



**THE BOARD OF TRUSTEES (BOT) OF THE TOWN OF MESILLA WILL HOLD A REGULAR MEETING AT THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA.**

**MONDAY, MARCH 27, 2023 – 6:00 PM**

**AGENDA**

- 1. PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL & DETERMINATION OF A QUORUM**
- 3. CHANGES TO THE AGENDA & APPROVAL**
- 4. PUBLIC INPUT – The public is invited to address the Board as allowed by the chair.**
- 5. PRESENTATION**
  - a) Motorcycle Awareness Month Proclamation
- 6. APPROVAL OF CONSENT AGENDA:** (The Board will be asked to approve by one motion the following items of recurring or routine business. The Consent Agenda is marked with an asterisk \*)
  - a) **\*BOT MINUTES** - Minutes of Regular Meeting, March 13, 2023
- 7. CLOSED EXECUTIVE SESSION**
  - a) Discussion of limited personnel matters pursuant to NMSA 1978, Section 10-15-1(H)(2)-Fire Department –
- 8. NEW BUSINESS**
  - a) **Appointment Fire Chief** – Trustee Johnson-Burick
- 9. BOARD OF TRUSTEE COMMITTEE REPORTS**
- 10. BOARD OF TRUSTEE/STAFF COMMENTS**
- 11. ADJOURNMENT**

**NOTICE**

If you need an accommodation for a disability to enable you to fully participate in the hearing or meeting, please contact us at 524-3262 at least one week prior to the meeting. The Mayor and Trustees request that all cell phones be turned off or set to vibrate. Members of the audience are requested to step outside the Board Room to respond to or to conduct a phone conversation. A copy of the agenda packet can be found online at [www.mesillanm.gov](http://www.mesillanm.gov).

locations: Town Posted 03.24.2023 online and at the following Clerk's Office 2231 Avenida de Mesilla, Public Safety Building 2670 Calle de Parian, Mesilla Community Center 2251 Calle de Santiago, Shorty's Food Mart 2290 Avenida de Mesilla, Ristrammn Chile Co., 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian.

# Town of Mesilla



## - Proclamation -

### Declaring May 2023 as Motorcycle Awareness Month

WHEREAS, many registered motorcyclists, who undergo extensive training and testing in order to obtain a license, call Mesilla home and enjoy the roadways we have to offer; and

WHEREAS, riders face higher risk on the road than those operating vehicles. Statistics show that those operating vehicles are at fault in the majority of all accidents involving a motorcycle; and

WHEREAS, it is imperative that motorists always exercise caution and stay alert while traveling on Mesilla's road systems; and

WHEREAS, the National Highway Traffic Safety Administration has declared May as "Motorcycle Awareness Month"; it is the desire of this Mayor's office to join the NHTSA in raising awareness of the growing number of motorcyclists on Mesilla's roadways in order to help prevent accidents and most importantly, save lives.

NOW THEREFORE BE IT RESOLVED,

I, Nora L Barraza, Mayor of the Town of Mesilla, on behalf of Board of Trustees, do hereby proclaim May 2023 as Motorcycle Awareness Month and encourage all New Mexicans to renew their commitment to safe driving practices, to watch for motorcyclists, and to be aware of all who share the road.

SIGNED, SEALED AND PROCLAIMED this March 27, 2023.

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NORA L. BARRAZA  
MAYOR



# Town of Mesilla, New Mexico

## BOARD OF TRUSTEES (BOT)

### TOWN OF MESILLA

### REGULAR MEETING

MONDAY, MARCH 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:** Harry Evans, Interim Fire Chief  
Rod McGillivray, Public Works Director  
Enrique Salas, Marshal  
Gloria Maya, Recorder

**PUBLIC:**

Crystal Davis-Whited	Greg Whited
Russell Hernandez	Trina Witter
Natalie B Ogaz	Valentino Puentes
Bertha Flores	Catharine Walkinshaw
Mary H Ratje	Paul Germani
Susan Krueger	Janice & Bill Cook
Teresa Tudury	Guillermo Acosta
Nancy Dunn	Doug Welby
William McIlvaine	Stephan McIlvaine
Rose Sherman	Jasha Zapien

#### 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

**Motion:** To approve agenda, Moved by Trustee Johnson-Burick, Seconded by Trustee Garcia.

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

Mayor Pro Tem Merrick Yes

Trustee Cadena Yes

Trustee Garcia Yes

Trustee Johnson-Burick Yes

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



1 Mayor Barraza stated due to the lawsuit, the board will not be taking any public input regarding the Verizon  
2 tower. Questions or comments should be directed through the attorneys. If you do not have an attorney,  
3 questions or comments are to be submitted to the town attorney.

