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6 **BOARD OF TRUSTEES**
7 **TOWN OF MESILLA**
8 **WORK SESSION**
9 **MONDAY, APRIL 23, 2018**
10 **4:30 P.M.**

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12 **TRUSTEES:** Nora L. Barraza, Mayor
13 Jesus Caro, Mayor Pro Tem
14 Carlos Arzabal, Trustee
15 Veronica S. Garcia, Trustee
16 Stephanie Johnson-Burick, Trustee
17

18 **STAFF:** Cynthia Stoechner-Hernandez, Town Clerk/Treasurer
19 K.C. Albert, Marshal
20 Debbie Lujan, Public Works Director
21 Irene Parra, Special Events Coordinator
22 Gloria Maya, Recorder
23
24
25

26 **1.** The unveiling of photos donated to the Town of Mesilla in the Visitor's Center.
27 Mayor Barraza unveiled the photos donated to the Town of Mesilla: a portrait of Mr. John Paul Taylor
28 painted by Ms. Ouida Touchon, a picture of Mr. Johnny Flores and Isabel, and a picture of Parque de
29 Conmemorativo.
30

31 **2.** Discussion on the Town of Mesilla Preliminary Budget for FY 2018/2019. – **Cynthia Stoechner-**
32 **Hernandez, Clerk/Treasurer.**
33 Mayor Barraza opened the worksession at 5:07 p.m.
34

35 Ms. Stoechner-Hernandez gave a presentation of the Town of Mesilla Preliminary Budget for FY 2018-19.
36

37 Trustee Caro asked if we are still letting the Border Patrol use the Community Center rent free. There is a
38 lot of wear and tear as well as an increase in utilities; does not feel we should be allowing that. The
39 Border Patrol has money galore and is able to rent the facility also there are other facilities in the area that
40 they could use. They should not have it rent free just because some of our staff receives training. He
41 does not feel it is fair.
42

43 Mayor Barraza referred to page 8 Court General Fund; budget is being kept the same dollar amount.
44 Money will be moved from the operating expenses to cover Ms. Carbajal's overtime salary.
45

46 Ms. Stoechner-Hernandez stated that any changes to the numbers approved tonight will change these
47 numbers.
48

49 Mayor Pro Tem Caro stated he understood from the last meeting Judge Frietze did not want the \$1,000.
50

51 Ms. Stoechner-Hernandez responded Judge Frietze had requested increasing his overall budget by \$1,000.
52 She explained to Judge Frietze that moving from one line item to another was not an increase to his

1 overall budget and it could be done internally. He decided to move money internally so it did not have to
2 come to the board.

3
4 Mayor Barraza responded Judge Frietze had a surplus in his operating budget so he was able to cover the
5 overtime request.

6
7 Trustee Johnson-Burick stated there was something said that the court had been operating in a deficit the
8 last four years.

9
10 Ms. Stoechner-Hernandez stated Judge Frietze' letter does say under the court was operating under budget.

11
12 Mayor Barraza stated the terminology was not right. He was referring to having money left over. Money
13 left over at the end of the year reverts back to the General Fund.

14
15 Mayor Pro Tem Caro stated he understood he did not have enough money.

16
17 Mayor Barraza responded if any department does not use all the money budgeted for that fiscal year the
18 balance reverts back to the General Fund. For example if the budget is for \$5,000 and the department
19 spends \$3,000 the \$2,000 remaining will go to the General Fund. Public Works has exceeded their
20 budget due to unforeseen circumstances, so the money left over from other departments will be used to
21 cover the deficit.

22
23 Mayor Pro Tem Caro responded he remembers that happening at White Sands so everyone would spend
24 their monies and not to be shorted the next year.

25
26 Mayor Barraza stated we have not had to come to the board to increase our budgets. We have been able to
27 cover the negatives from within that fund.

28
29 Trustee Arzabal asked if they speak to the Judge during the budget process. He has heard six negatives
30 and he understands the court's budget will be decreased in order to give the increase. He asked if
31 everyone's budget is being decreased as to give Ms. Parra and Mr. Shannon their increase. You are not
32 his boss. I can't stand this. This is an extremely challenging thing if we are not playing the right ball
33 field.

34
35 Ms. Stoechner-Hernandez stated everyone's budget was cut to cover the employee increases. She cut her
36 budget to cover increases to Ms. Parra and Mr. Shannon.

37
38 Mayor Barraza reviewed the budget process.

39
40 Trustee Arzabal stated he recommends having the court pay rent. We are separated for some things and
41 for some things we are not. This just does not make sense.

42
43 Mayor Barraza stated the officers' union will be renegotiating in May and does not know what they are
44 proposing.

