

1 **BOARD OF TRUSTEES**  
2 **TOWN OF MESILLA**  
3 **MEETING**  
4 **MONDAY, MAY 23, 2011**  
5 **6:00 P.M.**

6  
7 **TRUSTEES:** Nora L. Barraza, Mayor  
8 Jesus Caro, Mayor Pro Tem  
9 Carlos Arzabal, Trustee  
10 Sam Bernal, Trustee  
11 Linda L. Flores, Trustee

12  
13 **STAFF:** Nick Eckert, Town Clerk/Treasurer  
14 Ashley Echavarria, Special Events Coordinator  
15 Jeff Gray, Marshal  
16 Kevin Hoban, Fire Chief  
17 Debbie Lujan, Public Works Director  
18 Gloria Maya, Recorder

19  
20 **PUBLIC:** Billy Garrett Cynthia Garrett  
21 Alexandra Nason Hall

22  
23  
24 **OPENING CEREMONIES**

25  
26 A. Pledge of Allegiance

27  
28 Mayor Barraza led the Pledge of Allegiance.

29  
30 **ROLL CALL AND DETERMINATION OF A QUORUM**

31  
32 **Roll Call.**

33 **Present:** Mayor Barraza, Trustee Arzabal, Trustee Bernal, Mayor Pro Tem Caro, Trustee Flores.

34  
35 **CHANGES TO THE AGENDA**

36  
37 Mayor Barraza indicated item #7 has been removed from the agenda until further drought  
38 information is provided.

39  
40 Trustee Arzabal asked to placed item #6 on the consent agenda.

41  
42 **Motion:** To approve the agenda as amended, **Moved by** Mayor Pro Tem Caro, **Seconded by**  
43 Trustee Arzabal

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

46 **Yes:** Trustee Arzabal, Trustee Bernal, Mayor Pro Tem Caro, Trustee Flores.

47  
48 **ACCEPTANCE OF THE CONSENT AGENDA**

49  
50 **Motion:** To approve the consent agenda as amended, **Moved by** Mayor Pro Tem Carol,  
51 **Seconded by** Trustee Bernal.

1 Mayor Barraza indicated Case #011046 is approved with conditions placed by the Planning and  
2 Zoning.

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

5 **Yes:** Trustee Arzabal, Trustee Bernal, Mayor Pro Tem Caro, Trustee Flores.

6  
7 **BOT MINUTES:**

- 8 1. Regular Meeting 5-9-11 *Approved as amended*  
9 2. Work Session 5-16-11 *Approved as amended*

10  
11 **PZHAC BUSINESS:**

- 12 1. Case 011045; 2521 Avenida de Mesilla, Belia Alvarez and Curtis Rosemond, Sign Permit for  
13 Legendary Nutrition. Zone: HC. *Approved as amended*  
14 2. Case 011046; 1803 Avenida de Mesilla, Cali Szczawiski, Sign Permit for Meson de Mesilla.  
15 Zone: HC. *Approved as amended*

16 **NEW BUSINESS:**

- 17 3. For approval/disapproval: hiring of summer recreation supervisors. *Ashley Echavarria,*  
18 *Events Coordinator.*

19  
20 Ms. Echavarria stated there were several qualified applicants for the Summer Recreation  
21 Supervisor positions. Introduced the individuals she is recommending for hiring; Mr. Jaime  
22 Alvarez, Lead Recreation Supervisor; Mr. Amado Guzman, Supervisor; Ms. Diana Wolgama,  
23 Supervisor. These individuals will be an asset to our program.

24  
25 **Motion:** To approve the hiring of summer recreation supervisors, **Moved by** Trustee Arzabal,  
26 **Seconded by** Mayor Pro Tem Caro.

27  
28 Mayor Pro Tem Caro welcomed them and believes the kids will prosper with these individuals.

29  
30 Mayor Barraza agreed the staff has a lot of experience. Registration is Thursday at 5:30 p.m. at  
31 the Community Center. The fee is \$25 per child for the Summer Recreation Program. If it  
32 weren't for our sponsors we would not be able to have the program. The children in the  
33 community look forward to the program.

