



Town of Mesilla, New Mexico

**BOARD OF TRUSTEES
TOWN OF MESILLA
WORK SESSION
MONDAY, APRIL 14, 2014
5:30 P.M.**

TRUSTEES: Nora L. Barraza, Mayor
Carlos Arzabal, Mayor Pro Tem
Sam Bernal, Trustee
Linda L. Flores, Trustee
Stephanie Johnson-Burick, Trustee

STAFF: Cynthia Hernandez-Stoehner, Town Clerk/Treasurer
Kevin Hoban, Fire Chief
Debbie Lujan, Public Works Director
Gloria Maya, Recorder

PUBLIC:

1. Discussion of a Drug/Alcohol Policy for Town of Mesilla Employees for consideration.

Mayor Barraza indicated a draft of the Drug/Alcohol Policy was presented at the last meeting. Trustees were asked to submit amendments or additions that would keep them within the law to Mr. Cervantes.

Mr. Cervantes stated he was presented with a proposed Drug Policy. He understands one of the trustees has proposed a different policy; he is not sure of the source.

Mayor Barraza responded this policy draft was brought forth by Mr. Tom Austin. We did not have a policy so we are trying to incorporate one into our Personnel Rules and Regulations.

Mr. Cervantes stated a trustee had proposed an alternative policy and he would like to know where it is coming from and if there has been litigation on that policy. The two legal areas that are looked at are due process and privacy rights. We need to show their implementation is not used in any discriminatory fashion. Another issue that we need to remember there is presumption of innocence. If an individual pleads guilty to a charge then the town can take action. If an individual pleads not guilty there are entitled to the presumption of innocence and the town cannot act on the charge alone; possible litigation.

Mayor Barraza indicated we do not have anything in place and she feels it needs to be addressed. Trustee Johnson-Burick put together the other draft which was submitted.

Trustee Johnson-Burick indicated she used several templates from her experience in her work. The verbiage was taken from several resources. One of the key things in the old one was verbiage that may open us up to challenges in a court of law. The Department of Labor has a lot of information on their website. There are so many consequences with a policy that is not tightly wrapped. The hiring and confidentiality on the revised policy were highlighted and need to be incorporated into the final policy.

1 Mayor Barraza asked which part on the draft that was presented at the last meeting was Trustee Johnson-
2 Burick was concern with litigation.

3
4 Trustee Johnson-Burick responded some of the verbiage is not concise with Human Resource Policies and
5 what is used in standard Drug and Alcohol Policies. Also the verbiage is not consistent and not applied
6 evenly; i.e. may and shall.

7
8 Trustee Flores stated *shall* means it must be done; *may* means permissive.

9
10 Mayor Barraza respond the word shall should be used since this is the purpose of the policy.

11
12 Mr. Cervantes responded he recommends starting with new language for new hires.

13
14 Trustee Johnson-Burick stated the Mayor is looking at the policy submitted in February.

15
16 Mr. Cervantes stated he is comparing the two. The big difference is if requiring mandatory testing as a
17 condition of hire. The challenge is what a positive test is. For example if an individual smokes marijuana
18 and testing reveals a positive for weeks or month; do you reject the individual? This comes up quite a bit.
19 The reality is people cannot hire people because the applicant has positive test. The Town of Mesilla
20 does not want to hire anyone with drug or alcohol problems; question is how far back you want to look at.
21 He does not know what a positive test since there are a lot of standards. Some employers have a high
22 threshold; no tolerance. Do you want to adopt that level of scrutiny for all of the new hires; what is going
23 to be the town's threshold.

24
25 Mayor Barraza asked what if someone goes out to dinner, has a glass of wine and test positive the next
26 day.

27
28 Mr. Cervantes responded the body metalizes alcohol very quickly so it will not show up in the morning.
29 There are positive test in cocaine due to some prescription medication. This is when it becomes a
30 challenge. Marijuana will test positive for weeks. Once again the question is what will be the threshold
31 and the standards the town will want.

32
33 Mayor Barraza asked what is the norm that is used for the City of Las Cruces and the County.

34
35 Mr. Cervantes stated that is why he asked where Trustee Johnson-Burick got her policy standard from.
36 He recommends working off a standard that is common place locally and tested by the court locally this
37 way Mesilla does not have to become a guinea pig. He wants to know what the town wants to
38 accomplish; find out the source of these material so he can see if there have been litigations. Some of the
39 policy decisions are very straight forward and must be consistently applied. .

