

1. July 20, 2020 Emergency Town Council Remote Meeting

Documents:

- 01 - 2020 07 20 AGENDA EMERGENCY COUNCIL.PDF
- 02 - PROC OF MAYOR RE PUBLIC HEALTH EMERGENCY.PDF
- 03 - RES 2020-20 SUPPORT GOVERNOR RE COVID.PDF
- 04 - 2020 07 20 LEGAL NOTICE EMERGENCY REMOTE COUNCIL MEETING.PDF



# TOWN OF SILVER CITY COUNCIL

## EMERGENCY MEETING AGENDA

JULY 20, 2020, 11:00 AM

REMOTE MEETING IN COMPLIANCE WITH THE NM OPEN MEETINGS ACT

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- 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**
- 2. PROCLAMATION** - “Proclamation of the Mayor with Regard to Public Health Emergency”.
- 3. NEW BUSINESS**
  - A.** Approval / Disapproval of Resolution No. 2020-20: Resolution in Support of the Executive Orders of the Governor of New Mexico and the Public Health Orders of New Mexico Department of Health Cabinet Secretary and to Encourage Adherence thereto by the Inhabitants of the Town of Silver City. Sponsored by Councilor Cynthia Ann Bettison.
- 4. ADJOURNMENT**

## Town of Silver City Council Members

<u>Name</u>	<u>Elected Position</u>	<u>Telephone</u>	<u>Term of Office</u>
Ken Ladner	Mayor	534-6346	03/2018 - 03/2022
Cynthia Ann Bettison	Councilor, District 1	597-7031	03/2020 - 03/2024
Lynda D. Aiman-Smith	Councilor, District 2	597-7032	03/2018 - 03/2022
Jose A. Ray, Jr.	Councilor, District 3	313-4944	03/2020 - 03/2024
Guadalupe Cano	Councilor, District 4	597-7034	03/2018 - 03/2022

### *MISSION STATEMENT OF THE TOWN OF SILVER CITY*

*Silver City is the hub of an inclusive community settled within a small town that through guided growth, honors and preserves its historical, cultural, and natural heritage while facilitating jobs, health, and education resources such that the residents and visitors may enjoy and protect the recreational opportunities of the area and high quality of life.*

*Approved by the Town Council on May 25, 2010.*

**The Council may call an EXECUTIVE SESSION pursuant to NMSA 1978 Section 10-15-1(H) for the following reasons:**

1. meetings pertaining to **issuance, suspension, renewal or revocation of a license**, except that a hearing at which evidence is offered or rebutted shall be open;
2. **limited personnel matters** which means the discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee;
3. deliberations by a public body in connection with an **administrative adjudicatory proceeding**;
- A. meetings for the **discussion of bargaining strategy preliminary to collective bargaining negotiations** between the policymaking body and a bargaining unit representing the employees of that policymaking body and collective bargaining sessions at which the policymaking body and the representatives of the collective bargaining unit are present;
- B. that portion of meetings at which a decision concerning **purchases in an amount exceeding \$2,500 that can be made only from one source** and that portion of meetings at which the **contents of competitive sealed proposals solicited pursuant to the Procurement Code (13-1-28 NMSA 1978) are discussed during the contract negotiation process**. The actual approval of purchase of the item or final action regarding the selection of a contractor shall be made in an open meeting;
- C. meetings subject to the **attorney-client privilege pertaining to threatened or pending litigation** in which the public body is or may become a participant;
- D. meetings for the **discussion of the purchase, acquisition or disposal of real property or water rights** by the public body.

Note: NMSA 1978 Section 10-15-1(H) Exceptions (4) relating to students, (9) relating to public hospitals, and (10) relating to the gaming control board were not listed above since they do not apply to the Town of Silver City.

**For information on what's happening in local government,  
please visit the Town's website at [www.townofsilvercity.org](http://www.townofsilvercity.org).**

**PROCLAMATION OF THE MAYOR  
WITH REGARD TO PUBLIC HEALTH EMERGENCY**

**WHEREAS**, New Mexico Governor Michelle Lujan Grisham, on March 11, 2020, issued an Executive Order declaring a state of public health emergency and invoked her executive powers as authorized by the All Hazard Emergency Management Act and the Emergency Licensing Act in response to the declared pandemic of the Corona Virus 19 (COVID-19, or Virus); and

**WHEREAS**, the Town of Silver City in Resolution 2020-11, dated March 27, 2020 issued its own Declaration of a Public Health Emergency For The Town of Silver City, which declared, in part, that the Town had become an emergency area as a result of Covid-19; and

**WHEREAS**, the issuance of Resolution 2020-11 mandated that the “Town of Silver City departments are directed to utilize Town resources and to do everything reasonably possible to assist affected areas of the Town in an effort to respond to and recover from the (virus) outbreak”; and

**WHEREAS**, since the time of that Declaration of a public health emergency, the infection rate affecting residents of Grant County has progressively increased, thus presenting the community of the Town and its neighbors with the likelihood of many more infections and the likelihood of serious harm or even death as a result of this assault on our lives and well being; and

**WHEREAS**, the success at minimizing the potential loss of life and averting the long-term consequences to the health of our community depends, at this time, more on the cooperation and unity of the community than on an approach of harsh law enforcement.;

**IT IS, THEREFORE, HEREBY PROCLAIMED BY THE MAYOR OF THE TOWN OF SILVER CITY THAT:**

1. All persons in Silver City and of the community of Grant County are hereby made aware that their exists in our community a deadly COVID-19 pandemic, and that wearing appropriate face covering, washing hands, and social distancing are accepted practices to lessen the transmission of the disease: and
2. That the inhabitants of the Town shall be conscious of those of our community who are at greater risk of death or serious harm from this disease, and that adopting behavior which will likely protect themselves and their neighbors is proof of civic responsibility, and represents true American patriotism.
3. That each citizen is hereby charged with educating those who have not yet awakened to the danger that surrounds us, with compassion and understanding.
4. Although it is accepted that there are many conflicting perspectives as to social and political issues, it is also accepted that the well being and survival of the elderly, the children, and the weakest inhabitants of our community should be preminent amongst our concerns.

