



Town of Mesilla, New Mexico

**BOARD OF TRUSTEES
TOWN OF MESILLA
WORK SESSION
MONDAY, MAY 14, 2018
5:00 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, Marshall
Kevin Hoban, Fire Chief
Debbie Lujan, Public Works Director
Gloria Maya, Recorder

- Discussion of the Town of Mesilla Preliminary Budget for FY 2018/2019. – **Cynthia Stoechner-Hernandez, Clerk/Treasurer.**

Mayor Barraza opened the Worksession at 5:03 p.m.

Ms. Stoechner-Hernandez reviewed the changes made to the Town of Mesilla Preliminary Budget for FY 2018-2019.

Mayor Barraza stated the operation expenses were adjusted for the salary increase; asked if those adjustments were made through the court or did she make them.

Ms. Stoechner-Hernandez responded she spoke to Judge Frieze and Ms. Carbajal to get her the final numbers so she can plug them in.

Mayor Barraza asked if these numbers could change.

Ms. Stoechner-Hernandez responded the operating expenses total line item will stay the same.

Mayor Barraza stated the bottom number will remain the same; the grand total of salaries and operating expenses will be \$72,463 as in all other departments. We have not confirmed the budget amount for the SRO.

Trustee Johnson-Burick reviewed the court budget; operating budget will remain the same. She stated Ms. Stoechner-Hernandez went back and adjusted the town's budget to remove all the extras we had in there for the increases.

Mayor Barraza asked what she meant by the town's budget.

Trustee Johnson-Burick responded we had budgeted to accommodate the 5% and increase. At the last meeting based on the ordinances and State Statute it went back to the judge to absorb those cost.

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2 Mayor Barraza stated it is coming from the court's operating budget, not from the town budget, to cover
3 personnel.
4

5 Mayor Pro Tem Caro inaudible
6

7 Trustee Garcia asked if Judge Fietze understands what is taking place.
8

9 Ms. Stoechner-Hernandez responded she went over it with the court this afternoon.
10

11 Mayor Pro Tem Caro inaudible
12

13 Trustee Garcia asked how much we pay dispatch.
14

15 Ms. Stoechner-Hernandez stated it comes out of her budget but does not know the amount.
16

17 Fire Chief Hoban responded it is about \$54,000. MRVDA fees are calculated by the number of calls
18 received which comes up with a price per call; excludes City of Las Cruces and Dona Ana County due to
19 their in-kind services.
20

21 Trustee Garcia stated she was told that the City of Anthony paid \$90,000.
22

23 Fire Chief Hoban stated larger communities – higher call volume.
24

25 Mayor Pro Tem Caro stated he feels we need to cut back in the Marshal Department such as the take
26 home vehicles. We should cut down to one marshal and four deputies. The department is too big for the
27 number of residents in Mesilla. We do not know what cut backs will be done with Trump so we need to
28 be ready and tighten our belts as we may be getting less from the state. We need to do whatever is needed
29 to stay above water.
30

31 Trustee Johnson-Burick stated she hears from the residents that they do not see the officers out on the
32 streets. She feels that may be because of the lack of overtime. We are barely covering the 24/7 weekly
33 shifts with the number of deputies we currently have. Her concern is the impact a change like that would
34 have on operations and public safety. She tells residents the officers are doing their jobs.
35

36 Mayor Pro Tem Caro stated two years ago the officers were all over the place; now you hardly see them.
37 The marshal needs to be more active. He feels schedules need to be worked on. He sees the officers all
38 over Las Cruces; residents also say they see them all over. We need to make them accountable. We do
39 not like to micromanage but sometimes you have to.
40

41 Trustee Arzabal stated Marshal Gray and Marshal Mangusing did a presentation on the take home units;
42 increased response time. We are not in charge of personnel and saying that we need to micromanage, that
43 is not our job. We are a finance and policy making board. The mayor is in charge of personnel. We can
44 ask the mayor to look into any issue that may arise. We can request the Marshal's Department to make a
45 presentation.
46

47 Mayor Barraza stated she disagrees with Mayor Pro Tem Caro in that the marshal and four deputies can
48 cover the town 24/7 and complete the required paperwork. They would need to work seven days straight
49 without a day off. There is more than just patrolling. They have paperwork to complete and submit,
50 attend court when needed. Officers get overtime once they work 84 hours a pay period. She does see the
51 officers patrolling. When there is only one officer per shift they cannot be everywhere. They are doing
52 traffic stops, paperwork, transporting prisoners, attend to calls, etc. It is impossible for them to be
53 everywhere. The marshal has money in his budget for overtime such as for the fiestas as there needs to be
54 officers present during an event to do crowd control. The town is not participating in Stonegarden so we

1 do not have the overtime money which was used strictly for Stonegarden. If an officer works 84/86 hours
2 a pay period he will have to be paid not less than two hours of overtime for attending court. She and the
3 Department Heads oversee personnel. No one documents when they see officers all over town; we need
4 specifics so that we can follow up. How can we go on work of mouth? She encourages everyone to
5 notify her so that she can follow through so that get a response back to you. The response time would
6 decrease if there is not a take home vehicles program. The take home vehicles are part of the Collective
7 Bargaining Agreement.

