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**BOARD OF TRUSTEES
TOWN OF MESILLA
MEETING
TUESDAY, OCTOBER 11, 2011
6:00 P.M.**

TRUSTEES: Nora L. Barraza, Mayor
Jesus Caro, Mayor Pro Tem
Carlos Arzabal, Trustee
Sam Bernal, Trustee
Linda L. Flores, Trustee

STAFF: Jeff Gray, Marshal
Kevin Hoban, Fire Chief
Debbie Lujan, Public Works Director
Gloria Maya, Recorder

PUBLIC: John Sullivan
Linda Skolich

OPENING CEREMONIES

A. Pledge of Allegiance

Mayor Barraza led the Pledge of Allegiance.

B. Fire Prevention Week Proclamation

Fire Chief Hoban read proclamation making October 9-15 Fire Prevention Week in the Town of Mesilla. He indicated there are several events taking place at the schools.

ROLL CALL AND DETERMINATION OF A QUORUM

Roll Call.

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

CHANGES TO THE AGENDA

Motion: To approve the agenda, **Moved by**, Mayor Pro Tem Caro, **Seconded by** Trustee Arzabal.

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

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

ACCEPTANCE OF THE CONSENT AGENDA

Motion: To approve the consent agenda, **Moved by** Trustee Arzabal, **Seconded by** Mayor Pro Tem Caro.

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

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

1 **BOT MINUTES:**

- 2 1. Regular Meeting 9-26-11 *Approved by consent agenda*

3
4 **PZHAC BUSINESS:**

- 5 2. Case 011098; 1950 Calle del Norte, Michael Roy and Tammy Valenzuela, Sign Permit for Ace Hair
6 Studio. Zone: HC. *Approved by consent agenda*

7
8
9 **NEW BUSINESS:**

10 *A public hearing will be conducted before the case is heard*

- 11 3. For approval: Amendments to the Historic Preservation ordinance (18.33) as proposed by Frank
12 Gilbert/HP Committee and approved by SHPO. *Nick Eckert, Town Clerk.*

13 *A public hearing will be conducted before the case is heard*

14
15 Ms. Gina Gentile reviewed the changes recommended at the worksession held on September 30th.

16
17 Mayor Barraza opened the public hearing.

18
19 No comments

20
21 Mayor Barraza closed the public hearing

22
23 Trustee Flores reviewed the changes she is recommending.

24
25 Mayor Barraza asked if Trustee Flores is recommending making 2 requirements with regards to income.

26
27 Trustee Flores indicated she did not like the second part and would prefer to leave it with 50% or lower of
28 the average medium income so not to deviate.

29
30 Mayor Barraza asked Ms. Gentile to delete #2.

31
32 Trustee Flores recommended crossing out options and put “to prove financial hardship documentation must
33 be submitted”. She stated comments are missing and there is a need for grammar corrections in 18.33.140
34 #2, #3, and #4.

35
36 Mayor Pro Tem Caro stated he is concerned with section 18.33.110. Most of the historical buildings are
37 not on the historical register.

38
39 Mayor Barraza asked how many are in buildings are in historical register.

40
41 Ms. Gentile responded there are around 400 on the historical register.

42
43 Mayor Pro Tem Caro stated who is to say that a historical home will not be turned into a commercial
44 building and feels they should heed Mr. Pat Taylor’s comments. The interior should be looked at before
45 approval is given in case the interior remodeling does hinder the exterior of the building.

46
47 Trustee Arzabal stated Mr. Taylor’s were very well put as well as Mr. Gilbert’s. Mr. Gilbert’s referred to
48 the legal matter the town may get into when getting involved with the interior of the building.

49
50 Mayor Barraza indicated if we go forward the trustees have the option to vote yes or no. The interior was
51 addressed by Mr. Gilbert in his recommendation. We will be stepping out of bounds in telling a resident
52 what they can do with their property.

53

1 Trustee Flores responded the reason interiors was taken out is because state statute only allows exterior
2 regulations. A statement can be added to the application to address that interior construction cannot hinder
3 the exterior of the building. We can also add very specific language.

4
5 Mayor Barraza responded it is address under the structural engineer section. Her personal feeling is that if
6 the Historical Preservation Committee recommended taking out interior than we should follow their
7 recommendation.