5 It is strongly urged that all persons of the Town of Silver City should commit to protecting the weakest and most vulnerable among us, especially the elders and the children, by adopting habits of mask wearing, social distancing, and good hygiene. Teaching by example is usually most effective.

6. That voluntary acts of kindness and generosity are treasured by all religions, political parties, and communities, and should be freely expressed by all during this time of danger.

**IN WITNESS WHEREOF**, I, Ken Ladner, Mayor of the Town of Silver City, do hereby proclaim and have hereunto set my hand and caused this official seal of the Town of Silver City to be affixed this 20th day of July, 2020.

(Seal)

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Ken Ladner, Mayor

Attest:

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Ann L. Mackie, Town Clerk

**RESOLUTION NO. 2020-20**

**RESOLUTION IN SUPPORT OF THE EXECUTIVE ORDERS OF THE GOVERNOR OF NEW MEXICO AND THE PUBLIC HEALTH ORDERS OF NEW MEXICO DEPARTMENT OF HEALTH CABINET SECRETARY AND TO ENCOURAGE ADHERENCE THERETO BY THE INHABITANTS OF THE TOWN OF SILVER CITY**

**Sponsored by Councilor Cynthia Ann Bettison**

**WHEREAS**, New Mexico Governor Michelle Lujan Grisham, on March 11, 2020, issued an Executive Order declaring a state of public health emergency and invoked her executive powers as authorized by the All Hazard Emergency Management Act and the Emergency Licensing Act in response to the declared pandemic of the Coronavirus 19 (COVID-19, or Virus); and

**WHEREAS**, the Town of Silver City in Resolution No. 2020-11, dated March 27, 2020, and in support of the Governor's and New Mexico Department of Health Cabinet Secretary's Orders, issued its own "Declaration of a Public Health Emergency For The Town of Silver City"; and

**WHEREAS**, from time to time the Governor and the New Mexico Department of Health Cabinet Secretary has amended or modified certain of their Orders in response to the variability of the effects of the Virus on the people of New Mexico; and

**WHEREAS**, at the present time, the number of infected persons in the State has dramatically increased, resulting in devastating health conditions and deaths among the people of New Mexico; and

**WHEREAS**, the number of viral infections affecting the people of Grant County and the Town of Silver City has progressively increased to impose a heightened danger to all, including children and the elderly; and

**WHEREAS**, it is apparent that there are some within our community who have been ill-informed of or have purposely chosen not to follow the Governor's and the New Mexico Department of Health Cabinet Secretary's Orders with regard to the wearing of facial coverings, hand washing, and social distancing; and

**WHEREAS**, it is the intent of the Town Council to erase any ambiguity of the Council's position that the Governor's and the New Mexico Department of Health Cabinet Secretary's Orders regarding facial coverings, hand washing, and social distancing are mandatory unless otherwise ruled by the State of New Mexico Supreme Court; and

**WHEREAS**, the Town Council strongly urges its citizens and inhabitants to comply with the mentioned Orders, and to wear facial coverings when in public, to maintain social distancing, and to wash hands and take other hygienic actions designed to minimize the opportunities for spreading the disease.;

**BE IT RESOLVED THAT THE TOWN COUNCIL OF THE TOWN OF SILVER CITY:**

1. Affirms its strong support for the Executive Orders of the Governor of New Mexico and the Public Health Orders of the New Mexico Department of Health Cabinet Secretary with regard to the mandatory wearing of facial covering, social distancing, hand washing, and other Orders designed to prevent the transmission of the Covid-19 disease.
2. Strongly encourages the people of Silver City to educate themselves as to the best practices to slow the infection rate of the disease, and to follow the mentioned Orders of the Governor and Department of Health Cabinet Secretary, all for the benefit of the health, safety, and welfare of the Town and its inhabitants.

**PASSED, ADOPTED, AND APPROVED** this 20<sup>th</sup> day of July, 2020.

(Seal)

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Ken Ladner, Mayor

Attest:

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Ann L. Mackie, Town Clerk

## LEGAL NOTICE

The Town of Silver City Council will hold a remote Emergency Meeting on Monday, July 20, 2020 at 11:00 a.m. for the following action items:

**Proclamation:** “Proclamation of the Mayor with Regard to Public Health Emergency”

**New Business:** Approval / Disapproval of Resolution No. 2020-20: Resolution in Support of the Executive Orders of the Governor of New Mexico and the Public Health Orders of New Mexico Department of Health Cabinet Secretary and to Encourage Adherence thereto by the Inhabitants of the Town of Silver City.

### **Adjournment**

The meeting will be held remotely via Go To Meeting and in compliance with the NM Open Meetings Act. The public may attend the meeting as follows:

Town of Silver City NM. Town Council Emergency Meeting 7/20/20, Monday, July 20, 2020 11:00 AM - 2:00 PM (MDT), Please join the meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/442299653>. You can also dial in using your phone. [+1 \(646\) 749-3122](tel:+16467493122). Access Code: 442-299-653. For more information, please email the Town Clerk at [townclerk@silvercitynm.gov](mailto:townclerk@silvercitynm.gov). Agendas are available prior to the meeting on the Town's website, [www.townofsilvercity.org](http://www.townofsilvercity.org). If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid service to attend or participate in the hearing or meeting, contact the Town Clerk at 534-6346 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. Please contact the Town Clerk if summary or other type of accessible format is needed.