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

36 **Yes:** Trustee Arzabal, Trustee Bernal, Mayor Pro Tem Caro, Trustee Flores.

- 37  
38 4. Presentation about the Jemez Anthony Casino. *Michael Toledo, Jr., Governor of Jemez*  
39 *Pueblo and Ruben Smith.*

40  
41 Mayor Barraza stated she had had an opportunity to speak to the individuals and suggested they  
42 come to speak to the Board of Trustees.

43  
44 Mr. Michael Toledo started out with his traditional way. He gave a description of his duties and  
45 responsibilities for the Jemez Pueblo. There are 2,400 residents on the reservation. He indicated  
46 that his pueblo has infrastructure and health needs. In each household there are 5 generations;  
47 senior citizens need programs; the dropout rate is high; unemployment is at 50%. The tribe  
48 ventured looking at a casino to help with the needs on the reservation. Department of Indian  
49 Affairs (DIA) performed a study and found that anything economically would not survive on the  
50 reservation. The Jemez Pueblo decided to think outside the box. In 1988 a law, Indian Gaming  
51 Regulatory Act, which allows a tribe like Jemez to off reservation and submit an application for

1 gaming. The application states that it is not detrimental to the local community which in this case  
2 is Anthony and is in the best interest of Jemez. DIA did an environmental impact statement  
3 which is in the draft stage. In 2005 there was a Comet Period done in Anthony; there was a  
4 recommendation that there be another Comet Period which will end in June 1st. When all the  
5 comets go in it will be reviewed by the Bureau of Indian Affairs and makes a recommendation. It  
6 is then sent for review to Washington and a decision is made. It will be brought back to the  
7 Governor of New Mexico for review and approval. We need to express how we want our city  
8 and the county to survive in the future. The federal government is slowing cutting our funds.  
9 Jemez runs on proposals for funding and funding is getting limited. The casino is our way to help  
10 our reservation with infrastructures, scholarships for our students, etc. This is a difficult process  
11 and that is why there are only 5 tribes in the nation with off reservation gaming so our application  
12 is unique. The Bush administration passed a law stating that off reservation gaming should not be  
13 passed on. Obama administration allowed only 3 to proceed on which Jemez was one of them.  
14 This eliminates proliferation; it is against the law for a tribe in state or out of state, that is  
15 operating a casino to apply for off reservation gaming. We have endured this uphill battle for 7  
16 years. Thanked the board for the giving them the opportunity to present their case. It is a lifetime  
17 opportunity for Jemez Pueblo, Dona Ana County, Mesilla and the City of Anthony.  
18

19 Mr. Ruben Smith asked the trustees to imagine they are a new city with no revenues and still  
20 expected to provide service to the residents. Mesilla is the gem of Southern New Mexico. He is  
21 meeting with another organization tomorrow morning and he asked the executive director what  
22 she knew about this project and her response was, "you're representing a tribe from out of state  
23 and illegally asking to open a casino in Anthony." What we are doing is unique in New Mexico  
24 and one of 5 in the country since 1980. This law was passed so that places like Jemez Pueblo can  
25 have the ability to do what other pueblos have done in terms of casinos which is called off  
26 reservation gaming. We are the first one of the kind in the State of New Mexico and the country  
27 to offer paid for the services that will be provided. They will be looking at 194 million dollars in  
28 Gross Receipt Tax; 28 million dollar a year payroll; 79 million dollars to build the casino; 570  
29 jobs. Once the casino is built there will be 950 full-time jobs; full medical benefits for employees  
30 and their families; within a 7 year period a 100 room hotel will be built, a 39 million dollar  
31 project; and 25 full-time jobs. The casino is being built in the Anthony area due to the volume of  
32 travel in the vicinity. People spend time in a casino but ultimately spend more time in the  
33 surrounding areas. He understands the casino may take away business from Mesilla when in  
34 reality it would bring business to Mesilla. Only 20% of the people frequenting the casino are  
35 projected to be from New Mexico the other 80% are from surrounding states. They are  
36 committed in establishing a 40 million dollar endowment completed by the 10<sup>th</sup> or 12<sup>th</sup> year. At  
37 that point there will be 4 million dollars a year available for non-profits and other communities in  
38 the surround area; a 5 member board will decide who will receive funding. State Representative  
39 Joni Gutierrez and Dona Ana Commissioner Billy Garrett support the casino.  
40