45
46 Mayor Pro Tem Caro asked who will be taking part in the renegotiating meeting.

47
48 Mayor Barraza responded the attorney, their union representative and possibly the gentleman from the
49 state department as well as Ms. Stoechner-Hernandez and herself.

50
51 Mayor Pro Tem Caro stated he will write something to be submitted for the next meeting.

52
53 Trustee Arzabal asked how often the renegotiating is and if all employees have been given the
54 opportunity to join the union.

1
2 Mayor Barraza responded it is every two years. The employees are aware of the union.

3
4 Ms. Stoechner-Hernandez responded there must be a posting done which reads all employees are given the
5 opportunity and this was done at the time of the Union formation.

6
7 Mayor Barraza stated they had to get a certain percentage of employees that wanted to be unionized in
8 order to proceed. There also was an election which involved five people.

9
10 Mayor Barraza stated it has been brought to her attention that VRBO should be paying Gross Receipt
11 Tax. They need to be identified in order collect Gross Receipt Taxes.

12
13 Ms. Stoechner-Hernandez stated there are quite a few around the Town of Mesilla.

14
15 Mayor Barraza responded a meeting should be scheduled for further discussion.

16
17 Ms. Stoechner-Hernandez stated it also depends on the number of rooms.

18
19 Mayor Barraza reiterated we need to follow up on this.

20
21 Trustee Arzabal asked if Marshal Alberg's request for a 1% increase (from the Las Cruces Public
22 Schools) for Officer Cortez will need to go to the union.

23
24 Ms. Stoechner-Hernandez responded the contract for the SRO is covered by Las Cruces Public Schools
25 (LCPS) and must go to the School Board for approval. Once approved, we will get the contract for the
26 SRO.

27
28 Mayor Barraza responded the SRO is a town employee and a member of the union.

29
30 Trustee Arzabal asked what will happen if LCPS denies it.

31
32 Ms. Stoechner-Hernandez responded she will then change the numbers and the town will pick up the rest
33 of the salary.

34
35 Marshal Alberg stated he understands the LCPS do not want to give an increase to the SRO.

36
37 Mayor Barraza stated we have met with LCPS, a few of their board members, Mr. Gregory and Mr.
38 Vasquez.

39
40 Marshal Alberg stated we are asking for more money from programs within the SRO Program.

41
42 Mayor Barraza stated Ms. Stoechner-Hernandez did a very good job on the budget. She encouraged the
43 trustees to review the preliminary budget and to call her with questions or to meet with Ms. Stoechner-
44 Hernandez.

45
46 Mayor Pro Tem Caro thanked Ms. Stoechner-Hernandez.

47
48 Trustee Johnson-Burick thanked Ms. Stoechner-Hernandez; you represent us well.

49
50 Worksession ended at 5:42 p.m.

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**BOARD OF TRUSTEES
TOWN OF MESILLA
REGULAR MEETING
MONDAY, APRIL 23, 2018
6:00 P.M.**

TRUSTEES: Nora L. Barraza, Mayor
Jesus Caro, Mayor Pro Tem
Carlos Arzabal, Trustee
Veronica S. Garcia, Trustee
Stephanie Johnson-Burick, Trustee

STAFF: Cynthia Stoechner-Hernandez, Town Clerk/Treasurer
K.C. Alberg, Marshal
Debbie Lujan, Public Works Director
Irene Parra, Special Events Coordinator
Gloria Maya, Recorder

PUBLIC:	Michael Delzer	Jerry Harrell
	Arturo Jurado	Buddy Ritter
	Susan Krueger	Tom Hutchinson
	Rolo Minjarez	Ester Gonzalez
	Yolanda Lucero	Dara Pancer
	Kevin Hoban	Morgan Switzer
	Mary Helen Ratje	Joseph Cervantes
	Xavier Jurado	Pete Jurado

1. PLEDGE OF ALLEGIANCE

Mayor Barraza and students led the Pledge of Allegiance.

2. ROLL CALL & DETERMINATION OF A QUORUM

Roll Call.

Present: Mayor Barraza, Mayor Pro Tem Caro, Trustee Arzabal, Trustee Garcia, Trustee Johnson-Burick.

Ms. Ashley Curry read Proclamation declaring May 8th National Ride to School Day in the Town of Mesilla. She invited everyone to join the students on Tuesday, May 8th.

Mayor Barraza thanked Ms. Curry for all that she does for the students of Mesilla and for her commitment and dedication. She thanked the children for attending.

3. CLOSED SESSION – pursuant to NMSA 1978 Chapter 10-15-1(H)(7): discussion related to threatened or pending litigation: Nancy Byres V. Town of Mesilla – Nora L. Barraza, Mayor.

