

Town of Mesilla, New Mexico

BOARD OF TRUSTEES (BOT)

TOWN OF MESILLA

REGULAR MEETING

MONDAY, FEBRUARY 13, 2023 – 6:00 PM

MINUTES

TRUSTEES: Nora Barraza, Mayor
Adrianna Merrick, Mayor Pro Tem
Biviana Cadena, Trustee
Veronica Garcia, Trustee
Stephanie Johnson-Burick, Trustee

STAFF: Rod McGillivray, Public Works Director
Enrique Salas, Marshal
Gloria Maya, Recorder

PUBLIC:

Richard Moreno	Ruben Quintana
Crystal Davis-Whited	Greg Whited
Mary F Lucero	Greg Lester
Andrea Bryan	Kathy Telgard
William McIlvaine	Stephan McIlvaine
Joe Foster	Jill Kerr
Trina Witter	Pat Taylor
Mary H. Ratje	Jasha Zapien
Susan Krueger	Lori Miller
Guillermo Acosta	Stewart & Karena Oberman
Andy Embury	

1. PLEDGE OF ALLEGIANCE

Mayor Barraza led the Pledge of Allegiance.

2. ROLL CALL & DETERMINATION OF A QUORUM

Roll Call.

Present: Mayor Barraza, Mayor Pro-Tem Merrick, Trustee Cadena, Trustee Garcia, Trustee Johnson-Burick.

3. CHANGES TO THE AGENDA & APPROVAL

Trustee Cadena requested placing item n, from the last Board of Trustees meeting, on the agenda for reconsideration per rules and procedures that were adopted by the board.

Mayor Barraza responded the item under Old Business for discussion only; no action to be taken. She has conferred with the Attorney General's office and the New Mexico Municipal League attorney and was advised that appointments are not to be brought back.

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Trustee Garcia asked if we got attorney's opinion.

Mayor Barraza responded yes.

Trustee Garcia stated there is not a letter in the packet.

Mayor Barraza responded that is correct; call was made from my phone.

Trustee Garcia stated she wants to make a motion to adjourn due to information not being in the packet.

Motion: To adjourn meeting, Moved by Trustee Garcia, Seconded by Trustee Cadena.

Roll Call Vote: Motion failed (summary: Yes =2; No=3).

- Mayor Pro Tem Merrick No
- Trustee Cadena Yes
- Trustee Garcia Yes
- Trustee Merrick No
- Mayor Barraza No

Trustee Garcia requested removing the minutes of January 23rd as she requested the minutes be verbatim.

Mayor Barraza responded action will be taken under the consent agenda.

Motion: To approve agenda, Moved by Trustee Johnson-Burick, Seconded by Mayor Pro Tem Merrick.

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

- Mayor Pro Tem Merrick Yes
- Trustee Cadena No
- Trustee Garcia No
- Trustee Johnson-Burick Yes
- Mayor Barraza Yes

4. PUBLIC INPUT – The public is invited to address the Board as allowed by the chair.

Mayor Barraza stated due to the size of the group, there will be a 2 minute limit and Public Input will be allowed for 30 minutes.

Ms. Krueger invited everyone to read the minutes regarding Mr. John Paul Taylor who served this town with adversary and persistence.

Ms. Bryan read correspondence

Ms. Wittern stated as she reviewed the minutes she found no record of Board of Trustee's PZHAC appointment approvals from 2018-2022 except for Mr. Walkinshaw, Mr. Jones and Mr. Salas. She found where Ms. Lucero was appointed in 2012 and appointments are made every two years. After carefully reviewing the minutes, she did not find where Ms. Lucero was recommended and approved for reappointment. She has a problem with that; is the town not following their ordinances. This gives a perception of a conflict

1 of interest. Mr. Salas also was not reappointed when term was over. Understands it is difficult to fill the
2 positions and made the recommendation of changing the code to expand the number to seven commissioners.