8
9 Trustee Garcia stated the FBI statistic states it should be one officer for every 500 people. Lieutenant
10 Salas had someone pulled over on the interstate which is out of the town's jurisdiction.

11
12 Mayor Barraza responded the violation may have happened in Mesilla but the person may not have
13 stopped until that point.

14
15 Trustee Garcia asked would either ramp that enters the interstate still be in Mesilla? Mr. Robert Taylor
16 told her he has emailed the Marshal Department and the town regarding how fast people are driving down
17 his road and has not received a response. She will be visiting with him; he will be forwarding all the
18 emails to her which she will forward to the trustees. She asked if the officers are forwarding the tickets to
19 Magistrate Court; we lose money if that is being done.

20
21 Mayor Barraza stated she has responded to Mr. Taylor's emails which she can forward to her as well.
22 There may be a couple of citations being sent to Magistrate Court but not very many.

23
24 Trustee Garcia stated she understands officers decide who they want to send. They should be coming to
25 the town since we have our own judge. We need to get together with the judge to see how many
26 outstanding tickets are not getting paid; she can guarantee there are a lot. She does not believe anyone
27 has addressed it with him. She will get with him on a Friday. There is money that needs to be collected
28 for our town.

29
30 Mayor Barraza stated we do not have any jurisdiction over the judicial; the information is provided in
31 reports. We have discovered through research; the court does not share information with us. We have
32 also discovered our Judge currently lets a lot of tickets go. There are three fees: judicial, education, court
33 automation, that is mandated by the state for a total of \$29. That money is deposited and Ms. Maya makes
34 a check out to the state which creates a washout.

35
36 Trustee Garcia stated she had told the judge to do a round-up. He indicated he had done one which was
37 successful in years past.

38
39 Mayor Barraza stated they should keep a file on the people that they put on a payment plan. There are
40 also people doing community service in lieu of paying the fine. It is up to the court to collect those fines.

41
42 Trustee Garcia asked where the money that is collected goes.

43
44 Mayor Barraza responded those monies go to the General Fund. He used to give us two reports, now he
45 gives us one which shows the fines he imposes but not what was collected. We are trying to get a
46 balance. As of now we have only received \$45,000 from the court. The Marshal's Department report
47 shows the deputies are issuing citations.

48
49 Trustee Garcia stated the City of Anthony purchased new vehicles for \$175,000. They were told that if
50 they wanted those vehicles they need to issue and collect citations. They told her that from January to
51 February they have collected \$40,000 in tickets. They are not allowed to send anyone to magistrate. Also
52 they are not allowed to give out warnings.

1
2 Mayor Barraza stated that is where we are at in trying to collect.
3
4 Trustee Garcia stated she can get with the judge; monies need to be collected.
5
6 Mayor Barraza thanked Trustee Garcia for following up on that. She will get with Lieutenant Salas to see
7 about the stop on I-10. She and the Marshal have responded to Mr. Taylor's email. Marshal Alberg put
8 the speed trailer on Calle Picacho for a while and Mr. Taylor was not pleased with that. He wants a
9 deputy stationed there but that is not possible with limited staffing. She asked what day the stop on I-10
10 was.
11
12 Trustee Garcia responded it was Thursday at 6:00 p.m.
13
14 Mayor Barraza stated she cannot respond to the FBI ratio.
15
16 Ms. Lujan stated she saw Deputy Azcarate at New Mexico State University (NMSU) Commencement.
17
18 Ms. Stoechner-Hernandez stated NMSU contracts out for special events. Officers receive overtime pay
19 which is reimbursed by NMSU.
20
21 Mayor Barraza encouraged everyone to communicate with her so that she can address those concerns.
22
23 Mayor Pro Tem Caro stated he does not feel we need 24/7 coverage. Deputies could be on duty till 12:00
24 midnight and then the county could pick up the coverage. He hopes the take home vehicles should be
25 discussed during renegotiations. There should be two trustees instead of staff on the bargaining board.
26
27 Trustee Johnson-Burick stated she has concerns on not having coverage 24/7 coverage. We would be
28 asking for liability issues. There is a State Statue on how much coverage a municipality can provide.
29 DASO covers the entire county which makes it hard for them to cover a municipality as well. Reiterated
30 there are so many liability issues that could happen.
31
32 Mayor Barraza stated DASO and the Las Cruces Police Department are short staffed as it is. Mesilla is
33 not a priority for them.
34
35 Trustee Johnson-Burick asked if the School Resource Officer (SRO) is for just Rio Grande Prep or are we
36 doing all three schools.
37
38 Mayor Barraza responded we currently have a SRO stationed at Rio Grande Prep and Zia Middle School.
39 We put forth a proposal to LCPS. Zia Middle School wants a full time SRO. Mesilla cannot afford to
40 provide a SRO with General Fund money. We told them if they want a full time one at Zia as well, we
41 can provide the SRO at Rio Grande Prep. Meetings have been held with school staff to discuss security
42 issues at the schools. The schools currently give us \$56,000; starting July 1st it would be \$57,000 and we
43 have not heard back from the schools.
44
45 Trustee Johnson-Burick stated we would have to hire another officer.
46
47 Mayor Barraza responded yes, it is about jurisdiction because it is in Mesilla.
48
49 Mayor Pro Tem Caro inaudible
50
51 Trustee Garcia asked when we will know if they will pay for another officer.
52
53 Mayor Barraza stated she will share the information once when she finds out.
54