Motion: To enter Closed Session - pursuant to NMSA 1978 Chapter 10-15-1(H)(7): discussion related to threatened or pending litigation: Nancy Byres V. Town of Mesilla, Moved by Trustee Arzabal, Seconded by Mayor Pro Tem Caro.

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

Mayor Pro Tem Caro Yes

Trustee Arzabal Yes

Trustee Garcia Yes

1 **Trustee Johnson-Burick Yes**

2
3 **Entered Closed Session at 6:13 p.m.**

4
5 **Motion: To enter Closed Session after limited discussion pursuant to NMSA 1978 Chapter 10-15-**
6 **1(H)(7) related to threatened or pending litigation: Nancy Byres V. Town of Mesilla; no action**
7 **taken, Moved by Mayor Pro Tem Caro, Seconded by Trustee Johnson-Burick.**

8
9 **Roll Call Vote: Motion passed (summary: Yes = 4).**

10 **Mayor Pro Tem Caro Yes**

11 **Trustee Arzabal Yes**

12 **Trustee Garcia Yes**

13 **Trustee Johnson-Burick Yes**

14
15 **Enter Regular Meeting at 6:27 p.m.**

16
17
18 **4. PUBLIC INPUT** – The public is invited to address the Board for up to 3 minutes.

19 Mr. Hutchinson stated he made comments the last time he visited with the board regarding food trucks.
20 He does not have issues with food trucks. We have been mindful the impact food trucks have on brick
21 and mortar businesses. To a large extent food trucks are located in areas that do not directly compete with
22 existing restaurant. When we established the Farm’s Market it was done with conditions one was to
23 exclude food vendors and vendors that would not compete with businesses around the plaza. He asked
24 that the board revisit their thinking on how that has evolved. He spends 10’s of thousands of dollars in
25 marketing La Posta and Hacienda to bring people to his establishments as well as to Mesilla. He is
26 concerned that he is attracting people to the town when the town is introducing competition. He hopes the
27 trustees understand the food truck is a good idea; this parking lot is good location for that event.
28 Someone made the comment that food trucks were a cost effective option; that is not the case. Food
29 trucks can be expensive.

30
31 Mr. Russell Hernandez stated there are 20 food and drink establishments in and around Mesilla who
32 contribute in enhancing the experience. We are looking at creating an experience and supporting each
33 other as businesses. We are looking at revising the Mesilla Merchant Organization but are focusing on
34 the food and beverage aspect. We will be launching Experience Mesilla on May 5 with 19 restaurants,
35 coffee shops, and bars will be participating. We will have a booth at the fiesta where we will be selling
36 glasses with the businesses listed on it to help support the programing. Patrons that purchase the glass
37 will receive a discount at the businesses listed on the glass. This will be posted on social media and on
38 the website. This is a start in enhancing what is available in Mesilla. His heart is in Mesilla and is
39 looking at enhancing it. There are businesses that are drawn to Las Cruces. He thanked Ms. Parra for her
40 assistance. The Experience Mesilla website should be launched by the end of the week. Other shops will
41 have an opportunity to post on the website. We need to look at what impact the food trucks bring to
42 Mesilla. He has spoken to administrative staff regarding the food truck ordinance. He looks forward in
43 launching Experience Mesilla.

44
45 Mr. Jurado stated they always follow procedure when starting a new business, etc.; they do it right. We
46 are very proud of that. He does not understand why he constantly needs to come here and listen when
47 they had already been approved. The towers are essential as mentioned at the last meeting. We have
48 been harassed by two members of this community and he is tired of it. He has lost a lot of money. He
49 asked the board to consider that. We have always tried to do what is right for Mesilla.

50
51 **5. CHANGES TO THE AGENDA & APPROVAL**

52 Mayor Barraza asked to move item f - Resolution: 2018-06 to item b under New Business.

1
2 **Motion: To approve agenda as amended, Moved by** Trustee Arzabal, **Seconded by** Mayor Pro Tem
3 Caro.

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

6 **Mayor Pro Tem Caro Yes**

7 **Trustee Arzabal Yes**

8 **Trustee Garcia Yes**

9 **Trustee Johnson-Burick Yes**

- 10
11 **6. *APPROVAL OF CONSENT AGENDA – The Board will be asked to approve by one**
12 **motion the following items of recurring or routine business. The Consent Agenda is marked**
13 **with an asterisk *:**

14
15 **Motion: To enter approve Consent Agenda, Moved by** Trustee Arzabal, **Seconded by** Trustee
16 Johnson-Burick.