40
41 Mayor Barraza stated our goal is to test all new hires. Also test every current employee from the
42 beginning.

43
44 Trustee Flores asked what the cost would be for this testing.

45
46 Mayor Barraza responded Ms. Stoenner-Hernandez is looking into the cost.

47
48 Trustee Flores asked would it be worth the expense or do we need to look at only the employees that drive
49 town vehicles.

50
51 Mayor Barraza responded all employees drive town vehicles.

52
53 Mayor Pro Tem Arzabal stated we do not want to single out employees.

1
2 Trustee Flores asked do we want to spend money testing volunteers.

3
4 Trustee Johnson-Burick stated that will need to be clearly defined. The original draft reads “if you are
5 involved in an accident you *may* be tested”. If there is an accident in a company vehicle you *will* be
6 tested, there is no *may*. There is not a defined sense of consequences when an employee has a problem.

7
8 Mayor Barraza stated that is addressed in another section in the personnel handbook. She also crossed out
9 may and put will.

10
11 Trustee Johnson- Burick stated that should be in the drug policy as well.

12
13 Mr. Cervantes stated the word is shall.

14
15 Trustee Johnson-Burick stated it needs to include that we have to train the supervisors on what to look
16 for.

17
18 Trustee Flores stated people should have specific training; page 5 A.2.

19
20 Mayor Barraza stated Article 3.11.26 in the in the Personnel Handbook addresses substance abuse leave.
21 She asked if the trustees want to give the attorney some guidance regarding the policy.

22
23 Mr. Cervantes stated he understands the consensus of the trustees that all new hires be tested. There is a
24 challenge in testing all current employees; due process needs to be looked at. Let’s say all employees are
25 tested and ten of them test positive for some level of drug use. We need to look at what drugs are we
26 screening for. If adopting a policy to terminate employees on those bases a number of things can happen.
27 An employee can challenge due process since that is a new requirement. His concern is the things that
28 can happen if you implement a policy to screen all employees. Things that may happen are the employee
29 may resign in lieu of a positive test and risk getting terminated or the town may get a legal challenge for
30 violating due process.

31
32 Mayor Barraza asked if we do not require all employees to be screened, can we implement random
33 screening.

34
35 Mr. Cervantes responded yes but the question will be how much notice will be given. If the employee
36 smokes pot on their time they are not in violation of town policy. Due process notice of the opportunity
37 to correct their behavior and ensure you are testing in a way that it does not go beyond that look back
38 period. You may have some level of panic in some employees. Testing new hires is easier to implement.
39 It is good practice to test someone after an accident.

40
41 Mayor Barraza asked Mr. Cervantes to bring something forward to the trustees after looking at the two
42 policies that have been presented and at what has been discussed tonight.

43
44 Mr. Cervantes responded it will help him if he could get the source records since it looks like the best of
45 various policies were put together but sometimes this may lead to inconsistency.

46
47 Mayor Barraza asked if the trustees would like another worksession which could be scheduled at 5:00
48 p.m.

49
50 Mr. Cervantes indicated the trustees raised some very good questions.

51
52 Mayor Pro Tem Arzabal stated a worksession should be scheduled once we get feedback from Mr.
53 Cervantes; he is not sure an hour would be enough.

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Mayor Barraza asked Mr. Cervantes to give the trustees time to review the draft prior to the next Board of Trustee's meeting which is scheduled for the 28th of April.

Mr. Cervantes responded he can prepare that for the trustees.

Trustee Johnson-Burick asked when the worksession will be held.

Mayor Barraza responded the worksession will be held prior to the April 28th Board of Trustee's meeting. The information will be made available to the trustees by Wednesday, April 23rd. The worksession will begin at 5:00 p.m.

Trustee Johnson-Burick indicated she will be teaching a course for the county from 8:00 to 5:00 those three days.

Mayor Barraza stated Trustee Johnson-Burick can come in as soon as she is able.

Meeting adjourned at 6:08 p.m.