1 Trustee Garcia asked if another officer needs to be added to the budget.

2

3 Mayor Barraza responded not until we know the Las Cruces Public Schools is committed to funding the
4 position.

5

6 Ms. Stohner-Hernandez stated that will be added to the final budget, if it is approved.

7

8 Mayor Barraza stated school safety is a big issue with the Las Cruces Public Schools. Our hands are tied.

9 Officers are monitoring and patrolling in the morning; motorists are speeding through the school zones.

10 Our officers are being vigilant. Our officers also do investigations. There is also an increase in drug

11 arrests among our community, as well as all over the county.

12

13 Fire Chief Hoban stated each deputy specializes in an area; all wear several hats.

14

15 Mayor Barraza closed worksession 5:47 p.m.

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**BOARD OF TRUSTEES
TOWN OF MESILLA
REGULAR BOARD MEETING
MONDAY, MAY 14, 2018
6:00 P.M.
BOARD ROOM**

9 **TRUSTEES:** Nora L. Barraza, Mayor
10 Jesus Caro, Mayor Pro Tem
11 Carlos Arzabal, Trustee
12 Veronica S. Garcia, Trustee
13 Stephanie Johnson-Burick, Trustee

15 **STAFF:** Cynthia Stoechner-Hernandez, Town Clerk/Treasurer
16 Kevin Hoban, Fire Chief
17 Debbie Lujan, Public Works Director
18 Larry Shannon, Community Development
19 Gloria Maya, Recorder

21 **PUBLIC:** Susan Krueger Rafael Morones

25 **1. PLEDGE OF ALLEGIANCE**

26 Mayor Barraza led the Pledge of Allegiance.

27
28 **2. ROLL CALL & DETERMINATION OF A QUORUM**

29 **Roll Call.**

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

32
33 **3. PROCLAMATIONS:**

34 **A.** A Proclamation Declaring May 13 – May 19, 2018 as National Police Week in the Town
35 of Mesilla. – **K.C. Alberg, Marshal.**

36 Fire Chief Hoban read proclamation declaring May 13 – May 19, 2018 as National Police Week in the
37 Town of Mesilla.

38
39 Mayor Barraza stated Deputy Marshal Philip Olivas and Sergeant Thomas Richmond were killed in the
40 line of duty while employed by the Town of Mesilla. She asked Ms. Stoechner-Hernandez to do
41 something special for our officers this week.

42
43 Fire Chief Hoban stated the flags will be flown at half-staff tomorrow in recognition of National Police
44 Day.

45
46 **B.** A Proclamation Declaring May 20 – May 26, 2018 as Emergency Medical Services
47 Week in the Town of Mesilla. – **Kevin Hoban, Fire Chief**

48 Fire Chief Hoban read proclamation declaring May 20-May 26, 2018 as Emergency Medical Services
49 Week in the Town of Mesilla.

50
51 Mayor Barraza stated she cannot say enough of our volunteer firefighters and police officers who have
52 gone through the training of EMS service. We cannot thank you enough for what they do for the
53 residents of Mesilla. We will do something special for our volunteers and for our law enforcement.

54

1 **4. PUBLIC INPUT** – The public is invited to address the Board for up to 3 minutes.
2 Ms. Kruger asked if the application for the PETCO Grant can be made available to the public. Her
3 interest is, that she works with organizations that apply for other grants and would like to share the
4 information with them.
5

6 **5. CHANGES TO THE AGENDA & APPROVAL**

7 Trustee Arzabal requested placing item b and c on the consent agenda.
8

9 **Motion: To approve agenda as amended, Moved by** Trustee Johnson-Burick, **Seconded by** Trustee
10 Arzabal.