17
18 **Roll Call Vote: Motion passed (summary: Yes = 4).**

19 **Mayor Pro Tem Caro Yes**

20 **Trustee Arzabal Yes**

21 **Trustee Garcia Yes**

22 **Trustee Johnson-Burick Yes**

23
24
25 **A. *BOT MINUTES – Work Session & Regular Meeting of April 9, 2018. *Approved by***
26 ***consent agenda***

27 **B. *PZHAC Case 060709 - 2650 Calle del Oeste, submitted by Henry Gil; a request for a**
28 **building permit to install fascia boards on part of a **porch** and to allow the porch to be**
29 **enclosed to block winds from the west; and to repair and repaint the trim and stucco on the**
30 **dwelling at this address. Zoned: Historical Residential (HR). *Approved by consent agenda***

31
32 **7. OLD BUSINESS:**

33 **A. *BOT MINUTES – Regular Meeting of March 26, 2018. *Approved by consent agenda***

34
35 **8. NEW BUSINESS:**

36 **A. A presentation/discussion by Mr. Buddy Ritter against the Food Truck Fiestas on the Plaza.**
37 **Mr. Ritter read his opposition on Food Trucks Fiestas.**

38
39 Ms. Parra stated when she first started working with the Town of Mesilla her first and important goal was
40 to find a way to do it better. The brochure at the time had less than half the businesses in it since some of
41 the small businesses could not afford to purchase an ad. She wanted to find a way to better promote all
42 the businesses in Mesilla not just those that could afford to purchase an ad or a billboard. We also now
43 have a nice and new user friendly website. The 2nd official Visitor Guide has just been produced and
44 features every single Town of Mesilla business. We continue to make improvements. She is always
45 getting feedback from the businesses, staff, and residents on how we can continue to market all of
46 Mesilla. We have increased the number of events and dollars that we put forth promotion. We are now
47 seeing the return in our investments because we understood that in order to grow we need to spend
48 money. The attendance has increased at our events as well.

1 Ms. Parra continued: This year we will be hosting the First Spanish Market, we also first the First Annual
2 Pecan Festival. Her job as the Special Event Coordinator includes promotions. When she hears that she
3 is not promoting the businesses or the Town of Mesilla it may be because they are not aware of what she
4 is doing. She is more than happy to sit down to go over the long list of areas where she is doing the
5 promoting. Today she renewed a contract for advertisements in two brochures. There are a number of
6 things that people are not aware of that we are doing to promote the Town of Mesilla. There have been
7 oppositions in regards to the food trucks which the board and staff took seriously. We now have an
8 official ordinance that deals with the food trucks. We have it controlled and have a specific process for
9 the food trucks in place. We took the businesses into consideration when planning the Food Truck
10 Fiestas. We did it on a day that we believe there is not a lot of business in Mesilla. The event is only
11 twice a year as it is not event that fits in Mesilla on a weekly basis or monthly basis. She does not believe
12 that this event has a long permanent, detrimental effect on Mesilla. She hopes we continue this discussion
13 and the ones opposed understand that it is possible to support the food trucks and the businesses. We do
14 see people going into the local restaurants on those nights. Parking will always be an issue in Mesilla.
15 Safety is our first concern when closing the plaza.

16
17 Ms. Krueger stated the first time she saw the Mesilla plaza she was amazed. Her thought was that when
18 she brings people to the plaza she does not want them to look at the architecture, buildings, and
19 businesses and to have it blocked by food trucks. It is an excellent idea to move the food trucks to
20 another location. That event blocks a lot of beauty.

21
22 Trustee Arzabal stated he asked Ms. Parra if the businesses knew about the fiesta and the street closures.
23 He does see the plaza closed often. The board used to vote on closing the plaza in the past and should
24 vote on it now. He is unsure as to why that stopped.

25
26 Mayor Pro Tem Caro stated there should be suggestions on the locations of the events. The Car Shows
27 are best suited at the Town Hall rather than the plaza. We should come up with a compromise, a good
28 medium.

29
30 Mayor Barraza responded we need to focus tonight on the food trucks on the plaza.

31
32 Trustee Garcia asked how hard is it to move the Food Truck Fiesta to another location?

33
34 Mayor Barraza responded there is no electricity elsewhere.

35
36 Trustee Garcia asked what happens if one of the trucks catches on fire. She understands they need to go
37 through inspections just like the restaurants but they can still catch on fire. Is it going to be a domino
38 effect if one truck catches on fire?

39
40 Fire Chief Hoban responded there is an inspection program in collaboration with the City of Las Cruces
41 and Dona Ana County fire departments for food trucks. We apply the code as applicable to these food
42 trucks, i.e. fire extinguishers, business licenses. Trustee Garcia's concern is well thought out. We do
43 have a plan called portable standpipes. The danger is not the food trucks but the building themselves as
44 they share wall space. Training is an important part to fire prevention. It has helped one of our local
45 restaurants in preventing a fire from recurring.