1 **BOARD OF TRUSTEES**
2 **TOWN OF MESILLA**
3 **MEETING**
4 **MONDAY, APRIL 14, 2014**
5 **6:00 P.M.**
6

7 **TRUSTEES:** Nora L. Barraza, Mayor
8 Carlos Arzabal, Mayor Pro Tem
9 Sam Bernal, Trustee
10 Linda L. Flores, Trustee
11 Stephanie Johnson-Burick, Trustee
12

13 **STAFF:** Cynthia Hernandez-Stoehner, Town Clerk/Treasurer
14 Kevin Hoban, Fire Chief
15 Debbie Lujan, Public Works Director
16 Gloria Maya, Recorder
17

18 **PUBLIC:** Chris Alexander Kelly Mahres
19 Alma Salazar-Nava Carolyn Kuhn
20 Ron Burick Alexandra Nason Hall
21 Bill Cook Jose Tarin
22 Joana Crawley McWalters Rebecca Segovia
23 Mary F. Lucero Susan Krueger
24 Yolanda Lucero Paul Barraza
25
26

27 **1. PLEDGE OF ALLEGIANCE**

28 Mayor Barraza led the Pledge of Allegiance.

29 Moment of Silence for Mrs. Cathy Frieze, wife of Judge Lionel Frieze and former Mayor Andres Silva
30 from the City of Deming.

31 **2. DETERMINATION OF A QUORUM**

32 **Roll Call.**

33 **Present:** Mayor Barraza, Mayor Pro Tem Arzabal, Trustee Bernal, Trustee Flores, Trustee Johnson-
34 Burick.

35 **3. PUBLIC INPUT** – There is a 3 minute limit per person.

36 Mr. Tarin stated he understands there is plan to add names to the plaque at Veteran's Park and asked how
37 he can get his name added.

38 Ms. Kuhn stated on May 6th Give Grande New Mexico will hold a 24 hours of giving event for all non-
39 profit organizations. Tres Manos and New Mexico Handmade are the only two non-profits in the Town
40 of Mesilla who are participating in this event. She read the proclamation from Governor Martinez and
41 asked that the Town of Mesilla follow. All money raised is unrestricted funds for non-profits. All of our
42 services for low income women in the surrounding area to become artisans. It is very important; we
43 attract visitors from all over the country. We had 400 people attend the Fiber Art Festival which added
44 revenue to the Town of Mesilla. This is the first year that New Mexico is participating and the minimum
45 donation is \$10.
46

1 Mrs. Earhart stated in the future the trustees will be making a decision regarding the Mormon Church
2 which purchased the property on Avenida de Mesilla. She is asking that she be part of that agenda item.
3 She is asking that they find a way to let the public know; this is a big deal. We do not have that much
4 property around the plaza. Sometimes the posting at the Post Office or Shorty's is not enough.
5 Reminded the trustees they have an obligation to look at this historically and culturally as how would a
6 Mormon Church represent the people of the town. She does not want to become enemies but with all due
7 respect she will ask that Mayor Barraza and Ms. Yolanda Lucero, mayor's sister and Planning/Zoning
8 Commissioner, to reclude themselves from voting. In most governmental jobs nepotism is not allowed.
9 She asking this that it would be fair for people to be able to get the representation that they need.

10
11 Mr. Martinez stated he wants to remind the trustees that a Border Patrol Agent is not a certified Law
12 Enforcement Officer in the State of New Mexico. That would involve training and time away from the
13 town that he is being hired to serve. Also a Gaming Enforcement officer only enforces a certain set of
14 statutes and not the full Criminal Codes. Those qualifications should be deem irrelevant in this situation.

15
16 Mr. Burick stated there is an error on the website when clicking on meetings and agendas. He asked that
17 language be added to address over the counter medication. Also define what an accident is on the Drug
18 Screening.

19
20 Ms. Krueger stated she gave the trustees a format that was used by former Mayor Roman Aranda. This is
21 a status of Board of Trustees action items which helped them track of items. This becomes a matter of
22 transparency, responsibility and accountability. She is hoping that it can be used, kept up today and
23 widely available to everyone. There is a lot to learn of what has happened before us.
24

25 4. CHANGES/APPROVAL OF THE AGENDA

26
27 **Motion:** To approve the agenda, **Moved by** Mayor Pro Tem Arzabal, **Seconded by** Trustee Johnson-
28 Burick.