3
4 Mr. Taylor stated family is very important and encourages everyone to have an open mind and open heart. Be
5 kind to each other so we can move forward.

6
7 Ms. Lucero stated she was happy to see that the board approved the most qualified persons for the PZHAC.
8 Family and what is best for the town is most important. If you are no happy here, feel free to leave. Those of
9 us that are from Mesilla will remain here. We will continue to make our town safe and honorable. Do not let
10 your political ties influence your decisions on what is important to the town and its residents.

11
12 Ms. Ratje stated we welcome all people to Mesilla. We have wonderful new residents that love and care about
13 our town which it has always been. The Taylor family was not born here. Our parents loved the cultural, the
14 community and were accepted. We cannot consider people outsiders; we can't keep them out of Mesilla.
15 They want to set roots here; let's let them have their say.

16
17 Ms. Miller stated there was discussion regarding changing the PZHAC meeting time. She has not seen it on
18 the agenda as Mayor Barraza stated it would be.

19
20 Mr. Foster stated he has been working with PZHAC. He has been treated with respect and the commission has
21 always worked to meet his needs.

22
23 Mayor Barraza held a Moment of Silence for Mr. Taylor.

24
25 **5. APPROVAL OF CONSENT AGENDA:** (The Board will be asked to approve by one motion
26 the following items of recurring or routine business. The Consent Agenda is marked with an
27 asterisk *)

28 **a) *BOT MINUTES - Minutes of Regular Meeting, January 23, 2023**

29 Mayor Barraza stated Trustee Garcia requested that a portion of the minutes be verbatim. The minutes had
30 already been done when the request came in. The board can choose to table the minutes.

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32 **Motion: To approve agenda as amended, Moved by Trustee Garcia, Seconded by Mayor Pro Tem**
33 **Merrick.**

34
35 **Roll Call Vote:** Motion passed (summary: Yes =4).

36 Mayor Pro Tem Johnson-Burick Yes

37 Trustee Cadena Yes

38 Trustee Garcia Yes

39 Trustee Merrick Yes

40
41 Trustee Garcia corrected Ms. Maya that it is four yes; the mayor cannot vote.

42
43 Mayor Barraza stated the roll call is four yes.

44
45 **6. EXECUTIVE SESSION**

46 **a) Discussion of limited personnel matters pursuant to NMSA 1978, Section 10-15-1(H)(2) –**
47 **Finance and Public Works Departments**

48 **Motion: To enter Executive Session: discussion of limited personnel matters pursuant to NMSA 1978,**

1 **Section 10-15-(H)(2) – Finance and Public Works Departments, Moved by Trustee Johnson-Burick,**
2 **Seconded by Trustee Garcia.**

3
4 **Roll Call Vote:** Motion passed (summary: Yes =4).

5 Mayor Pro Tem Johnson-Burick Yes

6 Trustee Cadena Yes

7 Trustee Garcia Yes

8 Trustee Merrick Yes

9
10 **Entered Executive Session at 6:27 p.m.**

11
12 **Motion: To enter Regular Meeting: discussion of limited personnel matters pursuant to NMSA 1978,**
13 **Section 10-15-(H)(2) – Finance and Public Works Departments – no action taken, Moved by Trustee**
14 **Johnson-Burick, Seconded by Trustee Garcia.**

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

17 Mayor Pro Tem Johnson-Burick Yes

18 Trustee Cadena Yes

19 Trustee Garcia Yes

20 Trustee Merrick Yes

21
22 **Entered Regular Meeting at 6:47 p.m.**

23
24 **7. STAFF REPORTS**

25 **a)** Colonias Infrastructure Loan/Grant Agreement – Rod McGillivray

26 Mr. McGillivray gave an update on the Colonias Infrastructure Loan/Grant Agreement.

27 **b)** 2023 TPF-LP10037 Calle de Santiago Match Waiver Program - Rod McGillivray

28 Mr. McGillivray stated the town was not successful in getting the match waiver of \$23,432.00 for 202-
29 TPF-LP10037 project. The monies will be taken from the Enterprise Fund.