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

13 **Mayor Pro Tem Caro** Yes

14 **Trustee Arzabal** Yes

15 **Trustee Garcia** Yes

16 **Trustee Johnson-Burick** Yes
17

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

21 **Motion: To approve agenda as amended, Moved by** Mayor Pro Tem Caro, **Seconded by** Trustee
22 Arzabal

23
24 **Roll Call Vote: Motion passed (summary: Yes = 4).**

25 **Mayor Pro Tem Caro** Yes

26 **Trustee Arzabal** Yes

27 **Trustee Garcia** Yes

28 **Trustee Johnson-Burick** Yes *Recused herself from voting on item c*
29

30 **A. *BOT MINUTES** – Regular Meeting & Work Session of April 23, 2018. *Approved by*
31 *consent agenda*

32 Trustee Johnson-Burick stated page 15, paragraph 4; line 8 – wanted to add “because she is not an
33 employee of the town”.

34
35 Mayor Barraza stated Ms. Carbajal is an employee of the town.
36

37 Trustee Johnson-Burick stated we are doing things differently. She brought up the last time that the
38 position is not following our policy and procedures; possible liability issues could arise.
39

40 She would like to remove item c for a separate vote to avoid any perceived conflict of interest.
41

42 Mayor Barraza stated that it does not have to be removed for a separate vote, and that she could just do a
43 statement.
44

45 **B. *PZHAC Case 060722** – 2909A La Mesilla Circle, submitted by Rafael Morones, Jr., a
46 request for a building permit to allow an existing carport to be converted into a garage on a
47 dwelling at this address. Zoned: Historical Residential (HR). *Approved by consent agenda*

48 **C. *PZHAC Case 060724 W/CONDITIONS** – 2490 Calle de Guadalupe, submitted by Artie
49 Fountain; a request for a building permit to construct an awning over an exterior door on the

1 east side of a commercial building at this address. Zoned: Historical Commercial (HC).

2 *Approved by consent agenda*

- 3 D. *PZHAC Case 060682 – 2417 and 2419 Calle de Parian, submitted by Davie and Kelly
4 Salas; a request for a modification to a building permit to allow changes to plans for an adobe
5 and latia wall across the front of two properties at these addresses. Zoned: Historical
6 Residential (HR). *Approved by consent agenda*

7
8 **7. NEW BUSINESS:**

9 **** A public hearing must be held prior to action on Item a****

10 **Motion: To close regular meeting and open public hearing, Moved by** Trustee Caro, **Seconded by**
11 Mayor Pro Tem Arzabal

12
13 **Roll Call Vote: Motion passed (summary: Yes = 4).**

14 **Mayor Pro Tem Caro Yes**

15 **Trustee Arzabal Yes**

16 **Trustee Garcia Yes**

17 **Trustee Johnson-Burick Yes**

18
19 Mayor Barraza closed regular meeting and opened public hearing at 6:14 p.m.

20
21 Mr. Shannon reviewed the proposed case.

- 22 - property occupied by a dwelling, with structure in the back (pool building)
23 - previously used as a commercial structure
24 - plans to renovate and use solely as a residence
25 - difficult to get financing as currently zoned commercial
26 - there was a small office, investment firm with no customers coming through
27 - bordered on the south-side residential zoning
28 - Post Office is west of the property
29 - across the street is the Community Center which is used as a public use building
30 - Community Center is not capable of being used for commercial use without renovation
31 - Planning and Zoning did not see major impacts
32 - benefit for residential since there is no parking for the commercial establishment
33 - residential parking will be located on the property

34
35 Ms. Krueger asked and stated the following:

- 36 - if the access to the property will now be through the Post Office drive way and would the town
37 benefit if they got a letter from the Post Office acknowledging this?
38 - during the discussion the pool house was identified as belonging to Robert and Amalia Garcia.
39 - the property proposed for re-zoning; what does it include and what bearing does it have on the
40 rest of the properties that are included?
41 - can a Post Office be located on a property that is zoned residential?
42 - access question with the Post Office has to be clarified.
43 - page 50 of Board packet – belongs to the cell towers not to this
44 - taken off of the same information use for the Jurado property

- 1 - more discussion if compatible to the Comprehensive Plan; it recommends the opposite
- 2 - page 41 of the board packet – need to maintain commerce
- 3 - more discussion on the public benefit (parking)
- 4 - need for parking is a separate issue
- 5 - Planning and Zoning voted in favor with no discussion and no comment
- 6 - read resolution page 51 of the board packet
- 7 - reads 3 members were present; there were actually 4 present
- 8 - meeting of public hearing was changed from Monday to Wednesday
- 9 - public comments were not acknowledge
- 10 - Planning and Zoning did not discuss the benefit to the town
- 11 - page 51 of the Board packet reads voted 3 to 0 when it was 4 to 0
- 12 - does not believe this zone changed can be passed with extraordinary number of errors in
- 13 resolution and presentation
- 14 - why was this a rush job? When rushed errors multiply.
- 15 - zone change is a private benefit
- 16 - zone changed needed for a bank loan, what public benefit does this have?
- 17 - approving this will establish another criteria for a zone change
- 18 - requirement 18.90.070

19 The importance is what happens if you don't live in Mesilla or do live in Mesilla but are not in the inner
 20 circle of Mesilleros. People that are not in the inner circle of Mesilleros are treated differently. When
 21 staff does not follow the requirements of the code and Planning and Zoning, does not ask for them to
 22 follow it there is a short circuit. The zone change decisions become arbitrary and capricious.