1 Trustee Garcia stated our structures are so old and can catch on fire if a food truck is on fire. The Town
2 Hall parking lot would be better area for the event since it is an open area.

3
4 Fire Chief stated we have a defensible space and that is why they are parked on the plaza side and not on
5 the building side. We have never had a fire on a food truck. If they do not have an inspection, the proper
6 equipment they will not be allowed to open. We try to do our best also there is about 17 ft. between the
7 facade of the buildings and the food trucks. The biggest thing we do is prevention. We apply the same
8 knowledge and standards to all events. Accidents do occur and that is why he does not allow firework
9 vendors on the plaza. In his tenure we have not had a fire in a vendor on the plaza during an event.

10
11 Mayor Barraza stated Ms. Parra has done a great job in presenting. There is a process that is followed for
12 an event request. We sit at the table to discuss the pros and cons and possibilities. We look at how the
13 town will benefit from these events. She feels the events bring in more tourism which reflects on our
14 Gross Receipt Tax. Our goal is to continue to promote the Town of Mesilla. People enjoy sitting at the
15 plaza and being entertained. When she travels she looks at what other entities do to bring in revenue to
16 their municipality. The food truck is only twice a year for one to two hours in the evenings. Most of the
17 shops close at 6:00 p.m. As she walks in the evenings she sees the activity that goes on in and around the
18 plaza; most evenings are very quiet. Last night she saw people taking photographs around the plaza. She
19 has not seen a negative impact from the food trucks the last two years. She saw people walk into El Patio,
20 Double Eagle and La Posta as the crowd starts to dwindle around 7:00 p.m.

21
22 **B. For discussion: the cell towers on the property of an approved Commercial property at 1971**
23 **Union Avenue.**

24 Mayor Barraza stated the property belong to the Jurado's at 1971 Union was approved for rezoning from
25 Rural Farm to Commercial. The owner has a long term lease with the cell tower company; there are two
26 towers on the property. One of the towers was approved prior to the ordinance and one was after. The
27 questions is does the applicant need to go through the Special Use Permit again to keep the cell towers.

28
29 Mr. Cervantes responded the answer is no they do not. He looked at the minutes from the last meeting
30 where there was a lot of discussion. He was asked to do an analysis as to whether the zone change
31 constitutes Spot Zoning. He looked back at the 2004 minutes; motion and action to see if conditions were
32 placed. There were no conditions on the Special Use Permit triggered by the zone change. There is
33 nothing in the law that would trigger a rescission of the Special Use Permit by virtue of a zone change.
34 The Special Use Permit passed by the board in 2004 was done by resolution. You cannot undo the action
35 of the board without following the same formality. The term grandfathering is for a non-conforming use.
36 Reviewed the case of Rio Rancho vs Logan. There was discussion of the cell towers ordinance. There
37 was no ordinance in place in 2002 for the first tower. When the request for the second tower came forth
38 the board realized they did not have an ordinance so there was a delay until an ordinance was written. In
39 2004 the applicant was approved for a Special Use Permit and a variance which indicates there was no
40 dispute. Reviewed Mesilla Town code sections 18.54.030;18.05.160;18.55. All the zoning in the town
41 code are set up to articulate what are the permitted uses and to articulate what are not the permitted uses
42 with some gray areas in between. Courts go to the more specific provisions of the code rather than the
43 sections of facilities. The proper section for cell phone towers is what we call Unclassified Special Uses
44 which was followed in 2004.

45
46 Mayor Barraza stated there is nothing legal the applicant needs to do at this point.

47
48 Mr. Cervantes responded there is nothing that rescinds a Special Use Permit with regards to a zone
49 change.

50

1 Trustee Johnson-Burick stated Mr. Cervantes indicated if a third tower would come in it would have to go
2 through a Special Use Permit. According to our ordinances Special Use Permits are not allowed in the
3 Commercial Zone.

4
5 Mr. Cervantes responded that would have to be up to the trustees; they are always in a position to change
6 that as the governing body.

7
8 Mayor Barraza stated she hopes this will be put to rest and that the Jurado's are happy with the outcome.
9 If this is challenged in court we have the documentation to back it up.

10
11 Mr. Cervantes stated he cannot assure that the town will not be sued but he can assure that the town will
12 prevail.

13 **B. For discussion/approval: approving the use of Reserve Deputies per Mesilla Town Code**
14 **2.45.040 to cover shifts due to an employee being activated by the National Guard. – K.C.**
15 **Alberg, Marshal.** *(added 4/20/18 at 10:23 am)*

16 Mayor Barraza stated at the last meeting we were informed that Deputy Madson had been activated by the
17 National Guard. As mayor she had the authority to approve 5 days for Deputy Gennrich. We would like
18 approval from the board to allow Reserve Deputy Gennrich to fill in until Deputy Madson returns.