30
31
32 **8. NEW BUSINESS**

33 **a) PZHAC Case #061518 – 2285 Avenida de Mesilla, submitted by Pedro Jurado to add an**
34 **antenna per sector (total of 3), and 3/50 AMP breakers for AIR 6449 B77D ground equipment**
35 **as per plans for an existing carrier on an existing wireless communication facility. **Zoned:****
36 **Commercial (C)**

37 **Motion: To approve PZHAC Case #061518 – 2285 Avenida de Mesilla, submitted by Pedro Jurado to**
38 **add an antenna per sector (total of 3), and 3/50 AMP breakers for AIR 6449 B77D ground equipment as**
39 **per plans for an existing carrier on an existing wireless communication facility, Moved by Mayor Pro**
40 **Tem Merrick, Seconded by Trustee Johnson-Burick.**

41
42 Trustee Cadena asked if anyone was present to discuss the case.

43
44 Mayor Barraza responded no one is present.

45
46 Trustee Cadena stated she read the report but would like it explained in layman's terms.

47
48 Mayor Barraza stated Mr. Maese did look at all the documentation and indicated it was all in place. This is an
49 application for upgrading one of the towers. PZHAC wanted to ensure that everything was in compliance.

50
51 Mayor Pro Tem Merrick stated there is not a Board Action Form in the packet, asked what the roll call vote
52 was.

1
2 Mayor Barraza responded it was left out. The roll call was 5-0 in favor.
3
4 Trustee Garcia asked if the residents are going to be notified of the work.
5
6 Mayor Barraza responded she is not aware of that. Read the ordinances
7
8 Trustee Cadena stated we need to be assured things are in compliance. Feels someone should be present to
9 answer questions.
10
11 Mayor Barraza asked what the information is the board is looking for.
12
13 Trustee Cadena stated if she had more time to look at the agenda so she would be able to come up with the
14 questions.
15
16 Mayor Barraza asked the Board of Trustees to submit their questions by Friday, February 17th, so she can
17 forward them to the applicant.
18
19 **Amended Motion: To table PZHAC Case #061518 – 2285 Avenida de Mesilla, submitted by Pedro**
20 **Jurado to add an antenna per sector (total of 3), and 3/50 AMP breakers for AIR 6449 B77D ground**
21 **equipment as per plans for an existing carrier on an existing wireless communication facility until more**
22 **information is provided. BOT is to provide mayor the information being requested by Friday, February**
23 **17th, Moved by Mayor Pro Tem Merrick, Seconded by Trustee Johnson-Burick.**
24
25 **Amended Roll Call Vote:** Motion passed (summary: Yes =4).
26 Mayor Pro Tem Merrick Yes
27 Trustee Cadena Yes
28 Trustee Garcia Yes
29 Trustee Johnson-Burick Yes
30
31
32 **b) Approval: Colonias Infrastructure Loan/Grant Agreement**
33 **Motion: To approve Colonias Infrastructure Loan/Grant Agreement, Moved by Mayor Pro Tem**
34 **Merrick, Seconded by Trustee Johnson-Burick.**
35
36 Trustee Garcia asked about an expiration date.
37
38 Mr. McGillivray responded believes we have two years.
39
40 Trustee Garcia asked Mr. McGillivray to provide that information at the next meeting.
41
42 **Roll Call Vote:** Motion passed (summary: Yes =4).
43 Mayor Pro Tem Johnson-Burick Yes
44 Trustee Cadena Yes
45 Trustee Garcia Yes
46 Trustee Merrick Yes
47
48 **c) Approval: Appointment of Town Clerk/Treasurer**
49 Mayor Barraza recommended the appointment of Ms. Maya as Town Clerk/Treasurer; starting salary is
50 \$57,000.00
51
52 **Motion: To approve the appointment of Town Clerk/Treasurer, Moved by Trustee Garcia, Seconded by**
53 **Trustee Merrick.**
54