41 Mr. Billy Garrett stated he is pleased to speak on behalf of this project. He is approaching this  
42 from the view of economic development for the county. When major economic development is  
43 talked about we talk about the Spaceport which is not in Dona Ana County; we talk about Santa  
44 Teresa which is dependent on what happens in Mexico. This project is in Dona Ana County;  
45 jobs will be created. He has been very impressed with the increase in taxes that will take place.  
46 This is a clean industry; no worry of pollution. He understands the concerns that go with gaming;  
47 we have problems as it is because people do not have jobs. He would trade the risk with the idea  
48 of giving people hope and building up their communities. He has spoken to representatives of the  
49 pueblo and is impressed by their integrity. Also believes they understand the role they can play in  
50 terms of serving as a catalyst for other businesses and other activities; they would be part of the  
51 Camino Real corridor and there is a great connection with the Town of Mesilla. This would give

1 Mesilla to expand the base of customers. If it clears all the hurdles he feels it makes sense; we  
2 have to take the risk.

3  
4 Representative Joni Gutierrez indicated they are in written agreements in the county. The  
5 architect is the same one that did the Bellagio and the Mirage so it will be something we haven't  
6 seen before. The casino will bring a lot of opportunities for this part of the state and this is the  
7 only thing coming to our county regarding economic development. She strongly urged the board  
8 to support the casino.

9  
10 Trustee Bernal stated he understands what it will do to the community; everyone will benefit. He  
11 believes they are going in the right direction. The figures are a big plus and it will help a lot of  
12 people. Be careful for your people; take care of your people.

13  
14 Mayor Pro Tem Caro stated he feels this would be economic advantage for everyone. This will  
15 do a lot for the City of Anthony and the surrounding areas. It will help the Jemez Pueblo raise  
16 self-esteem, drop-out rates so they can continue to live and enjoy their way of life and be proud of  
17 their culture. He supports them and feels it is a good venture and wishes them the best. Stated  
18 competition is good. He asked them to consider making it a non-smoking facility.

19  
20 Trustee Flores indicated she has concerns and reservations with gambling and the effect it will  
21 have on the families but at the same time she understands their needs.

22  
23 Mr. Smith responded there is \$3,500 per individual for problem gamblers; habitual gamblers will  
24 not be allowed. Studies have been done that look at the gaming impact and how it affects  
25 students and families. Communities with casinos are no different than other communities.  
26 Speaking Rock did almost the exact thing we are trying to do in helping unemployment and  
27 education. Many numbers dropped or vanished; we feel this will also have a positive impact.

28  
29 Mayor Barraza indicated their slide presentation addresses the concerns and how they have come  
30 together with a plan that will fit the community. She commended them for taking the county and  
31 surrounding areas into consideration in their proposal.

32  
33 Mr. Smith responded the Movidia has studied this issue. We are fortunate that we have received  
34 endorsement from the Hispano Chamber and the City of Anthony and hope that the City of Las  
35 Cruces follows. A resolution and/or letters of support are needed; the Governor is the last step  
36 and she needs to hear from the communities that will be impacted.

37  
38 Mayor Barraza stated that will be done if the board approves. She can see where the Town of  
39 Mesilla will benefit in generating revenues to address our infrastructure needs. She supports  
40 endorsing the casino. They will not build a convention center so as not to compete with the Las  
41 Cruces Convention Center. She does not see any other economic development coming into Dona  
42 Ana. Asked the board if they would support a resolution or a letter of support for the Jemez  
43 Anthony Casino.