19
20 **Motion: To approve the use of Reserve Deputies per Mesilla Town Code 2.45.040 to cover shifts due**
21 **to an employee being activated by the National Guard, Moved by Trustee Arzabal, Seconded by**
22 **Trustee Johnson-Burick.**

23
24 **Roll Call Vote: Motion passed (summary: Yes = 3; No=2).**

25 **Mayor Pro Tem Caro No**

26 **Trustee Arzabal Yes**

27 **Trustee Garcia No**

28 **Trustee Johnson-Burick Yes**

29 **Mayor Barraza Yes**

30
31 **C. For discussion/possible approval: a request by Judge Frietze for a pay increase for the Court**
32 **Clerk.**

33 Mayor Barraza read letter from Judge Frietze addressing the pay increase request.

34
35 Judge Frietze asked why he has to come to the board for with this request. The court is a separate entity.
36 Once the budget is approved he can do what he wishes without coming to the board.

37
38 Trustee Arzabal responded he would agree but that is not the way it works since we are the Finance
39 Board. If the board is going to do this then the employee needs to follow the town's process. The judge
40 is in charge of the employee not the mayor. The employee does not clock in like the rest of the
41 employees because she does not have to. If we are going to give someone a 2% raise there needs to be
42 some balance. This is a hard; he wishes the court had their own budget and signed their checks and we
43 have nothing to do with it. But it is not set up that way. That is not a good thing for this Finance Board.

44
45 Judge Frietze stated Trustee Arzabal just stated that all town employees clock in; he asked Marshal
46 Alberg if this staff clocks in.

1 Marshal Alberg responded they clock in on the radio, through Central Dispatch.

2

3 Trustee Arzabal stated Andrea is not a salaried employee; she is an hourly waged employee.

4

5 Mayor Pro Tem Caro stated the court is its own entity and does not see why Judge Frieze should not give
6 his employee a raise. He goes along with giving the raise.

7

8 Trustee Johnson-Burick stated the judge gets his own budget and do with it as he sees fit. She read the
9 article from the New Mexico Municipal League. Her concern is that Andrea will be getting the 5%
10 longevity increase as an employee of the town but she is not treated as an employee of the town. She gets
11 different vacation and follows different policies. Picking and choosing what policies she is going to
12 follow will open it up for liability. We have discussed Andrea getting two weeks off for Christmas when
13 town employees do not. She recommends giving him his budget and him do as he sees fit but she does
14 not want to give Andrea the 5% longevity increase. Why would we give an increase like this just before
15 budget time?

16

17 Trustee Garcia stated she is currently earning \$13.20 and would increase to \$15.00. That is still within his
18 budget of \$5,000. At the last meeting the court was \$5,000 under budget, he transferred \$1,000 which left
19 him \$4,000 under budget.

20

21 Ms. Stoechner-Hernandez responded monies were moved from operations to salaries.

22

23 Trustee Garcia stated so he would still be in budget. Andrea told her she paid for her own certifications;
24 she was not reimbursed.

25

26 Judge Frieze stated even with the pay raise we would be under budget. Andrea paid for her own
27 certifications.

28

29 Trustee Garcia stated he will still have money even with the pay increase and still be within his budget.

30

31 Trustee Johnson-Burick stated she does not see that the board needs to approve an increase in her rate of
32 pay. This person does not follow our town ordinances.

33

34 Mayor Barraza stated she needs to follow the Personnel Rules and Regulations Manual. Judge Frieze has
35 his own Personnel Handbook. She is not sure if the 5% increase is in their handbook. If she is not
36 following the town's handbook than she is not entitled to the 5% increase. She sees the pros and the cons.
37 She asked if by doing this will it be open for any department with money left in their budget to come to
38 the board to request to give their staff an increase. We all work under one building and employees see
39 what is going on daily. One set of employees come in at whatever hour they want. She tells the town
40 employees that it is not the town's business but when there are customers that are upset, who yell at the
41 employees across the hall when there is no one to help them take care of business, at that point it does
42 affect our employees. We need to find a medium to be able to work together because we share a building.