23

24 Ms. Sanchez stated the easement has been discussed and agreed upon with Federal Post Office. The
 25 property does not belong to Robert and Amalia Garcia. The property has been used as residential since
 26 her grandparents. This would be a fourth generation that will live on the property.

27

28 **Motion: To close public hearing and open regular meeting, Moved by Trustee Arzabal, Seconded by**
 29 **Mayor Pro Tem Caro.**

30

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

32 **Mayor Pro Tem Caro Yes**

33 **Trustee Arzabal Yes**

34 **Trustee Garcia Yes**

35 **Trustee Johnson-Burick Yes**

36

37 Mayor Barraza closed public hearing and opened regular meeting at 6:33 p.m.

38

39 Mayor Barraza asked board for a five minute recess

40

41 **A. PZHAC Case Z18-001 – 2331 Calle de Parian, submitted by Eric Sanchez; a request for a**
 42 **Zone change from Historical Commercial (HC) to Historical Residential (HR) for a 0.2 acre**
 43 **parcel containing a residence at this address. – Larry Shannon, Community Development**
 44 **Coordinator.**

1 Mayor Barraza requested postponing Case Z18-001 until next meeting.
2
3 Trustee Arzabal asked why we want to postpone.
4
5 Mayor Barraza responded we need to correct the resolution.
6
7 Trustee Arzabal asked why we are making the applicant wait two more weeks, because of typos.
8
9 Mayor Barraza asked what the board would like to do?
10
11 Trustee Garcia asked where the mistakes are.
12
13 Mayor Barraza stated she apologized for the typos; that will not occur again.
14
15 Ms. Stoechner-Hernandez reviewed the typos in the resolution.
16 - May 7th changed to May 9th
17 - address corrected to 2331
18 - last whereas has three members present
19 - May 7th changed to May 9th
20 - Public Hearing – May 9th closed after taking public hearing
21 - Change to May 9th
22 - Resolve: requests for a zone change to Historic Residential with findings
23
24 Trustee Garcia asked if there were public comments at the Planning & Zoning Meeting.
25
26 Mayor Barraza stated she understood there were no negative or positive comments from surrounding
27 residents that were notified of the zone change.
28
29 Mr. Shannon stated he stayed until 6:00 p.m. on Monday, May 7th to answer questions, because the
30 meeting was postponed to May 9th.
31
32 Mayor Barraza asked Mr. Shannon if the meeting was cancelled since there was not a quorum?
33
34 Mr. Shannon stated there was not a quorum and he waited outside in case anyone showed up. Ms. Mary
35 Helen Ratje showed up who was wondering about the zone change; she had no comments to make, just
36 wanted to know about the case.
37
38 Mayor Barraza asked if there were public comments at the May 9th meeting?
39
40 Ms. Shannon stated Ms. Krueger made some comments. We discussed the benefits and that parking was
41 no longer an issue.
42
43 Trustee Garcia stated it reads that Eric Sanchez is the owner or is it in a trust?
44
45 Ms. Sanchez responded as of now it is in a trust.

1
2 Trustee Garcia asked who the owner of the property is.
3
4 Ms. Sanchez responded we are the trustees.
5
6 Trustee Garcia stated Mr. Sanchez is not the owner, he is part of the trust. We have to have it the same as
7 Dona Ana County. Mr. Sanchez is a representative of the trust, not an owner. We need to fix these
8 mistakes. She asked if a letter from the other members of the trust is needed to ensure they know what is
9 happening.
10
11 Ms. Sanchez responded she and Mr. Sanchez are the only ones on the trust.
12
13 Trustee Garcia responded she would still like a letter.
14
15 Mayor Barraza stated it is the name of the applicant, the person who is applying for the zone change.
16 She feels that would suffice.
17
18 Trustee Garcia stated under the name of property owner it reads Sanchez; application needs to be
19 corrected.
20
21 Mr. Shannon stated we can ask the applicant to bring a letter stating that it is a trust.
22
23 Trustee Garcia stated the application needs to be corrected.
24
25 Trustee Johnson-Burick stated she felt it was misstated when Mr. Shannon said Ms. Krueger spoke on the
26 benefits of the zone change, as Ms. Krueger was citing her concerns with the zone change. She would
27 like clarification from Mr. Shannon and Ms. Krueger on the number of Planning and Zoning members
28 present; were there three or four members present.
29
30 Mayor Barraza responded there were three members present.
31
32 Trustee Johnson-Burick stated Ms. Krueger is saying there were four members.
33
34 Mayor Barraza responded Mr. Shannon is the representative of the Planning and Zoning.
35
36 Mayor Barraza asked the board if they would like to postpone item until the next meeting.
37
38 Trustee Garcia asked if she could ask another question.
39
40 Mayor Barraza responded not if the item is postponed. Trustee Garcia can contact staff with any
41 questions. Ms. Krueger is not the staff person here.
42