44  
45 **Motion:** To support a resolution in support of the Jemez Anthony Casino, **Moved by** Mayor Pro  
46 Tem Caro, **Seconded by** Trustee Arzabal.

47  
48 Ms. Ella Nelson indicated all the numbers are tremendous and wonderful and is all for economic  
49 development but when we talk about economic development we need to look at more than  
50 dollars. We need to look at the jobs and what the people in the south can do at that salary rate.  
51 Economic development in the south does not need just a minimum wage job. Asked if there

1 would be an education component to help these people. Quality of life will be better since there  
2 will be more options. She understands how important this is; asked them to look at the  
3 educational component aspects of these people and the job positions. Asked if it was an  
4 independent firm who did the research or was it a firm that was paid by the tribe. .

5  
6 Mayor Barraza stated the PowerPoint presentation has all that information.

7  
8 Ms. Smith responded the average salary is \$29,000 per year w/o health medical benefits. The 40  
9 million dollar endowment is for scholarships, playgrounds, facilities. There will be 1 million  
10 dollars committed for job training. Once a family member is employed things change for  
11 everyone in the family.

12  
13 Mr. Toledo indicated everything that is done in Anthony and Dona Ana county is done in the  
14 Jemez Pueblo. In 2005 there was going to be a vote by the County Commissioners and before  
15 that we did not know how the vote was going to go. He invited them up to Jemez to visit and  
16 they said it looked like a third world country. Ms. Dolores Cavanas apologized and wanted to  
17 vote in favor of the casino. This is for the all the people not just the Jemez Pueblo.

18  
19 Mayor Pro Tem Caro stated for years everyone was putting up casinos except for the Navajo  
20 nation and the reason they weren't doing it was they felt it was going to bring in drugs and  
21 alcohol. They saw that now they have funds for their youth to go to college and they have a  
22 future. He feels this would help the education side of this.

23  
24 Mayor Barraza asked if tribe members would come to work in the casino.

25  
26 Mr. Toledo responded they are not encouraging they can come; they would come on their own.  
27 The only space that will be reservation will be where the casino will be. That is not the way it is  
28 on the application.

29  
30 Ms. Alexandra Hall stated it all sounds so wonderful. She has been following the idea of the  
31 casino. If I was sitting in the boards shoes she could not vote for a resolution because she did not  
32 have enough independently information. Believes the studies were done by firms hired by the  
33 pueblo. She is concerned with the traffic corridor. Feels that casino access and availability will  
34 promote addiction. She does not feel it is true to say that only current gamblers will be going to  
35 the casino; availability will promote addition. In many casinos free drinks are passed out. Free  
36 drinks are passed out. The other factor is we already have a casino in the south, recommends  
37 looking at the west mesa for a casino. I would not sign a resolution until we have done our own  
38 independently. Any time you are involved in gambling there are always other elements which are  
39 true since the beginning of time. Look at it very carefully.

40  
41 Mayor Pro Tem Caro indicated when he travels he frequents casinos and they do not give alcohol;  
42 they give sodas. He always visits with people in the casinos and they are usually tourists.

43  
44 Trustee Arzabal stated there is a web site with a full report; [www.anthonycasino.com](http://www.anthonycasino.com). &  
45 [www.jemezpuablo.org](http://www.jemezpuablo.org).

46  
47 Mayor Barraza stated New Mexico State University students did a study on the casino.

48  
49 Mr. Smith responded a Criminal Justice class and Movida did a study as well as Harvard  
50 University; we are not paying anyone to get a positive feedback. Reiterated 80% of the people  
51 will come from Texas and Mexico, only 20% is coming from New Mexico.

1 Mayor Barraza stated Representative Gutierrez and Commissioner Garrett have done research.

2  
3 Mr. Paul Chinono responded he heard comments there would be free alcohol drinks. For your  
4 information it is against the law to serve liquor on a gaming floor.

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

7 Trustee Arzabal Yes

8 Trustee Bernal Yes

9 Mayor Pro Tem Caro Yes

10 Trustee Flores Yes

11  
12 Mr. Toledo thanked the trustees for their support and invited everyone to Jemez Pueblo.

