a public record, a reasonable fee set by the annual Notice of Fees Resolution shall be applicable;

WHEREAS, nothing in the Inspection of Public Records Act shall be construed to require a public body to create a public record;

WHEREAS, a written request shall provide the name, address and telephone number of the person seeking access to the records and shall identify the records sought with reasonable particularity. No person requesting records shall be required to state the reason for inspecting the records;

WHEREAS, the custodian receiving a written request shall permit the inspection immediately or as soon as is practicable under the circumstances, but not later than fifteen days after receiving a written request. If the inspection is not permitted within three business days, the custodian shall explain in writing when the records will be available for inspection or when the public body will respond to the request. The three-day period shall not begin until the written request is delivered to the office of the custodian;

WHEREAS, in the event that a written request is not made to the custodian having permission of or responsibility for the public records requested, the person receiving the request shall promptly forward the request to the custodian of the requested public records, if known, and notify the requester. The notification to the requester shall state the reason for the absence of records from that person's custody or control, the records' location and the name and address of the custodian;

WHEREAS, for purposes of the Act, "written request" includes an electronic communication, including e-mail or facsimile and


WHEREAS, requests to inspect public records should be submitted to the Custodian of Public Records.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Luna County that the Custodian of Public Records shall be the Luna County Manager's Office, contact information is as follows:

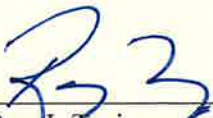
Luna County Courthouse
County Manager's Office
Malarie Carlos, IPRA Coordinator
700 S. Silver Ave.
Deming, NM 88030
Phone: (575) 543-6509
Fax: (575) 544-4293
hrlegalassistant@lunacountynm.us
<http://lunanm.seamelessdocs/f/datarecords>

DONE THIS 12th DAY OF OCTOBER, 2023


by the Board of County Commissioners of Luna County



John S. Sweetser, Chairperson
Commissioner, District 3

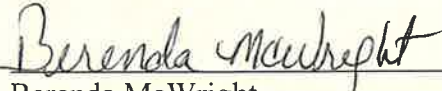


Ray J. Arejo,
Commissioner, District 1



Colette M. Chandler,
Commissioner, District 2

ATTEST:



Berenda McWright,
County Clerk