1 **Roll Call Vote:** Motion passed (**summary:** Yes =4).
2 Mayor Pro Tem Johnson-Burick Yes
3 Trustee Cadena Yes
4 Trustee Garcia Yes
5 Trustee Merrick Yes
6

7 **d) Approval:** Hire of Administrative File Clerk

8 Mayor Barraza recommended Ms. Briana Gomez as Administrative File Clerk; starting salary is \$15.00
9 an hour.

10
11 **Motion: To approve hiring of Administrative File Clerk, Moved by Mayor Pro Tem Merrick, Seconded**
12 **by Trustee Garcia.**

13
14 **Roll Call Vote:** Motion passed (**summary:** Yes =4).
15 Mayor Pro Tem Johnson-Burick Yes
16 Trustee Cadena Yes
17 Trustee Garcia Yes
18 Trustee Merrick Yes
19

20 **e) Approval:** Hire of Maintenance Grounds/Facility Worker

21 Mayor Barraza recommended Mr. Christopher Garcia as Maintenance Grounds/Facility Worker; starting
22 salary is \$13.00 an hour.

23
24 **Motion: To approve hiring of Maintenance Grounds/Facility Worker, Moved by Mayor Pro Tem**
25 **Merrick, Seconded by Trustee Garcia.**

26
27 **Roll Call Vote:** Motion passed (**summary:** Yes =4).
28 Mayor Pro Tem Johnson-Burick Yes
29 Trustee Cadena Yes
30 Trustee Garcia Yes
31 Trustee Merrick Yes
32

33 **9. Old Business**

34 **a) Discussion: PZHAC Commissioners Appointments**

35 Trustee Cadena stated she understands that in the past each appointee was voted on separately.

36
37 Mayor Barraza responded she believes that the last appointments were voted together.
38

39 Trustee Cadena stated these are important volunteer positions and need to be voted on separately; change the
40 ordinance if needed. A position with high responsibility for the town. She also did not see any criteria,
41 experience needed for these positions. There are all of attributes that can be helpful. Everyone has to start
42 somewhere. There needs to be transparency, fairness and continuity so people can get familiar with the
43 ordinances. We need new and fresh people that are willing to be open minded. Recommended looking at
44 length of terms, vote separately, having alternates giving more versatility.
45

46 Trustee Garcia stated the interview committee should include a trustee and a resident. The statement made is
47 we recommended the most qualified; existing members would have the most experience. The ordinance does
48 need to be worked on. The mayor only votes when there is a tie; the PZHAC chairperson should vote when
49 there is a tie as well. PZHAC should be paid. She asked for a re-vote because what's right is right; what's

1 wrong is wrong that's why she asked for the District Attorney's letter; she wants to see it in writing. She does
2 not want to hear "she said, he said", she wants proof. She asked to separate the votes.

3
4 Trustee Johnson-Burick stated she is proponent of transparency; people need to know what is going on. Need
5 to be consistent on how we do things. She did additional research as to what the State Statute reads. Even a
6 precede of conflict of interest can be problematic. She will be more involved in attendance and in reviewing
7 the minutes. She reviewed the interview questions and scores for transparency. She was comfortable with the
8 interview scores.

9
10 Mayor Pro Tem Merrick stated she agreed with the residents' comments and concerns. We followed the
11 ordinances and protocol. We may not agree but we did it respect and hold each other accountable in what we
12 are doing.