29 **Roll Call Vote:** Motion passed (**summary:** Yes = 4).

30 Mayor Pro Tem Arzabal Yes
31 Trustee Bernal Yes
32 Trustee Flores Yes
33 Trustee Johnson-Burick Yes

34 35 5. *ACCEPTANCE OF CONSENT AGENDA – The Board will be asked to approve by one 36 motion the following items of recurring or routine business. **The Consent Agenda is marked 37 with an asterisk *:**

38 ***BOT MINUTES –** Regular Meeting Minutes of March 24, 2014

39 ***PZHAC CASE 012265 –** 2309 Calle de Guadalupe “B”, by Dora Solis-Samaniego for D'Sol, a
40 request for a sign permit to allow a sign to be installed on a business at this location. Zone:
41 Historic Commercial (HC).

42
43 ***PZHAC CASE 012266 –** by Steve Chavira for the Las Cruces Home Builders Association, a request
44 for a temporary sign permit to allow three “Parade of Homes” signs to be placed along streets at three
45 locations in the Town. Various zones.

46 ***PZHAC Case 012259 –** 2750 Calle de Principal, by Bill and Janice Cook; a request for a building
47 permit to construct an addition on an existing dwelling at this location. Zone: Historical Residential
48 (HR).

1 **Motion:** To approve the consent agenda, **Moved by** Mayor Pro Tem Arzabal, **Seconded by** Trustee
2 Bernal.

3 Trustee Flores stated she was confused with Case #012266. It seems that two were in the state of right-a-
4 way and like we had jurisdiction over the one. She does not have a problem saying yes you can put these
5 signs up.

6 Mayor Barraza responded that was discussed at the worksession and the meeting. Mr. Chavira felt he
7 would come to the town.

8 Trustee Flores stated she appreciates Mr. Chavira for asking and doing it the right way.

9 **Roll Call Vote:** Motion passed (**summary:** Yes = 4).

10 Mayor Pro Tem Arzabal Yes

11 Trustee Bernal Yes

12 Trustee Flores Yes

13 Trustee Johnson-Burick Yes

14 **OLD BUSINESS:**

15 **6. Resolution 2014 – 03:** A Resolution Pursuant to Article 12, Section 3-12-4 (M) of the Town of
16 Mesilla Personnel Policy– **Nora L. Barraza, Mayor**

17 Ms. Stoechner-Hernandez read the resolution.

18 **Motion:** To approve Resolution 2014-03: A Resolution Pursuant to Article 12, Section 3-12-4(M) of the
19 Town of Mesilla Personnel Policy, **Moved by** Trustee Flores, **Seconded by** Trustee Bernal.

20 **Roll Call Vote:** Motion passed (**summary:** Yes = 4).

21 Mayor Pro Tem Arzabal Yes

22 Trustee Bernal Yes

23 Trustee Flores Yes

24 Trustee Johnson-Burick Yes

25 **7. Resolution 2014 – 04:** A Resolution supporting the City of Las Cruces Transportation Investment
26 Generating Economic Recovery (TIGER) Planning Grant for Developing a Plan for ITS-Related
27 Technology Implementation at Intersections – **Nora L. Barraza, Mayor**

28 Ms. Stoechner-Hernandez read the resolution.

29 **Motion:** To approve the resolution supporting the City of Las Cruces Transportation Investment
30 Generating Economic Recovery (TIGER) Planning Grant for Developing a Plan for ITS-Related
31 Technology Implementation at Intersections, **Moved by** Mayor Pro Tem Arzabal, **Seconded by** Trustee
32 Johnson-Burick

33 Trustee Flores stated she would of added under the last whereas-within the City and the Town of Mesilla;
34 because it does benefit us since the City of Las Cruces maintains our traffic lights.

35 Mayor Barraza responded that we will make that w

36 **Roll Call Vote:** Motion passed (**summary:** Yes = 4).