13  
14 5. For approval/disapproval: a request for waiver of fees for use of the community center  
15 auditorium by Taylor Monument Advisory Board. *Ashley Echavarria, Events Coordinator.*

16  
17 Ms. Ashley Echavarria stated Ms. Cynthia Garrett is willing to pay the cost of utilities for an hour  
18 and a half. This will be for a community meeting which is opened to the public.

19  
20 Mayor Barraza indicated there was a \$10 administrative fee for the Ride of Silence for the use of  
21 the plaza. She supports waiving the regular fee but charge an administrative fee due to the high  
22 utility bills. We are being very cautious with regards to use of the facilities so we have a  
23 procedure that needs to be followed.

24  
25 Ms. Echavarria indicated non-profit organizations are paying 50% of the fee for a 4 hour rental or  
26 all day events. In the past non-profit organizations paid a \$50 fee if it was for a shorter period of  
27 time.

28  
29 Trustee Flores asked if \$50 will cover the cost of utilities.

30  
31 Ms. Debbie Lujan responded she does not what the cost would be.

32  
33 Mayor Barraza indicated we can charge the \$50 fee and then we can do research.

34  
35 Ms. Debbie Lujan stated the Community Center utilities run around \$2,000 a month for the whole  
36 building.

37  
38 **Motion:** To approve a request for waiver of fees for use of the Community Center Auditorium by  
39 Taylor Monument Advisory Board and to implement a \$50 fee to cover cost of the utilities,

40 **Moved by** Mayor Pro Tem Arzabal, **Seconded by** Trustee Caro.

41  
42 **Vote:** Motion passed (**summary:** Yes = 4).

43 **Yes:** Trustee Arzabal, Trustee Bernal, Mayor Pro Caro, Trustee Flores.

44  
45 6. For approval/disapproval: a resolution for participation in the program of SCCOG for FY  
46 2011-12. *Nick Eckert, Town Clerk/Treasurer. Approved by consent agenda by a roll call*  
47 *vote*

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

50 Trustee Arzabal Yes

51 Trustee Bernal Yes

1 Mayor Pro Tem Caro Yes  
2 Trustee Flores Yes

3  
4 7. Discussion of Town 4<sup>th</sup> of July fireworks show. *Kevin Hoban, Fire Chief*. Removed until  
5 further drought information is provided.

6  
7 *Prior to the preliminary budget item there will be a public hearing.*

8 8. For approval/disapproval: a resolution for preliminary revenue and expenditure budget for  
9 fiscal year 2011-2012. *Nick Eckert, Town Clerk/Treasurer*.

10  
11 Mayor Barraza opened Public Hearing at 7:13 p.m.

12  
13 Ms. Susan Krueger read a sentence from a letter that was written by Mayor Barraza in May, 2010  
14 since the letter was not copied to the trustees: It is my hope that the town's revenue stream will  
15 recover and we will be able to recall employees. Gossip says that the laid off employees were  
16 selected for political and personal reasons. However, we have maintained a good faith attitude  
17 that the reason we were laid off was economics. We ask that before the final budget is submitted  
18 to Santa Fe, that the board review the improve revenue stream specifically to permit the rehire in  
19 some capacity of some or all of the laid off employees. And we ask that whatever finagling of  
20 funds or moving around of positions be done to our benefit. I speak on behalf of myself and  
21 Rosanne who could not be present.

22  
23 Mayor Barraza closed Public Hearing at 7:17 p.m.

24  
25 Mr. Nick Eckert reviewed the preliminary budget for FY 2011-2012. He is asking for approval  
26 by resolution which is not required by Department of Finance and Administration (DFA) but it  
27 provides support that a thorough review was done. The budget will be sent to DFA at the end of  
28 the week giving them the opportunity to review, make changes and/or recommendations. The  
29 unaudited beginning, ending cash balances and recommendations from DFA will be made prior to  
30 the final approval. Feels we are ready to move forward on the preliminary budget.