13
14 Mayor Barraza stated we are trying to accommodate everyone's needs/requests. Sometimes you do not get it
15 on a timely manner. This is taking up more time than she ever expected; unable to do her mayoral duties.
16 Trustees have the responsibility and obligation to research concerns. Ms. Maya was in my office when she
17 spoke to the District Attorney's office and the New Mexico Municipal League. She encourages the trustees to
18 make the phone call to get information. Don't criticize her when you don't do your homework. A lot of these
19 are personal attacks. People are upset with her because of the cell tower. Shame on you for trying to crucify
20 her by using the commissioners. She has an open-door policy; call or come to her office. She is aware of
21 trustees calling other trustees criticizing them for their vote. She is aware of the text that are going on; this is
22 going to stop. Concerns should be discussed during the open meeting not when you leave. She is asking the
23 trustees to stop all the communication. The trustees and commissioners need to become familiar with the
24 ordinances. She has an issue when a commissioner does not know what the ordinance book is. She offers and
25 provides training to help them become familiar with the rules and regulations. Mr. Salas was approached by a
26 trustee asking him why he was on the PZHAC. Ms. Lucero was voted, by the commissioners, to be the
27 chairperson; she did not vote. The District Attorney stated when it comes to Ms. Lucero, there is no violation
28 or nepotism since there is no money involved. She does her homework to the best of her ability. Read section
29 18.06.020. Trustees have the right to amend ordinances. Right now, this is how it is. She is trying to get
30 things back on track and processes are being followed. Trustees need to learn the ordinances. She is trying to
31 do the right thing for this community. We are all a part of this community, we need to work together instead
32 of backstabbing each other. Employees are getting caught in the middle. Trustees are entitled to their
33 opinions, let's share them here as a board so we can work together.

34
35 Trustee Cadena stated she follows the ordinances, rules and procedures exactly. She did not know they could
36 contact the Attorney General. PZHAC had not been done on a regular basis and were out of compliance. She
37 would have appreciated the mayor, not do the work for her, but inform her that she could make contacts. She
38 does not want to be scolded; she is not guilty of texting. What she is doing, she is doing for the Town of
39 Mesilla and doing the job she was elected to do. She wants her to know she is doing the best she can in
40 following the rules. She was surprised on the PZHAC vote. Recommended having worksessions so they can
41 talk. The Open Meetings Act limits us to what we can discuss. She cannot get answers from the New Mexico
42 Municipal League and would appreciate getting contact numbers. Rules and Regulations were not in my
43 packet.

44
45 Mayor Pro Tem Merrick responded Ms. Stoechner-Hernandez included them in our notebooks. Ms. Bush gave
46 us the updated ordinance.

47
48 Trustee Cadena responded she did not get Rules of Order and Rules and Procedure. Read section 02.15.090

49
50 Mayor Barraza stated the Rules and Procedure was created by Mayor Cadena and should be updated.

51
52 Mayor Pro Tem Merrick called for Point of Order.

1
2 Trustee Cadena stated she followed the Rules and Procedures.
3

4 Mayor Barraza stated the trustees do not need my permission to contact other entities. She needed answers so
5 she called the Attorney General and New Mexico Municipal League.
6

7 Trustee Garcia stated Mayor Barraza is an advocate for training. She encourages the PZHAC to attend
8 training. A person can make a second on their own nomination.
9

10 Mayor Barraza stated she believes in training and transparency.
11

12 Mayor Pro Tem Merrick stated Trustee Cadena did follow procedure in asking for reconsideration. Even
13 though we may not agree she has no problem with it.
14

15 16 **10. BOARD OF TRUSTEE COMMITTEE REPORTS**

17 Trustees Johnson-Burick: MPO Meeting – February 8th
18

19 Mayor Pro Tem Merrick: MPO Meeting – did not attend
20

21 Mayor Barraza: Mayor Caucus Meeting, MPO, RTD Meeting – February 22nd, Municipal Day – February
22 17th. Senator Hamlin has committed \$75,000 from her junior money for the radios.
23

24 **11. BOARD OF TRUSTEE/STAFF COMMENTS**

25 *(Written staff reports included in packet)*

26 Mayor Pro Tem Merrick stated she and the mayor don't always agree but we do have respect for each other.
27 She asked that the people respect the positions. Public Input is important, she will listen to anyone who wants
28 to call me. Comments are not ignored. Encourages to the public to speak to the PZHAC. Mayor Barraza does
29 not have full power. We are boards with different opinions and voices which help us make the right decisions.
30 Mr. Taylor was a kind person and appreciates all he did.
31

