

Spaceport America Regional Spaceport District

Thursday, January 9th, 2025

1712 N. Date Street

Truth or Consequences, NM 87901

Zoom Link:

[https://us06web.zoom.us/j/89328183191?pwd=3BptlywfwXNmGFnSUStAa
bAtIHTrAx.1](https://us06web.zoom.us/j/89328183191?pwd=3BptlywfwXNmGFnSUStAa
bAtIHTrAx.1)

Meeting ID: 893 2818 3191

Passcode: 833264

Meeting Minutes

Call to Order: 1:00 P.M.

Call to Order

- Meeting called to order by Chairman Paxon at 1:00 P.M.

Pledge of Allegiance

Acknowledgments:

- Recognition of the challenging road conditions on I-25 due to weather.
- Remembrance of fire victims in California.
- Acknowledgment of President Jimmy Carter's funeral.

Roll Call of Members Present and Determination of Quorum

- Conducted by Amber Vaughn
- Present
 - Jim Paxon
 - Manny Sanchez
 - Kim Skinner
 - Travis Day
 - Eric Enriquez
 - Shannon Reynolds (later confirmed present)

Quorum Confirmed

Introduction of Guests:

- Scott McLaughlin
- Rod McGillivray
- Melissa Force
- Francisco Pallares

- Celicia Villegas
- Randi Bush
- Justin Garcia
- Art Trujillo
- Jason Lasik
- Charlie Hurley
- Kathleen Sloan
- Dave Pato (Sierra County Attorney)

I. Approval of Agenda;

- A.** Motion to approve by Kim Skinner, seconded by Travis Day. Motion passed unanimously.

II. Approval of Minutes

- A.** September 26th, 2024 Meeting Minutes; Motion to approve by Travis Day, seconded by Manuel Sanchez. Motion passed unanimously.
- B.** December 4th, 2024 Meeting Minutes; Motion to approve by Manuel Sanchez, seconded by Travis Day. Motion passed unanimously.

III. New Business

- A.** Open Meetings Act Resolution; Motion by Travis Day, seconded by Kim Skinner. Motion passed unanimously.
- B.** Public Notice Describing Procedures for Requests for Inspection of Public Records Public Comment Resolution;
- i. Attorney Pato explained that this resolution is a standard annual organizational requirement. It outlines the processes the board will follow for receiving Inspection of Public Records Act (IPRA) requests and the designation of a custodian to handle them. Attorney Pato highlighted the importance of designating a specific position to ensure timely responses to these requests, as noted in the meeting packet. Chairman Paxon recalled previous discussions about designating Dona Ana County to retain all records on behalf of the board. However, he noted that it remained unclear whether this arrangement had been finalized. Commissioner Sanchez contributed to the discussion but no final decision was reached during the meeting.

- ii. Motion to Table by Manuel Sanchez, seconded by Eric Enriquez; Motion to table passed unanimously.

C. Creating Depository Account Resolution; - The Spaceport District Act permits investment of funds with the SIC, but a depository account is required. A resolution was proposed to establish this account at Citizens Bank. Signatories named: Jim Paxon, Manuel Sanchez, Eric Enriquez Motion to approve by Manuel Sanchez, seconded by Travis Day

i. Roll Call Vote:

Travis Day - Yes

Kim Skinner - Yes

Eric Enriquez - Yes

Manuel Sanchez – Yes

Shannon Reynolds - abstain

Jim Paxon – Yes

Motion Passed

D. Parliamentary Procedures and Robert’s Rules of Order; - The procedures were included in the packet, and there was no discussion. Motion to approve by Travis Day moved to approve, seconded by Manuel Sanchez. The motion passed unanimously.

E. Public Participation Resolution;

- **Initial Motion and Discussion:**

- Commissioner Sanchez moved for approval of the public participation resolution.
- A second was provided by Travis Day, leading to a roll call for approval.
- Commissioner Reynolds raised a concern regarding the timing of public comments, questioning if public input should be allowed during the discussion of agenda items.