37 Mayor Pro Tem Arzabal Yes

38 Trustee Bernal Yes

39 Trustee Flores Yes

40 Trustee Johnson-Burick Yes

41

1 **8. Discussion on the Public Library at Rio Grande Prep – Nora L. Barraza, Mayor**

2
3 Mr. Dolham stated we were asked by the Rio Grande Prep staff to consider closing the public library.
4 This agreement was done in 2008 between the City and the Public Schools. The primary reasons are lack
5 of substantial usage and it presents a security risk to the school and students. We are reevaluating the
6 agreement with the schools and will be looking at giving formally used books to the schools to use in
7 their educational component. We met with Mayor Barraza to discuss options in moving the library before
8 we close the library at Rio Grande Prep. The City of Las Cruces is not in a position in opening a library
9 in Mesilla. We have two branches that we have difficulty staffing and maintaining; Munson Center and
10 Sage Café.

11 Mayor Barraza asked who provides staffing for the two library branches.

12 Mr. Dolham responded the City of Las Cruces provides staffing. There is a strong core of volunteers at
13 Munson Center and we are looking at expanding the hours of operation at the Sage Café where there is a
14 computer lab and library services.

15 Mayor Barraza asked if the expenses involved are costly.

16 Mr. Dolham responded these expenses are part of the 1.2 million dollars Library Budget; not including
17 the Branigan Estate which provides an endowment for the purchase of books. The library has 27 staff and
18 20 part-time staff. During the school year we run the library 7 days a week.

19 Mayor Barraza stated we do have space at the Community Center but we do not have manpower or funds
20 to support a public library. She foresees problems with the honor system. This is a responsibility the
21 town would need to pick up. She asked if the town would need to purchase books.

22 Mr. Dolham responded during our discussion we stated that the books and shelving currently at Rio
23 Grande Prep would be made available to the town. It is a lot more detailed than you would think. We are
24 here to help; closing the library will be an inconvenience to some.

25 Trustee Johnson-Burick asked what the timeframe is that is being looked at for closing the library.

26 Mr. Dolham responded they would like it to be closed by the end of our fiscal year or the end of the
27 school year. We currently have a Book By Mail in cooperation with Dona Ana County.

28 Trustee Flores stated she had a resident call that she was not aware of the library. She donated books to
29 the library hoping the town would be able to use them.

30 Mr. Dolham stated we are currently evaluating our disposal policies.

31 Mayor Barraza reiterated the town does not have the manpower to maintain the library. The Town of
32 Mesilla does not have the adequate resources to fund a library.

33 Trustee Johnson-Burick stated she would like volunteer to see if there is public interest in having a
34 library.

35 Mayor Pro Tem Arzabal stated we do not have volunteers for the Visitor's Center but it is worth a shot.

36 Mayor Barraza stated we need volunteers at our Visitor's Center. She asked do we want to set up a
37 library and not have volunteers. She asked Mr. Dolham if they could advertise to see if there are
38 volunteers that would be willing to do it on a Saturday.

39 Mr. Dolham responded we will need to discuss that with the schools since you will be going into their
40 facility. We also rely heavily on volunteers. The City of Las Cruces through their RSVP (Retired Senior
41 Volunteer Program), which is funded federally, we have an extensive volunteer network. We are giving
42 up the RSVP fund due to the change at the requirements at the federal level. The city has made a decision
43 to subsidize since we have matching funds. We do have a volunteer network which runs through the
44 Munson Center; a minor formal agreement between the volunteer station and the city. If that is something
45 that the town would like to evaluate we can facilitate that for the library and the Visitor's Center.

46 Mayor Barraza stated our attorney will need to review that.

1 Mr. Dolham stated the Good Samaritan Law protects the volunteers from liability. We fund some
2 liability coverage for volunteers. We can provide a sample agreement for their review.

3 Mayor Barraza asked Mr. Dolham to provide that information to Ms. Stoechner-Hernandez which will be
4 forwarded to the attorney to see what direction we want to take.

5

6 **9. Consideration of a Drug/Alcohol Policy for Town of Mesilla Employees to be adopted into the**
7 **Personnel Policy – Nora L. Barraza, Mayor**

8 Mayor Barraza stated the trustees felt this needed to be postponed until another worksession was held.

9 **Motion:** To postpone until another worksession is held, **Moved by** Trustee Johnson-Burick, **Seconded**
10 **by** Mayor Pro Tem Arzabal.

11 **Roll Call Vote:** Motion passed (**summary:** Yes = 4).

