

**MINUTES
SPECIAL MEETING
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS**

Tuesday, September 18, 2012

BE IT REMEMBERED that the Luna County Board of County Commissioners met in special session at 9:00 a.m. on Tuesday, September 18, 2012, in the County Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting any and all business to come properly before the Board.

The following staff and elected officials were present:

Kelly Kuenstler, County Manager	Dora Madrid, Treasurer
Glory Johnson, Executive Assistant	Gloria Rodriguez, Chief Deputy Treasurer
Karen Smyer, County Clerk	Rheganne Vaughn, Community Health and Welfare
JoAnna Z. Zurinsky, Deputy Clerk	Director
	Ira Pearson , Starmax Facilities Director

CALL TO ORDER: Chairman Spivey called the meeting to order at 9:02 a.m. and Matt Robinson led the Pledge of Allegiance and the salute to the flag of the State of New Mexico.

ROLL CALL: The roll call was conducted by Deputy Clerk JoAnna Zurinsky. The following commissioners constituting a quorum were present:

Joe L. Milo, Jr., District 1
J. Jay Spivey, Chairman, District 2
R. Javier Diaz, District 3

PRESENTATIONS: County Manager Kelly Kuenstler introduced Ira Pearson as the new Starmax Facilities Director.

PUBLIC COMMENT: Chairman Spivey opened the floor to public comment. Larry Caldwell stated he was opposed to the appointment of County Manager Kelly Kuenstler as managing partner because the position would further politicize the operation of the Starmax facility. He also voiced concerns about a corporation not being subject to the Public Meetings Act. Dave Petersen supported the appointment of Kelly Kuenstler because he felt it would move the facility forward. Mr. Petersen suggested the formation of a citizen's advisory board. Matt Robinson asked for an explanation as to how the Open Meetings Act may apply. Ms. Kuenstler assured those present there would be transparency and expressed her intent of forming an advisory board. She also stated she would find out how the Open Meetings Act would apply to such an advisory board. Commissioner Diaz commented the Starmax

facility was owned by the citizens and appointing a managing member was the responsible thing to do. Bill Duncan stated he felt more information would be available on the Starmax operation, and it was an opportunity for a new beginning. Matt Robinson asked if the county had any plans for hiring more employees for the facility. Chairman Spivey explained to Mr. Robinson the LLC is responsible for the operations of the Starmax facility and the board of commissioners is available for assistance. Discussion ensued regarding maintenance of the facilities, staffing, equipment and atmosphere.

NEW BUSINESS:

- a. **APPOINT COUNTY MANAGER, KELLY KUENSTLER AS MANAGING PARTNER OF STARMAX DEMING, LLC:** Commissioner Milo motioned to appoint County Manager, Kelly Kuenstler as Managing Partner Starmax Deming, LLC. Commissioner Diaz seconded the motion, which carried unanimously.

ADJOURN: The meeting was adjourned by Chairman Spivey at 9:26 a.m.

ATTEST:

**LUNA COUNTY BOARD OF
COUNTY COMMISSIONERS**

Karen Smyer, Luna County Clerk

Joe L. "Oleo" Milo, Jr., District 1

Approved: _____

J. Jay Spivey, District 2, Chairman

R. Javier Diaz, District 3