4  
5 Ms. Walkinshaw asked that the minutes be updated on the town's website.

6  
7 Mr. Cook stated the bricks on the plaza need attention.

8  
9 Ms. Krueger stated there was misinformation on the February 27<sup>th</sup> minutes. She could not find 2021 W. Boutz  
10 on the map. The property being suggested for the cell tower and is one of the most historic locations. The code  
11 does cover the information for a cell tower within a historic zone. She does not care if there is a lawsuit, it  
12 may be very frivolous.

13  
14 Ms. Witter asked when the worksession recommended by Trustee Cadena will be held to review procedures.

15  
16 Ms. Ogas reviewed the timeframe of her journey with the town which started January, 2017 and is still going  
17 on. She was confronted by a trustee that the mayor did not like her house and she was going to make it a  
18 living hell for her. She did not need sympathy upon the death of her husband.

19  
20 Mr. Puentes stated their unfinished house has been sitting there and they do not have the funds right now to  
21 proceed. Mesilla needs to come together as a community.

22  
23 Ms. Davis-Whited stated she wants to express her gratitude for all the overwhelming support given to Mr.  
24 Embury, a volunteer firefighter and a resident of Mesilla, who's house burned down.

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

28 a) \***BOT MINUTES** - Minutes of Regular Meeting, February 27, 2023

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

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

33 Mayor Pro Tem Merrick Yes

34 Trustee Cadena Yes

35 Trustee Garcia Yes

36 Trustee Johnson-Burick Yes

37  
38 **6. EXECUTIVE SESSION**

39 a) Discussion of limited personnel matters pursuant to NMSA 1978, Section 10-15-1(H)(2)-Public  
40 Works Department

41 **Motion: To enter Executive Session: discussion of limited personnel matters pursuant to NMSA 1978,**  
42 **Section 10-15-1(H)(2)-Public Works Department, Moved by Mayor Pro Tem Merrick, Seconded by**  
43 **Trustee Garcia.**

44  
45 **Roll Call Vote:** Motion passed (summary: Yes = 4).

46 Mayor Pro Tem Merrick Yes

47 Trustee Cadena Yes

48 Trustee Garcia Yes

49 Trustee Johnson-Burick Yes

50 **Entered Executive Session at 6:14 p.m.**

1 **Motion: To enter Regular Meeting: discussion of limited personnel matters pursuant to NMSA 1978,**  
2 **Section 10-15-1(H)(2)-Public Works Department – no action taken, Moved by Trustee Johnson-Burick,**  
3 **Seconded by Trustee Garcia.**  
4

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

6 Mayor Pro Tem Merrick Yes

7 Trustee Cadena Yes

8 Trustee Garcia Yes

9 Trustee Johnson-Burick Yes

10  
11 **Entered Regular Meeting at 6:22 p.m.**  
12

13 **7. PRESENTATION**

14 a) Town of Mesilla Audit FY 2022 – Carmen Jimenez, Beasley, Mitchell & Co.

15 Ms. Jimenez reviewed the Town of Mesilla Audit FY 2022.  
16  
17

18 **8. STAFF REPORTS**

19 a) Fire Replacement Project proposal from Molzen/Corbin for design services – Rod McGillivray

20 Mr. McGillivray reviewed the Fire Hydrant Replacement Project.  
21

22 **9. NEW BUSINESS**

23 a) **Approval: Resolution 2023-04:** Acceptance of the Town of Mesilla FY 2021-2022 Audit

24 **Motion: To approve Resolution 2023-04: Acceptance of the Town of Mesilla FY 2021-2022 Audit.**