32 Trustee Johnson-Burick stated the New Mexico Municipal League holds training for newly elected officials.
33 They make it clear that they are always accessible. She does research to ensure that the information she has is
34 accurate and she is making the right decision for the town and the residents. The board may not agree but we
35 are here doing what we feel is the best for our community now and for future generations.
36

37 Trustee Garcia stated family is important to all of us. We do the best for the town. It doesn't matter where we
38 came from or how we got here. We appreciate the staff and what they do. She will be leaving to Santa Fe on
39 Wednesday, February 15th.
40

41 Trustee Cadena stated Public Input is important. Grateful for Mr. Taylor's kindness and leadership. Her
42 brother Michael was mayor and died of COVID. He was a good source for her in learning how government
43 works. She appreciates the staff for all they do.
44

45 Mayor Barraza apologized if she offended anyone. Staff is dedicated to their jobs and continue to provide
46 services and safety to our residents. Many of the committee meetings are during the day making it difficult for
47 the trustees to attend. Mesilla wants to be a part of what is happening and funding is needed for different
48 projects. She asked the trustees to give us time to get the information they may need. She is trying to get

1 everything back on track once we are completely staffed. The trustees are a Policy and Finance Board and are
2 not to get involved in the day-to-day operations.

3

4 **12. ADJOURNMENT**

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

6

7 **MEETING ADJOURNED AT 8:20 P.M.**

8

9 **APPROVED THIS 27th DAY OF FEBRUARY, 2023.**

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Nora L. Barraza

Nora L. Barraza
Mayor

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ATTEST:

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Gloria S. Maya

Gloria S. Maya
Town Clerk/Treasurer

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Mayor Barraza, Trustee Johnson-Burick, Trustee Garcia, Trustee Cadena,
and Trustee Merrick,

Thank you for allowing my comments to be read at the February 13, 2023,
Board of Trustees meeting. I request these comments be included in the
official record of this meeting.

My comments are regarding the P&Z meetings and the time of day they are
held. Residents who work are unable to attend the meetings at 2:00 in the
afternoon. Working individuals who wish to apply for the P&Z are required to
take time away from work to not only be interviewed, but to attend
meetings. This limits the number of individuals who wish to be involved in
local government. Working residents who have pending permits must also
take time off work to answer any questions. If they cannot attend, their
application could be potentially be postponed or tabled until the next meeting
2 weeks later, therefore delaying their permit.

I understand that at one time the P&Z did meet in the evening. Is it possible
go back to that and make it more convenient for the residents?

Thank you,
Andrea Bryan
2557 Calle de Parian

TOWN OF MESILLA
SIGN IN SHEET
BOARD OF TRUSTEE
FEBRUARY 13, 2023

NAME	ADDRESS	COMMENTS
Richard Moreno	2185 Calle de Guadalupe	
Ruben Quintana	2185 Calle De Guadalupe	
Crystal Davis-Whited	MFD	
Greg Whited	MFD	
Mary F. Lucero	2363 Calle De Santiago	Yes
GREG LESTER	2557 Calle De Parizan	
Andrea Bryan	2557 Calle De Parizan	yes
Kathy Telgan	7710 Calle del Oeste	
WILLIAM MCILVAINE	2685/2687	
STEPHAN MCILVAINE	CALLE DE PARIZAN	no
JOE FOSTER	2691 CALLE PRINCIPAL	
Jill Kerr	2795 Calle del Sur	no
Jenna Witter	3800 Estrada	yes
PAT TAULD	MESILLA	
Mary H. Patje	"	
Jaspa Zapient	2145 Avenida de Mesilla	NO.
Misa Kuehn	Mesilla	
Lori Miller	2250 Calle de Picacho	
Guillermo Acosta	2194 Calle de los Huertos	
Stewart & Rosana Oberman	2835 Bolde	Yes
Andy Embury	2870 McDowell ct	Nope