31  
32 Mayor Pro Tem Caro stated all his questions/concerns have been addressed. He feels we are  
33 ready to move forward.

34  
35 Mayor Barraza stated Mr. Eckert has done a great job on the budget as well as the department  
36 heads. If we continue to move in this direction we will see an additional increase in revenue we  
37 can continue to place money in the reserve to address emergency needs of Mesilla.

38  
39 **Motion:** To approve a resolution for preliminary revenue and expenditure budget for fiscal year  
40 2011-2012, **Moved by** Mayor Pro Tem Caro, **Seconded by** Trustee Bernal.

41  
42 **Roll Call Vote:** Motion passed (**summary:** Yes = 4).

43 Trustee Arzabal Yes

44 Trustee Bernal Yes

45 Mayor Pro Tem Caro Yes

46 Trustee Flores Yes

47  
48 Mayor Barraza indicated the final budget will come to the board for final approval with the end of  
49 year figures and recommendations from DFA.

50  
51 9. Discussion of PZHAC positions. *Requested by Trustee Flores*.

1 Trustee Flores stated she is concerned with the open positions on the Planning and Zoning  
2 Commission and the chance that there may not be a quorum. She supports Mr. Nelson who is  
3 very experienced and knows the ordinances very well. Urges the Mayor to fill those positions  
4 quickly.

5  
6 Mayor Barraza stated there are 3 positions available on the Planning and Zoning. She has  
7 received several applications and hopes to have recommendations at the next trustee meeting.

8  
9 **PUBLIC COMMENTS:**

10  
11 Ms. Ella Nelson asked if the preliminary budget becomes the budget once it is approved by Santa  
12 Fe.

13  
14 Mayor Barraza responded at the end of this fiscal year the actual figures are plugged in and are  
15 reflected in the final budget. DFA reviews the preliminary budget to insure we have the required  
16 reserve. There may be some carry over to cover expenses that will be paid in July.

17  
18 Ms. Nelson stated it is a housekeeping budget. The budget will then go through if there are no  
19 changes in the body of the budget. Then her comments are mute. Asked if the \$9,000 raise for  
20 the mayor went through.

21  
22 Mayor Barraza responded it is not a raise.

23  
24 Ms. Nelson stated it is an increase in the stipend that was voted on by the previous administration.

25  
26 Mayor Barraza responded the \$30,000 stipend was voted on March 2010. All board members  
27 have taken a 20% cut.

28  
29 Ms. Nelson stated that explains the difference. She understands staff has not received a cost of  
30 living increase. Stated she feels the staff should be first and wonders why the Mayor accepted the  
31 increase in the stipend.

32  
33 Mayor Barraza responded as of March 2010 the salary was \$30,000 but we have taken a 20% cut.

34  
35 Ms. Nelson stated the budget reflects the salary at \$15,000.

36  
37 Mayor Barraza responded the same salary that was in 2010-2011 is being proposed for 2011-  
38 2012.

39  
40 Ms. Nelson stated she misunderstood.

41  
42 Mayor Barraza stated page 5 of the working document is incorrect and will be corrected.

43  
44 **BOARD OF TRUSTEES COMMENTS:**

45  
46 Mayor Barraza stated office will be closed Monday, May 30<sup>th</sup> for Memorial Day.

47  
48 Ms. Ashley Echavarria stated Raft on the Rio will be on June 11<sup>th</sup>. An El Paso Car Club will be  
49 visiting Mesilla, which they do annually.

50  
51 **ADJOURNMENT**

1 **Motion:** To adjourn, **Moved by** Mayor Pro Tem Arzabal, **Seconded by** Trustee Caro.  
2

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

5 **Yes:** Mayor Pro Tem Arzabal, Trustee Bernal, Trustee Caro, Trustee Flores.  
6

7 **MEETING ADJOURNED AT 7:30 P.M.**  
8

9 **APPROVED THIS 13<sup>TH</sup> OF JUNE, 2011**  
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Nora L. Barraza

Mayor

ATTEST:

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Nicholas Eckert

Town Clerk/Treasurer