25 **Moved by Trustee Johnson-Burick, Seconded by Trustee Garcia.**  
26

27 Mayor Barraza stated regarding the 1<sup>st</sup> finding, the town discovered the issue and brought it to the auditor's  
28 attention. The town has put forth a practice for better accountability. She questioned why that finding was still  
29 in the audit and was ensured that the finding will go away once the auditor determines that the control system  
30 put in place is working. Changing town clerks in mid year did cause some issues that resulted in the other two  
31 findings. We are working on preventing this from happening again.  
32

33 Trustee Johnson-Burick asked for clarification on the discrepancies.  
34

35 Ms. Jimenez responded the finding needs to be brought forth until it is cleared.  
36

37 Trustee Johnson-Burick stated she is concerned that departments were overspent.  
38

39 Ms. Jimenez stated the DFA report was not updated. Internally the budget was correct; BARs may not have  
40 been done. She explained the budget process.  
41

42 Mayor Barraza stated we will continue to correct the budget to avoid further findings.  
43

44 Ms. Jimenez stated only major funds are tested. DFA covers all funds.  
45

46 Trustee Garcia asked if we should be having worksessions to review the budget.

47 Ms. Jimenez responded maybe quarterly, when reports are due to DFA.  
48

1 Trustee Garcia asked for the DFA report be included in their packets. She asked how many people work on the  
2 budget.

3  
4 Mayor Barraza responded Ms. Maya, department heads and herself. Department heads do BARS; never increase  
5 their budget without the board's approval.

6  
7 Trustee Garcia recommended a quarterly budget worksession. She stated her concerns with the budget reports  
8 she was given.

9  
10 Mayor Barraza stated the turnover has caused some issues.

11  
12 Trustee Cadena stated she agrees with Trustee Garcia.

13  
14 Mayor Barraza stated each clerk/treasurer has their own style.

15  
16 Trustee Garcia asked how often we need to change auditors.

17  
18 Ms. Jimenez responded it is every eight years.

19  
20 Mayor Pro Tem Merrick stated we get a report every month. This is a baseline of what we have and where the  
21 funds are.

22  
23 Mayor Barraza stated this is about accountability and transparency.

24  
25 Trustee Garcia asked about the worksession.

26  
27 Mayor Barraza responded the worksessions will be in April.

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

30 Mayor Pro Tem Merrick Yes

31 Trustee Cadena Yes

32 Trustee Garcia Yes

33 Trustee Johnson-Burick Yes

34  
35 b) **PZHAC Case #061525** – 2835 Teresita Pl, submitted by Jackie Scholten, requesting approval to  
36 remove existing windows and replace with new windows from Infinity, w/conditions. ZONED:  
37 **Historical Residential (HR)**

38 **Motion: To approve PZHAC Case #061525 – 2835 Teresita Pl, submitted by Jackie Scholten, requesting**  
39 **approval to remove existing windows and replace with new windows from Infinity – w/conditions.**  
40 **ZONED: Historical Residential (HR), Moved by Mayor Pro Tem Merrick, Seconded by Trustee**  
41 **Garcia.**

42  
43 Mayor Barraza stated the PZHAC wants pictures showing the windows are like for like before issuing the  
44 permit.

45  
46 Trustee Johnson-Burik stated she wants to ensure that Mr. Salazar states that on the permit.

47  
48 **Roll Call Vote:** Motion passed (summary: Yes = 4).

1 Mayor Pro Tem Merrick Yes  
2 Trustee Cadena Yes  
3 Trustee Garcia Yes  
4 Trustee Johnson-Burick Yes  
5

6 c) **PZHAC Case #061540** – 2890 Teresita Pl, submitted by Donald Murphy for a re-roof and  
7 repairs, to include stucco cap. ZONED: **Historical Residential (HR)**

8 **Motion: To approve PZHAC Case #061540 – 2890 Teresita PL, submitted by Donald Murphy for a re-**  
9 **roof and repairs, to include stucco cap. ZONED: Historical Residential (HR), Moved by Mayor Pro**  
10 **Tem Merrick, Seconded by Trustee Garcia.**

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

13 Mayor Pro Tem Merrick Yes  
14 Trustee Cadena Yes  
15 Trustee Garcia Yes  
16 Trustee Johnson-Burick Yes  
17

18 d) **Approval:** Proposal from Molzen/Corbin for design services for Fire Hydrant Replacement project

19 **Motion: To approve Proposal from Molzen/Corbin for design services for Fire Hydrant Replacement**  
20 **project, Moved by Mayor Pro Tem Merrick, Seconded by Trustee Garcia.**

21  
22 **Roll Call Vote:** Motion passed (summary: Yes = 4).

