

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming, New Mexico, on the 14th day of July 2011, the following proceedings were had and entered of record.

RESOLUTION 11-34

NOTICE OF RIGHT TO INSPECT PUBLIC RECORDS

WHEREAS, Luna County Government shall comply with the Inspection of Public Records Act of New Mexico; and

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 will be applicable; and

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

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; and

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; and

WHEREAS, in the event that a written request is not made to the custodian having possession 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; and

WHEREAS, for the purposes of the Act, "written request" includes an electronic communication, including email or facsimile; and

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

NOW THEREFORE BE IT RESOLVED, the Luna County Board of County Commissioners designates the Assistant to the County Manager as the Custodian of Public Records. Contact information is as follows:

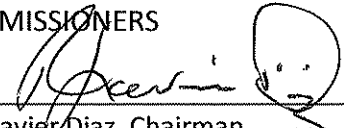
Glory Johnson
Luna County Courthouse
County Manager's Office
700 S. Silver Avenue
Deming, NM 88030
Phone: (575) 546-0494
Fax: (575) 544-4293
glory_johnson@lunacountynm.us

PASSED, APPROVED, AND ADOPTED THIS 14 DAY OF July, 2011.

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

ATTEST:


Karen Smyer, County Clerk


R. Javier Diaz, Chairman


Joe L. Milo, Jr., Commissioner


J. Jay Spivey, Commissioner