- **Current Practice:**

- Traditionally, public comments are allowed only once during the meeting, not during the discussion of each agenda item.
- The rationale is to ensure public input is considered before the board discusses an item.

- **Proposed Amendments and Suggestions:**

- Commissioner Reynolds suggested amending the resolution to allow public comments after board discussions on each agenda item.

- Commissioner Day proposed moving the public input section to immediately follow the approval of the minutes, allowing comments on agenda items before they are discussed.
- **Procedural Clarifications:**
 - Attorney Pato clarified the procedure for amending motions, stating that amendments require a separate motion and second before being debated and voted on.
 - The board must first address the amendment proposed by Commissioner Reynolds before considering any new motions.

Voting on Commissioner Reynolds' Amendment

- **Discussion on Voting Process**
 - Jim Paxon suggested voting on Commissioner Reynolds' motion for clarity.
 - It was agreed to vote on the amendment before any further motions.
 - Motion by Shannon Reynolds, seconded by Manuel Sanchez, proposed allowing public comment on each business item.
- **Roll Call Vote Results**
 - Travis Day: No
 - Kim Skinner: No
 - Eric Enriquez: Yes
 - Manny Sanchez: Yes
 - Shannon Reynolds: Yes
 - Jim Paxson: No
 - **Outcome:** The vote resulted in a tie.
- **Handling a Tie Vote**
 - Discussion on how to proceed with a tie vote.
 - Director Reynolds mentioned a rule about flipping a coin, but it was clarified that legally, the motion dies with a tie.
 - Attorney Pato confirmed that the bylaws state, "In the event of a deadlock, the motion will not pass."

Bylaws and Amendments

- **Clarification on Bylaws Amendment Process**
 - Director Reynolds questioned the process for changing bylaws, suggesting it required unanimous board approval.
 - Attorney Pato clarified that the bylaws can be altered by a majority vote, not requiring unanimity.

- The formation agreement requires unanimous approval for amendments, but this does not extend to the bylaws.
- **Further Discussion on Bylaws**
 - Director Reynolds and Attorney Pato discussed the relationship between the formation agreement and the bylaws.
 - It was clarified that the bylaws have a separate amendment provision allowing changes by a majority vote.

Director Skinner's Motion

- **Proposal for Public Participation Resolution**
 - Director Skinner proposed placing public comments on the agenda after the minutes at the front of the meeting.
 - Motion seconded by Director Day.
- **Invitation for Discussion**
 - Mr. Chairman invited discussion on Director Skinner's motion before proceeding to a vote.

Discussion on Voting Procedures and Formation Document

- **Formation Document and Bylaws**
 - **Game of Chance Requirement:** The formation document specifies that voting requires a game of chance in the event of a deadlock. This requirement is debated as to whether it should be included in the bylaws.
 - **Director Reynolds' View:** The formation agreement is the organic document, and its stipulations, including the game of chance, cannot be changed by the board alone. Any changes would require approval from Sierra County, Dona Ana County, and the state of New Mexico.
 - **Attorney Pato's Input:** Suggested using a simple method like a coin toss to resolve deadlocks, as per the formation document.
 - **Bylaws and Amendments:** The bylaws are separate and relate back to state law. The last amendment in April 2023 eliminated the game of chance, but the document remains unsigned.
 - **Need for Reconciliation:** There is a need to revisit the bylaws and the original formation document to ensure consistency and legality.
- **Concerns and Suggestions**

- **Governance Concerns:** There is a consensus that deciding matters by chance is not a good governance practice.
 - **Director's Concerns:** Flipping a coin for decisions, especially significant ones, is seen as dangerous and a poor form of governance.
 - **Proposal for Future Review:** Suggestion to review and possibly amend the documents to remove the game of chance requirement.
- **Procedural Considerations**
 - **Motion to Table:** A motion was made to table the issue for further research and discussion in the June meeting.
 - **Robert's Rules of Order:** Discussion on whether a new motion can be entertained without resolving the current one. Attorney Pato advised that the board could consider tabling the issue.
 - **Re-vote Proposal:** According to the original bylaws, in the event of a deadlock, a motion can be re-voted on before resorting to a game of chance.
 - **Board's Agreement:** There is agreement among board members to take another vote or table the issue, emphasizing the importance of public participation.