43

44 Trustee Garcia asked if Ms. Lujan worked her staff's pay increase into her budget.

45 Ms. Lujan responded yes.

46

1 Trustee Garcia stated so why can't the judge give his pay increase that is within his budget.
2
3 Judge Frieze stated the court is a separate branch of the government. There was an agreement with the
4 previous mayor that the court would be separate. He did not want interference from the other side. He
5 has tried to maintain the court *inaudible*. If you think you hear yelling *inaudible*.
6
7 Trustee Arzabal asked if legally the judge has to come to the board.
8
9 Mayor Barraza responded the budget comes to the Board of Finance which is the only thing that connects
10 us with judicial. We must by law submit our budget to the Department of Finance.
11
12 Trustee Arzabal stated the court moved \$1,000 and it did not come to the board.
13
14 Mayor Barraza responded that did not increase his overall budget.
15
16 Trustee Arzabal stated this is within his budget as well so why does he come to the board with this
17 request.
18
19 Ms. Stohner-Hernandez responded she is unsure and nodded toward Mr. Cervantes.
20
21 Mr. Cervantes stated this goes back decades. The court is independent from the municipalities but if there
22 is a court employee that is unhappy they are going to sue the town and not the court. The trustee is the
23 Board of Finance.
24
25 Mayor Barraza stated the question is why Judge Frieze has to come to the board to give his clerk an
26 increase when he has money in his budget.
27
28 Mr. Cervantes responded he may not need to come to the board. The town should cooperate with each
29 other.
30
31 Mayor Pro Tem Caro stated he is a separate government branch of municipal government. Once his
32 budget has been approved he can work and do with his budget as he wishes.
33
34 Mayor Barraza asked Mr. Cervantes if the 5% longevity increase and the 2% COLA would be applicable
35 to the court employee since they have their own handbook. He would have to put into his budget; we
36 would not have to do it.
37
38 Mr. Cervantes responded the court can do their own structuring. The board as a governing body has a
39 responsibility of the town. He stated they should not modify the budget for an increase.
40
41 Mayor Barraza stated that if adjustments are done within his budget he would need to make Ms. Stohner-
42 Hernandez aware of those adjustments as she is the one that reports to Department of Finance.
43

1 Mr. Cervantes stated there are a lot of gray areas. *Inaudible*

2
3 Trustee Johnson-Burick stated the judge has an approved budget so he can do what he wants. We are not
4 entitled to give the 5% or the 2%. He will need to come to the board for budget adjustments.

5
6 Mayor Barraza responded Judge Frieze will need to go to Ms. Stoechner-Hernandez unless he is
7 increasing his overall budget, then it comes to the Board.

8
9 Trustee Arzabal stated he understands the only time the judge will have to come to the board is if he runs
10 out of money. We have to look at morale. It is what it is.

11
12 Mayor Barraza stated as per Mr. Cervantes' comment the board will not need to take any action on this.
13 Judge Frieze will need to present the paperwork to Ms. Stoechner-Hernandez so she can make the
14 adjustments he is requesting.

15
16 Judge Frieze asked that if the town is going to take money from the Corrections Fund to let them know
17 as we do not know when we may need it. This was done when Mayor Barraza came into office.

18
19 Mayor Barraza stated she does not remember and they will look at the minutes. Any transfer would have
20 to go to the Board of Trustees as they have control of the budget.

21
22 Judge Frieze referred to State Statute. The town is entitled to the interest on the Corrections Fund, but
23 not the money itself.

24
25 **Motion: To approve a request by Judge Frieze for a pay increase for the Court Clerk, Moved by**
26 **Trustee Arzabal, Seconded by Trustee Johnson-Burick.**

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

29 **Mayor Pro Tem Caro Yes**

30 **Trustee Arzabal Yes**

31 **Trustee Garcia Yes**

32 **Trustee Johnson-Burick Yes**

33
34 **D. Resolution 2018-05:** A resolution authorizing the execution and delivery of a loan agreement
35 between the Town of Mesilla and the New Mexico Finance Authority in the principal amount
36 of \$169,949 for financing the purchase of Public Works Utility Vehicles and related
37 equipment (lightbars). – **Debbie Lujan, Public Works Director.**

38 **Motion: To enter approve Resolution 2018-05: A resolution authorizing the execution and delivery**
39 **of a loan agreement between the Town of Mesilla and the New Mexico Finance Authority in the**
40 **principal amount of \$169,949 for financing the purchase of Public Works Utility Vehicles and**
41 **related equipment (lightbars), Moved by Trustee Arzabal, Seconded by Mayor Pro Tem Caro**

42
43 Ms. Lujan stated this came to the board in February and was approved at that time. Reviewed the history
44 of the vehicles.

45
46 Mr. Younker stated most of the vehicles are in disrepair with one inoperable. He gets complaints since he
47 sends out multi workers in single vehicles. The needed repairs increase our fuel consumption. There is
48 also a safety issue with these vehicles.