12 Mayor Pro Tem Arzabal Yes

13 Trustee Bernal Yes

14 Trustee Flores Yes

15 Trustee Johnson-Burick Yes

16

17 **10. Memorandum of General Agreement between the Town of Mesilla and the City of Deming**
18 **pertaining to the sharing of a Certified Building Official (CBO) as required by Construction**
19 **Industries Division (CID) and NMSA 1978 60-13-41 – Nora L. Barraza, Mayor/Cynthia**
20 **Stoechner-Hernandez, Clerk-Treasurer**

21 Ms. Stoechner-Hernandez stated legislation stating that each municipality must have a certified building
22 official to continue issuing building permits became effective. The City of Deming has graciously agreed
23 to share Ms. Gina Gentile, City of Deming Building Official. We are currently contracted with Ms.
24 Gentile who submits monthly invoices for building inspections. This will satisfy the CID requirements so
25 that we can continue issuing Town of Mesilla Building Permits. She read the General Agreement letter.

26 **Motion:** To approve Memorandum of General Agreement between the Town of Mesilla and the City of
27 Deming pertaining to the sharing of a Certified Building Official (CBO) as required by Construction
28 Industries Division (CID) and NMSA 1978 60-13-41, **Moved by** Mayor Pro Tem Arzabal, **Seconded by**
29 **Trustee Bernal.**

30 **Roll Call Vote:** Motion passed (**summary:** Yes = 4).

31 Mayor Pro Tem Arzabal Yes

32 Trustee Bernal Yes

33 Trustee Flores Yes

34 Trustee Johnson-Burick Yes

35

36 **NEW BUSINESS:**

37 **11. Mesilla Elementary School Comcast Cares Clean Up Day – Kelly Mahres, Assistant Principal**

38 Ms. Kelly Mahres stated every April Comcast partners with local businesses or schools to provide a
39 community service to beautify the grounds and do things that need to be done. This year Mesilla
40 Elementary was chosen as the recipient. We are here to make you aware of this award and to ask for
41 support from the board and the community. We are asking for volunteers to come out to Mesilla
42 Elementary on April 26th from 8:00 a.m. to noon to give our school a facelift. For every volunteer that
43 supports us, Comcast makes a donation both to the school and to the Las Cruces Public School
44 Foundation. Last year there were 1,489 volunteers that showed up at Dona Ana Elementary; the highest
45 number of volunteers reported in history across the United States. We have taken that challenge and hope
46 to have more this year. If anyone has specific questions or are interested in helping, please contact us.

1 We have invited the Town of Mesilla Fire Department, Marshal Department and are looking forward to
2 helping our students do something wonderful for our school.

3 Trustee Johnson- Burick volunteered her husband.

4 Mayor Barraza responded she is sure all trustees will be contacting the school to volunteer. This will also
5 be posted on our website. We wish you a very successful event.

6 Ms. Mahres stated Comcast and the District Administrative staff come out to do a walk thru to see what is
7 needed and can be done in one day so we know we what will be doing. Also there is a strip of land on
8 Calle de Sur, which is just dirt and sand, that borders our school and when it rains or is windy all that
9 goes into the road. We are asking for permission to add decorative rock, which will be provided by the
10 school district, since the town owns the strip of land.

11 Ms. Salazar-Nava asked that permission be issued in writing.

12 Ms. Lujan asked that Mesilla Elementary submit a letter requesting permission which we will respond to
13 in writing.

14 Mayor Barraza stated they will be out there to assist.

15 Trustee Bernal stated he hopes they can meet the goal. He will be there to help. It is an honor for the
16 Town of Mesilla to host this and be part of this. Thanked them and hopes all the board will be there.

17 Ms. Mahres stated one of the most incredible things is how the students feel when they see how many
18 people are supporting them.

19 Trustee Flores asked is there anything people can donate if they are unable to attend.

20 Ms. Mahres responded there are lots of ways to volunteer. The volunteers count is from April 19th
21 through 30th.

22

23 **12. Correction to the Appointment of representative(s) to the Lower Rio Grande Water Users**
24 **Organization - Nora L. Barraza, Mayor**

25 Mayor Barraza stated at the last meeting appointments were made and confirmed by the trustees. She
26 appointed Mr. John Knop to the Lower Rio Grande Water Users Organization when he should have been
27 appointed to the MPO Technical Advisory Committee.