1 Trustee Arzabal agreed with Mayor Barraza.

2

3 Trustee Johnson-Burick stated she just wants to make sure we listen to everybody.

4

5 Mayor Pro Tem Caro asked to postpone item.

6

7 **Motion: To postpone Case Z18-001 – 2331 Calle de Parian, submitted by Eric Sanchez; a request**
8 **for a Zone change from Historical Commercial (HC) to Historical Residential (HR) for a 0.2 acre**
9 **parcel containing a residence at this address, Moved by Mayor Pro Tem Caro, Seconded by Trustee**
10 **Garcia.**

11

12 Mayor Barraza asked the trustees to contact Mr. Shannon with questions or concerns prior to the next
13 meeting.

14

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

16 **Trustee Arzabal No**

17 **Mayor Pro Tem Caro Yes**

18 **Trustee Garcia Yes**

19 **Trustee Johnson-Burick No**

20 **Mayor Barraza Yes**

21

22 **B. For approval: the Town of Mesilla Preliminary Budget for FY 2018/2019. – Cynthia**
23 **Stoehner-Hernandez, Clerk/Treasurer. *Approved by consent agenda***

24

25 **C. For approval: Agreement MES2017-06 between the Town of Mesilla and Dona Ana**
26 **Community College for Clinical Experience – Fire Science Program. – Kevin Hoban, Fire**
27 **Chief. *Approved by consent agenda***

28 **D. For Acceptance: a grant from PETCO Foundation in the amount of \$5,000 for support of the**
29 **Town of Mesilla State Farm Arson Dog. – K.C. Alberg, Marshal.**

30

31 Detective Cortez gave a presentation on the PETCO Foundation.

32

33 **Motion: To accept a grant from PETCO Foundation in the amount of \$5,000 for support of the**
34 **Town of Mesilla State Farm Arson Dog, Moved by Trustee Arzabal, Seconded by Trustee Johnson-**
35 **Burick.**

36

37 Trustee Garcia asked if they had already been approved and funds are in their account.

38

39 Detective Cortez responded he did not know.

40

41 Ms. Stoehner-Hernandez responded we have to accept the grant first in order to receive the funds.

42

43 Trustee Garcia stated you have to log in as there are guidelines, not just for vet bills.

44

45 Detective Cortez responded once you log in the guidelines read as to what you can and cannot do.

46

47 Trustee Garcia stated reports are required.

48

49 Mayor Barraza responded she believes there are quarterly reports needed to be done.

50

51 Trustee Garcia asked if we will receive a report with our monthly reports.

1
2 Detective Cortez stated if that is the wishes of the Board of Trustees, then we can do that.

3
4 Mayor Pro Tem Caro asked who is in charge of the dog? The dog is not for the Marshal's Department, it
5 is for the Fire Department?

6
7 Fire Chief Hoban responded Aspen is assigned to the Fire Department and the money is with the Fire
8 Department. Marshal Alberg is still Aspen's certified handler. State Farm pays for recertification for five
9 years, travel, classes for the canine and its handler. The initial grant for Aspen was \$30,000. Training
10 costs varies from year to year depending on location. Marshal Alberg pays for all of Aspen's care out of
11 his own pocket. We are not expending Fire Funds, Marshal Department or Town funds. The grant will
12 help defray some of the cost that he incurs while taking care of Aspen.

13
14 Mayor Pro Tem Caro stated he sees a conflict of interest, something is not right; the dog should be
15 transferred back to the Fire Department. The marshal has his own duties and that takes him away from
16 his job. Personnel from the Fire Department can do the investigations. He reiterated it is a conflict of
17 interest. People may have questions about that. Aspen should go back to the people that got the grant.

18
19 Fire Chief Hoban stated Mr. Alberg is an experienced K9 handler. It would be an undertaking at no small
20 cost to change the handler at this point. Marshal Alberg is volunteering his time with the Fire
21 Department, as well as other deputies, to provide service to the Fire Department outside the scope of duty
22 with the Marshal Department. He is an arson investigator and he relies on him to assist the Fire
23 Department with investigations. He is not sure what the conflict of interest may be. He appreciates that
24 we always have to look out for the best interest of the town when they may be a conflict. He can assure
25 him that as far as State Fire Marshal and State Farm is concerned there is no conflict of interest. We work
26 hand and hand with the Marshal Department every day in cooperation with another as we cannot do it all
27 ourselves. We have a symbiotic relationship. He does not see a conflict of interest from his point of
28 view.