23 Mayor Pro Tem Merrick Yes  
24 Trustee Cadena Yes  
25 Trustee Garcia Yes  
26 Trustee Johnson-Burick Yes  
27

28 e) **Approval:** Of Maintenance Grounds/Facility Worker

29 Mayor Barraza stated Mr. Cypress Lucero is recommended for the position of Maintenance Grounds/Facility  
30 Worker. She stated Mr. Lucero is not related to her.

31  
32 **Motion: To approve hiring of Maintenance Grounds/Facility Worker, Moved by Trustee Garcia,**  
33 **Seconded by Mayor Pro Tem Merrick.**

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

36 Mayor Pro Tem Merrick Yes  
37 Trustee Cadena Yes  
38 Trustee Garcia Yes  
39 Trustee Johnson-Burick Yes  
40

## 41 **10. BOARD OF TRUSTEE COMMITTEE REPORTS**

42 Trustee Garcia: Workforce Solutions meeting March 17<sup>th</sup> - Silver City

43  
44 Mayor Pro Tem Merrick: MPO Special Meeting; CPF deadline March 31<sup>st</sup>; MPO Meeting April 12<sup>th</sup>

45  
46 Trustee Johnson-Burick: MPO Special Meeting; MPO Meeting April 12<sup>th</sup> - DAC

47  
48 Mayor Barraza: Senior Program Meeting – February 28<sup>th</sup> with no attendees; Mercado Vendors Meetings are  
49 being held

## 50 51 **11. BOARD OF TRUSTEE/STAFF COMMENTS**

52 Interim Fire Chief Evans stated the community came together in support of Mr. Embury.  
53

1 Marshal Salas stated they held a project in the school zones and issued 44 citations in a two hour period.  
2 These projects will be held throughout the year.

3 Trustee Johnson-Burick stated she is heartbroken and sends her love and support to Mr. Embury.

4 Trustee Garcia asked that the minutes be updated as it is a violation of the Open Meetings Act. Thanked  
5 everyone for supporting Mr. Embury. She recommended that Ms. Ogas meet with Mr. Salazar to see what can  
6 be done.

7 Mayor Pro Tem Merrick stated we will start working together on the budget. Inaudible

8 Trustee Cadena thanked everyone for their input. Her heart goes out to Mr. Embury.

9 Mayor Barraza stated she feels it is a good audit report, we just need to fine tune it. She has never felt so  
10 helpless as when she went to Mr. Embury's home. Thanked everyone for their support. We will do whatever  
11 is needed to help.

12 Mr. Klebansky stated the dynamics change when it involves one of your own.

13 Mayor Barraza stated the fire department is a family, always there to help each other. To Ms. Ogas, she never  
14 once said that she wanted you to go through a living hell. Who every said that lied. She would never say  
15 something like that. That is not her character to do that. She is a stronger Christian than that. She would not  
16 wish that on anybody.

17 Trustee Garcia asked when we are hiring a Fire Chief.

18 Mayor Barraza responded interviews will be held on Thursday. The committee will consist of Trustee  
19 Johnson-Burick, Ms. Maya, and three Fire Chiefs from around the state. She will be out of town for the next  
20 board meeting.

21

22 **12. ADJOURNMENT**  
23 **The Town of Mesilla Trustees unanimously agreed to adjourn the meeting. (Summary: Yes-4).**  
24  
25 **MEETING ADJOURNED AT 7:25 P.M.**  
26  
27 **APPROVED THIS 27th DAY OF MARCH, 2023.**  
28

29  
30 \_\_\_\_\_  
31 **Nora L. Barraza**  
32 **Mayor**

33  
34  
35 **ATTEST:**  
36  
37 \_\_\_\_\_  
38 **Gloria S. Maya**  
39 **Town Clerk/Treasurer**  
40  
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