28 **Motion:** To approve the correction to the Appointment of representative(s) to the Lower Rio Grande
29 Water Users Organization, **Moved by** Trustee Flores, **Seconded by** Mayor Pro Tem Arzabal.

30 **Roll Call Vote:** Motion passed (**summary:** Yes = 4).

31 Mayor Pro Tem Arzabal Yes

32 Trustee Bernal Yes

33 Trustee Flores Yes

34 Trustee Johnson-Burick Yes

35

36 **13. Appointment of a new Town Marshal – Nora L. Barraza, Mayor**

37 Mayor Barraza indicated seven applications were received and screened. The screening committee
38 consisted of Ms. Stoechner-Hernandez, Trustee Bernal, Trustee Flores and Ms. Maya ranked the
39 applicants. The top four were interviewed by the interview committee which consisted of Mayor Barraza,
40 Mayor Pro Tem Arzabal, Mr. Ben Archuleta, Ms. Stoechner-Hernandez. She is recommending Mr.
41 Christopher Mangusing for the position of Town of Mesilla Marshal. Mr. Mangusing is a retired Border
42 Patrol Agent.

43

44 Mr. Mangusing gave a brief work history. He has a very good understanding of the stakeholders concerns
45 and is very excited to come to Mesilla. He wants to listen to what people have to say and become a friend

1 to the community. This is not to say it is not a profession department but his goal is to turn it into a very
2 professional agency.

3 **Motion:** To approve the appointment of a new Town Marshal, **Moved by** Mayor Pro Tem Arzabal,
4 **Seconded by** Trustee Bernal.

5 Trustee Bernal stated the process of getting the involvement of the trustees was good. He was on the
6 screening board. The top four interviewed were the way they were ranked by the screening committee.
7 He knows it has been hard in this department and it has affected this town drastically. He hopes we can
8 put everything behind us and he thinks of this board and what the Mayor has put together. A lot of people
9 do not see this; the communication. This has been a burden not only to Mayor Barraza but for everyone.
10 He hopes Mr. Mangusing sets goals to see what he wants to accomplish. This has been going on for eight
11 or twelve years. Every time the department goes down it hurts everyone; we are on front page of the
12 paper. He hopes he fulfils the goals that he has set forward for himself. He has the support of the board
13 and the Mayor as long as he does his job, does it safe for his staff and does the right thing. He has big
14 shoes to fill. First of all and last, take care of your staff; you take care of them and they take care of you.
15 Congratulations and looks forward in working with him.

16 Mr. Mangusing stated the communication aspect is going to be one of the main emphases he is going to
17 have with everyone involved. He is going to be a very good team member for the Town of Mesilla.

18 Mayor Pro Tem Arzabal asked Mr. Mangusing to address the training component.

19 Mr. Mangusing responded for federal and out of state Law Enforcement we are allowed to have
20 certification by waiver. We can submit our training record (400 hours) to the Department of
21 Transportation Advance Academy which is evaluated. He will then need to complete a five day course.
22 He has already submitted the paperwork. He has more training than what the minimum requirements are.
23 He has discussed this with the director of the Advance Academy and is waiting for his phone call. This
24 process should happen pretty quickly once it is in motion.

25 Inaudible

26 Mr. Mangusing stated he brings a lot of experience. He is a firm believer that we can learn from
27 everybody. There was a time when a Border Patrol was a peace officer.

28 Inaudible

29 Mayor Pro Tem Arzabal asked Mr. Archuleta to come to express his opinion.

30 Mayor Barraza stated the applicants had up to six months to get their certification.

31 Mr. Archuleta gave a brief history of himself; he has subject matter expertise. The individual being
32 recommended did a fantastic job in answering the questions that were asked of him. This was not the
33 case with all the candidates. Mr. Mangusing has the experience required in running a department. Also
34 has valuable and important contacts that will benefit the town. He liked his approach of taking care of his
35 troop first because they take care of the town. Mr. Mangusing leads from the front and not afraid to
36 becoming a working foreman which is what is needed in a small community. The marshal does not get
37 overtime; no compensation what so ever. He is mature, responsible, very articulate, and confident
38 individual. The Town of Mesilla is extremely fortunate to have this individual of this nature. The five
39 day course was verified by the Bureau Chief of the Advance Academy because they are aware of the
40 extensive training that the federal government gives Border Patrol Agents. We need such a person who
41 will work with the community, residents, and tourist but most importantly work with his fellow officers.
42 We had some good candidates but there is always one that stands out.