29
30 Mayor Pro Tem Caro stated in his opinion Marshal Alberg needs to step down and we need a new
31 marshal who will be there 100% for the Marshal's Department.

32
33 Fire Chief Hoban stated that is a personnel matter, and he will not discuss it any open forum.

34
35 Trustee Arzabal stated this is free money that the Marshal acquired. He called for the question.

36
37 **Motion: Call for the question, Moved by Trustee Arzabal, Second by Trustee Johnson-Burick.**

38
39 **Roll Call Vote: Motion passed (summary: Yes= 3; No=2)**

40 **Mayor Pro Tem Caro No**

41 **Trustee Arzabal Yes**

42 **Trustee Garcia No**

43 **Trustee Johnson-Burick Yes**

44 **Mayor Barraza Yes**

45
46 **Roll Call Vote on approving grant: Motion passed (summary: Yes = 3; No=2).**

47 **Mayor Pro Tem Caro No**

48 **Trustee Arzabal Yes**

49 **Trustee Garcia No**

50 **Trustee Johnson-Burick Yes**

51 **Mayor Barraza Yes**

1 E. For approval: the Town of Mesilla's participation in the Federal 1033 program for
2 miscellaneous equipment to support the Marshal's Department. – **K.C. Alberg, Marshal.**
3

4 Detective Cortez stated this is free equipment, not free money. Federal government opens up
5 discontinued miscellaneous equipment to local police departments for their use. Items must be kept on
6 the local Police Department's books as assets the required time based on length of service of the
7 equipment.
8

9 Mayor Barraza asked if there is a process to apply for the equipment.
10

11 Detective Cortez responded the State Police oversees the process in the State of New Mexico. We can
12 obtain items through the website. There is no cost to the town.
13

14 **Motion: To approve the Town of Mesilla's participation in the Federal 1033 program for**
15 **miscellaneous equipment to support the Marshal's Department, Moved by** Trustee Arzabal,
16 **Seconded by** Trustee Johnson-Burick.
17

18 Mayor Pro Tem Caro stated he hopes the department will not get equipment such as ARs, Bazookas or
19 overkill things they do not need. Some people want to become more military.
20

21 Detective Cortez stated there is a lot of things that we can use and some that we cannot purchase due to
22 our limited budget.
23

24 Mayor Pro Tem Caro asked them to come to the board before they purchase anything.
25

26 Detective Cortez responded it is not purchased; if it is available through the website we can obtain it.
27

28 Mayor Pro Tem Caro stated so it is like a donation.
29

30 Trustee Garcia asked if there is a list of what is available.
31

32 Detective Cortez responded the list is huge from large to small equipment.
33

34 Trustee Garcia stated it is nice to get something for free, but it will also need to be maintained. She
35 asked for a list of how much it will cost to maintain the equipment. Everything has a number to be
36 maintained.
37

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

39 **Mayor Pro Tem Caro Yes**

40 **Trustee Arzabal Yes**

41 **Trustee Garcia Yes**

42 **Trustee Johnson-Burick Yes**
43

44 **8. *STAFF REPORTS:**

45 Community Development

46 Community Programs

47 Finance Department

48 Fire Department

49 Marshal's Department

50 Public Works Department
51

52 **9. BOARD OF TRUSTEE COMMITTEE REPORTS**
53

54 Mayor Pro Tem Caro stated no one has called him on any meetings.

1 Trustee Johnson-Burick stated she attended the MPO meeting. On the TIP 2018-2023, the design in front
2 of Zia Middle School is on the list which is such a safety hazard will begin with construction beginning in
3 2022. Design should begin in 2019.

4
5 Trustee Garcia attended the RTD meeting. They are reviewing the budget and changing some of the
6 bylaws.

7
8 Mayor Barraza stated she attended the first Outdoors Economic Conference which was very informative
9 and well attended. The consensus of participants was at looking at creating a Department of Outdoor
10 Recreation at the State level as it is one of our economic drivers in New Mexico.

11
12 She also stated that there was a push to promote the White Sands National Park. Senator Heinrich
13 introduced the establishment act and it was well received by both parties as well at the federal level. She
14 sat on a panel to discuss the economic benefit in designating it a national park instead of a national
15 monument. Numbers show that by having a park versus a monument it will attract more visitors.
16 She will attend the Military Civilian Forum in Alamogordo this week.

17 18 **10. BOARD OF TRUSTEE/STAFF COMMENTS**

19 Mayor Pro Tem Caro stated the corner near Andele's is very dark and dangerous. He recommends
20 putting a light in that area. He has turned there at night and it's hard to see people on the street there.