49

1 **Roll Call Vote: Motion passed (summary: Yes = 3; No=1).**

2 **Mayor Pro Tem Caro No**

3 **Trustee Arzabal Yes**

4 **Trustee Garcia Yes**

5 **Trustee Johnson-Burick Yes**

6
7 **E. Resolution 2018-06:** A resolution affirming support for the White Sands National Park
8 Establishment Act. – **Nora L. Barraza, Mayor. Moved to item B.**

9 Ms. Dara Parker made a presentation regarding the White Sands National Park Establishment Act.

10
11 Mayor Barraza stated this is very informative. There has been a lot of time and research done between
12 the different entities. She cannot see a reason why the Town of Mesilla would not support this resolution.

13
14 **Motion: To enter approve Resolution 2018-06: A resolution affirming support of the White Sands**
15 **National Park Establishment Act, Moved by Trustee Arzabal, Seconded by Mayor Pro Tem Caro.**

16
17 **Roll Call Vote: Motion passed (summary: Yes = 4).**

18 **Mayor Pro Tem Caro Yes**

19 **Trustee Arzabal Yes**

20 **Trustee Garcia Yes**

21 **Trustee Johnson-Burick Yes**

22
23 **9. BOARD OF TRUSTEE COMMITTEE REPORTS**

24 Mayor Barraza stated she will be attending a mandatory safety meeting so Trustee Garcia will represent
25 the Town of Mesilla at the South Central RTD meeting on Wednesday.

26
27 **10. BOARD OF TRUSTEE/STAFF COMMENTS**

28 Trustee Garcia stated she hopes Public Work staff keeps and uses the new vehicles in the Town of
29 Mesilla. She hopes there is a log to monitor the vehicles and their locations. She sees every Mesilla
30 vehicle, but not in Mesilla. She hopes they take care of the vehicles. She hopes they got warranties.
31 She hopes they got some oil changes. She hopes they get something out of it instead of just spending the
32 money and not getting anything in return. When she buys a vehicle she wants to get a year of oil
33 changes out of it. She hopes there is bumper to bumper coverage which comes from the dealership. She
34 hopes they take care of them and they stay in the Town of Mesilla limits. There are no vehicles in Mesilla
35 and there are a lot of residents complaining about that.

36
37 Mayor Barraza encouraged the residents that when they see a vehicle out of jurisdiction to report it. If we
38 don't have it documented, we cannot follow up on that. Many times staff needs to go into town to get
39 supplies and fuel as it is cheaper outside of Mesilla.

40
41 Trustee Garcia stated she saw a town vehicle at the Pic Quik; she sat there, and he was there for 30
42 minutes not doing anything. She saw them in the middle of the night on Friday night; she was the one
43 that brought them Gatorade. She checked on them to see if they were okay because no one had checked
44 up on them; only one person. She checked on them because the vehicle did not have a back light. No one
45 watched their back. Law Enforcement checked on them once but they were not around. No one is around
46 to take care of the residents in Mesilla. Our neighbors take care of each other. Nobody goes down the
47 streets in Mesilla. She can tell you where they are at 3:00 a.m., 5:00 and at 7:00; look at the river, car
48 wash. She hopes the vehicles stay in Mesilla.

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Trustee Arzabal stated he will not be surprised if at the next meeting department heads they come for a two dollar raise for their staff. He feels the budget will change. It is a learning thing.

Trustee Johnson-Burick no comments.

Mayor Pro Tem Caro stated the same thing goes for the Fire and Marshal Department. He always sees the town vehicles all over the county. Due to an increase in fuel staff needs to maintain and stay in town. This is an abuse of vehicle; vehicles are to be for government use only.

Mayor Barraza stated she will be in Santa Fe Thursday and Friday. Wednesday she will be at mandatory yearly Safety Training. C.D. Construction gave the town two checks due to arbitration. ESA will complete the work at the Public Safety Building. She was happy to hear the merchants are working together again. It takes the community coming together and working together. We are not the solution for everything. Cinco de Mayo will be held on May 5th and 6th and encourages everyone to attend the fiesta. Planning and Zoning will attend the Semi Annual Conference in Clovis next week. The British Car Show will be held on the 28th on the plaza. Next meeting is scheduled for Monday, May 14th.

Trustee Johnson-Burick asked if we need to be on the plaza on Saturday, May 5th at 12:00 noon.


Mayor Barraza responded yes. She thanked everyone for their comments.

11. ADJOURNMENT

The Town of Mesilla Trustees unanimously agreed to adjourn the meeting. (Summary: Yes-4)

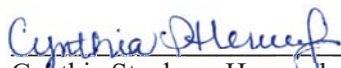
MEETING ADJOURNED AT 8:36 P.M.

APPROVED THIS 14th DAY OF MAY 2018.



Nora L. Barraza
Mayor

ATTEST:



Cynthia Stoehner-Hernandez
Town Clerk/Treasurer