43 Trustee Flores thanked Mr. Archuleta for giving his time and expertise to the town.

1 **Roll Call Vote:** Motion passed (**summary:** Yes = 4).

2 Mayor Pro Tem Arzabal Yes

3 Trustee Bernal Yes

4 Trustee Flores Yes

5 Trustee Johnson-Burick Yes

6

7 Mayor Barraza congratulated Mr. Mangusing.

8

9 **14. Correction to the Appointment of representative(s) to the MPO Technical Advisory Committee -**
10 **Nora L. Barraza, Mayor**

11 Mayor Barraza appointed Mr. John Knop to the MPO Technical Advisory Committee with Ms. Debbie
12 Lujan.

13 **Motion:** To approve the correction to the Appointment of representative(s) to the MPO Technical
14 Advisory Committee, **Moved by** Mayor Pro Tem Arzabal, **Seconded by** Trustee Bernal.

15 **Roll Call Vote:** Motion passed (**summary:** Yes = 4).

16 Mayor Pro Tem Arzabal Yes

17 Trustee Bernal Yes

18 Trustee Flores Yes

19 Trustee Johnson-Burick Yes

20

21 **15. Closed session pursuant to 10-15-1 (H) (2) for the purpose of discussing limited personnel**
22 **matters for the Public Works Department. – Nora L. Barraza, Mayor**

23

24 **Motion:** To enter closed session pursuant to 10-15-1(H)(2) for the purpose of discussing limited
25 personnel matters for the Public Works Department, **Moved by** Trustee Flores, **Seconded by** Trustee
26 Bernal.

27 **Roll Call Vote:** Motion passed (**summary:** Yes = 4).

28 Mayor Pro Tem Arzabal Yes

29 Trustee Bernal Yes

30 Trustee Flores Yes

31 Trustee Johnson-Burick Yes

32

33 Entered closed session at 7:21 p.m.

34 **Motion:** To enter regular session pursuant to 10-15-1(H)(2) after discussing limited personnel matters for
35 the Public Works Department, **Moved by** Mayor Pro Tem Arzabal, **Seconded by** Trustee Bernal.

36 **Roll Call Vote:** Motion passed (**summary:** Yes = 4).

37 Mayor Pro Tem Arzabal Yes

38 Trustee Bernal Yes

39 Trustee Flores Yes

40 Trustee Johnson-Burick Yes

41

42 Entered regular session at 7:55 p.m.

43 **16. * STAFF REPORTS**

44 • Community Development Office

45 • Community Programs

46 • Finance Department.

- 1 • Fire Department.
- 2 • Public Works Department
- 3 • Marshal's Department

4
5 **17. BOARD OF TRUSTEE COMMENTS**

6
7 Trustee Johnson-Burick no comments

8 Trustee Bernal no comments

9 Mayor Pro Tem Arzabal stated Mr. Mangusing brings great professionalism and experience. If Mr.
10 Mangusing needs anything please give the mayor a call.

11 Trustee Flores wished Mr. Mangusing good luck and thanked him for coming to serve our town.

12 Mayor Barraza stated when she receives correspondence which is not signed or has no return address she
13 crumbles it up and throws it in the trash. She does not have time to look at it if they are not willing to
14 sign their name. She looks forward to working with Marshal Mangusing. Thanked the trustees for
15 participating in the interview process.

16 **18. ADJOURNMENT**

17 **Motion:** To adjourn, **Moved by** Mayor Pro Tem Arzabal, **Seconded by** Trustee Johnson-

18 **Roll Call Vote:** Motion passed (**summary:** Yes = 4).

19 Mayor Pro Tem Arzabal Yes

20 Trustee Bernal Yes

21 Trustee Flores Yes

22 Trustee Johnson-Burick Yes

23
24 **APPROVED THIS 28TH APRIL, 2014.**

25
26
27
28
29 _____
30 Nora L. Barraza
31 Mayor

32 **ATTEST:**

33
34
35
36
37
38 _____
39 Cynthia Stoechner-Hernandez
40 Town Clerk/Treasurer