21
22 Trustee Johnson-Burick stated we did not get the word out on the Southern New Mexico Fallen Peace
23 Officer Memorial as we have done in the past. She neglected to notify everyone. We had the vigil last
24 week followed by the memorial. A special thanks to Fire Chief Hoban for his participation at this
25 wonderful event. She purchased her Experience Mesilla glass. The fiesta was fabulous. Ms. Lujan and
26 staff and everybody; it was a team effort. Trustee Arzabal and I attended both days. She was upset on
27 Sunday as Trustee Arzabal asked her if she would present the award to Mr. Tena. She told him she had
28 some obligations but would rework her schedule. He asked her to come back at 1:30 p.m. When she
29 arrived at 1:30 p.m. the presentation had already been done. She was upset to say the least. She does not
30 know if it was already assigned to someone else. She was furious. To rework her schedule to do all this;
31 if I was needed or planned in advance she would have just stayed there to help. She understands
32 emergencies happen. If we know when we are having fiesta she asks that they let town staff know so this
33 does not happen, and she does not miss out on family gatherings.

34
35 She asked if we can ask our attorney where we are on the lending library, it has been over three months.
36 Documentation submitted said there was no liability to the town.

37
38 Ms. Stoechner-Hernandez responded it was sent to Mr. Cervantes' office and she has not received anything
39 as of yet.

40
41 Trustee Johnson-Burick asked her to follow up on it.

42
43 Trustee Arzabal stated Mayor Barraza asked him to do the presentation at the Fiesta on Sunday and he
44 was trying to spread the wealth. The fiesta was good. He recommended that a trustee be in the
45 renegotiations since we are the ones that vote on the union agreement.

46
47 Trustee Garcia stated in March we approved an auction for Public Works to get stuff.

48
49 Ms. Lujan responded the auction is in August 1st in Santa Fe. She stated the town received a Hardship
50 Grant of \$25,000 for equipment. We are only allowed one grant; she will pick the higher one. She will
51 be checking to make sure it does not affect road projects.

1 Mayor Barraza stated we received an invitation to the Fallen Police Officer event late.

2
3 Trustee Johnson-Burick stated the event was May 7th and 8th.

4
5 Mayor Barraza stated she was out of town. We did not know it would be Mr. Tena's last performance.
6 Ms. Parra mentioned that she wanted to do something for Mr. Tena at one of our Board Meetings. She
7 apologized for what happened. The fiesta was great on Saturday. She thanked Ms. Parra for her
8 planning. She will ask Mr. Russell Hernandez to speak on Experience Mesilla. She will follow up with
9 Mr. Cervantes with regards to the lending library. Offices will be closed from 1:00 p.m. – 2:30 p.m.
10 tomorrow so staff may attend an Active Shooter Training. Marshal Alberg will have a Community
11 Meeting tomorrow at 5:00 p.m. at the Community Center regarding education on cat and dog program.

12
13 Ms. Stoechner-Hernandez stated he will also take recommendations on the animal control ordinance.

14
15 Trustee Johnson-Burick asked why they did not receive more advance notice.

16
17 Mayor Barraza responded she mentioned it at the last meeting.

18
19 Ms. Stoechner-Hernandez responded the marshal had mentioned it at the last meeting.

20
21 Trustee Garcia stated the meeting ended really quickly; he did not mention it. This is the first time we've
22 heard about it. There is no advertising on this at all. She goes to the Post Office every morning at 7:30
23 a.m.

24
25 Trustee Johnson-Burick stated she is very disappointed.

26
27 Mayor Barraza stated she asked the marshal and he said he had posted it. She stated it is posted at Town
28 Hall, Community Center, and Public Safety Building. She will look at the minutes because she is sure
29 she mentioned it. She also asked the marshal to be sure to post the notice.

30
31 Trustee Johnson-Burick stated some of the stakeholders will not be able to attend with such short notice.

32
33 Mayor Barraza stated the Ride of Silence will be on the 16th at 6:00 p.m. She will not be able to attend
34 and asked for the trustees to participate. Offices will be closed on Monday, May 28th for Memorial Day.
35 The Board of Trustees meeting will be held on Tuesday, May 29th. She will be attending the Military
36 Luncheon in Alamogordo tomorrow. Trustee Garcia will attend MOLI training this week.

37
38 Trustee Garcia thanked Ms. Stoechner-Hernandez for taking time to assist her with the budget. She asked
39 if the marshal can postpone tomorrow's meeting.

40
41 Mayor Barraza responded she does not think so since it has been posted on our website and Facebook.

42
43 Ms. Stoechner-Hernandez stated we can recommend that he schedule another meeting. She is sure this is
44 the first of other meetings that will be held.

45
46 Trustee Garcia stated she did not see it on the web page.

47
48 **11. ADJOURNMENT**

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

50
51 **MEETING ADJOURNED AT 7:37 P.M.**

52
53 **APPROVED THIS 29TH DAY OF MAY, 2018.**

54

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16

Nora L. Barraza

Nora L. Barraza
Mayor

ATTEST:

Cynthia Stoenher-Hernandez

Cynthia Stoenher-Hernandez
Town Clerk/Treasurer