Public Participation and Voting Procedures

- **Motion for Public Comment Timing**
 - **Resolution Proposal:** Kim Skinner proposed that public comment should occur after the minutes and before individual items are discussed.
 - **Voting Outcome:** The motion was seconded by Travis Day and passed with a roll call vote:
 - Travis Day: Yes
 - Kim Skinner: Yes
 - Eric Enriquez: Yes
 - Jim Paxson: Yes
 - Manny Sanchez: Yes
 - Shannon Reynolds: No

Motion Passed
 - **Protest by Mr. Reynolds:** expressed concerns about the procedures not being correctly followed and intended to file a protest.

- **Clarification on Voting:** There was confusion regarding whether the vote was on the amendment or the entire resolution. It was clarified that the vote was on the amendment to move public input to the beginning of the meeting.
- **Resolution of Protest:** Shannon Reynolds agreed to withdraw his protest if the issue of bylaw changes and parliamentary procedure adherence is revisited in the June meeting.

F. Reallocation Request - HLA South Access Road and Utilities Extension;

- i. Presentation – Request to reallocation \$2.5 million from the HLA South Access Road and Utilities Extension project to the HLA South Hangar and Taxiway project. The HLA South Access Road was initially approved for \$2.5 million. Due to delays in setting up accounts for GRT funds, a reallocation of funds is necessary. Requestion reallocation of \$2.5M to the fabric hangar payload facility
- ii. Motion to approve by Travis Day; seconded by Eric Enriquez
- iii. Roll Call Vote:
 - Travis Day – Yes
 - Kim Skinner – Yes
 - Eric Enriquez – Yes
 - Manuel Sanchez –No
 - Shannon Reynolds - No
 - Jim Paxon - Yes
 Motion passed

G. Reallocation Request - HLA Road and Utility Improvements

- i. Presentation on the reallocation of \$500K from the HLA N/NE Road and Utility Improvement project to the South HLA Fabric Hangar payload facility project to start engineering preparation. Funding will be used to make the project shovel ready.
- ii. Motion to approve by Motion to approve by Kim Skinner, seconded by Eric Enriquez
- iii. Roll Call Vote:
 - Travis Day – Yes
 - Kim Skinner – Yes
 - Eric Enriquez – Yes
 - Manuel Sanchez –No

Shannon Reynolds – No
Jim Paxon – Yes
Motion passed

H. Resolution Censuring Commissioner Shannon Reynolds and Requesting His Removal from the Regional Spaceport District

- i. A resolution was proposed to censure Commissioner Shannon Reynolds and request his removal from the Regional Spaceport District.
- ii. Legal Clarification Request: Mr. Reynolds requested legal guidelines for censorship, which Attorney Pato was unable to provide.
- iii. Shannon Reynolds motioned to table indefinitely;
Seconded by Manuel Sanchez
- iv. Roll Call Vote:
Travis Day – No
Kim Skinner – Yes
Eric Enriquez – No
Manuel Sanchez –Yes
Shannon Reynolds – Yes
Jim Paxon – No
Motion tied
- v. Second Roll Call Vote:
Travis Day – Yes
Kim Skinner – Yes
Eric Enriquez – No
Manuel Sanchez –absent
Shannon Reynolds – Yes
Jim Paxon – No
Motion to table passed

IV. Public Input

A. No public input

V. Adjournment

A. Adjourned by Chairman Jim Paxon at 2:42 P.M.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting please contact the Sierra County

Manager, 1712 N. Date Street, Truth or Consequences, New Mexico 87901 phone (575) 894-6215 at least one (1) 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 Sierra County Manager if a summary or other type of accessible format is needed.