8
9 Trustee Flores recommends giving a timeframe prohibiting converting the home to commercial for a
10 certain amount of years.

11
12 Mayor Barraza stated she does not feel comfortable with giving a timeframe. If the property is sold and the
13 new buyer wants to convert it would be his right to do that.

14
15 Trustee Flores stated there are ways that residents can be notified. If you feel strongly about that we can
16 say “the next owner” but then you have people playing games.

17
18 Mayor Barraza responded people will find a way to get through requirements. She does not feel we can put
19 that kind of requirement.

20
21 Trustee Flores responded we can say if there is an alteration then the property can not be converted for a
22 certain timeframe and that needs to be disclosed at the time of sale.

23
24 Mayor Barraza stated she is not in favor of this.

25
26 Trustee Arzabal inaudible

27
28 Trustee Flores responded we are only placing a regulation residential to commercial.

29
30 Mayor Barraza asked Trustee Flores wants it to be if a residential home is sold; the buyer will need to wait
31 3 years before the property can be changed to commercial.

32
33 Trustee Flores responded that is correct inaudible

34
35 Mayor Barraza stated that is too complicated and too many restrictions will be placed on the property
36 owner. This ordinance is to preserve current structures. She believes if a person wants to purchase a
37 property they should be able to do what they wish. If they choose to go change to commercial they will
38 need to go through the process which is covered in this ordinance.

39
40 Trustee Arzabal indicated that this ordinance went through a lengthy process and feels we should get legal
41 advice.

42
43 Trustee Bernal stated he sees all sides; many of these historical buildings need a lot of renovation and for
44 them to meet the criteria the interior needs to be remodeled. Then again we are back at square one. We
45 cannot tell someone they cannot change their property. They will need to go through the process and the
46 ordinance needs to be followed.

47
48 Mayor Barraza stated committee that worked on this ordinance for almost a year and has worked with all
49 the questions and concerns is giving us something they are comfortable with. She does not want to make it
50 so impossible for people to purchase property in Mesilla. It is the obligation of the owner to give the full
51 details of the property. The process in place will need to be followed.

52
53 Trustee Flores responded she is not saying they would have to wait 3 years. Inaudible (30:58)

54
55 Mayor Barraza stated who is to decide if they are playing a game.

56

1 Trustee Flores stated that is why you have a set rule with a set time so they won't play those games.

2
3 Trustee Arzabal stated that the ordinance needed to be voted on tonight and recommended that Trustee
4 Flores come back with an amendment.

5
6 Mayor Barraza responded amendments can be made at a later time.

7
8 Mayor Pro Tem Caro stated Trustee Flores does make a good point.

9
10 Mayor Barraza reiterated that we will be voting on the Historical Preservation Ordinance 18.33 with
11 amendments; amendments can be brought forward at a later time.

12
13 **Motion:** To approve the amendments to the Historic Preservation ordinance (18.33 as proposed by Frank
14 Gilbert/HP Committee and approved by SHPO with the minor adjustments, **Moved by** Trustee Flores,
15 **Seconded by** Trustee Bernal.

16
17 **Roll Call Vote:** Motion passed (**summary:** Yes = 3; Nay = 1).

18 Mayor Pro Tem Caro Nay

19 Trustee Arzabal Yes

20 Trustee Bernal Yes

21 Trustee Flores Yes

22
23 4. For approval: an ordinance authorizing the execution and delivery of a water project fund
24 loan/grant agreement between NMWTB, NMFA and the Town of Mesilla. **Debbie Lujan,**
25 **Nick Eckert, John Appel.**

26
27 Ms. Debbie Lujan indicated the Water Trust Board loan is \$551k; the grant amount of \$496,101;
28 loan amount \$55,122. We do have a match of \$82k which we will use \$64k/\$66k from the
29 BECK. The remaining will be what was discussed at prior meetings. This is Phase I and Phase II
30 of the project to loop the system from Snow Road to Happy Valley Lane; Snow Road to Valle
31 Grande to Calle de Picacho.

32
33 Mayor Barraza opened the Public Hearing.

34
35 No comments

36
37 Mayor Barraza closed the Public Hearing

38
39 **Motion:** To approve an ordinance authorizing the execution and delivery of a water project fund loan/grant
40 agreement between NMWTB, NMFA and the Town of Mesilla, **Moved by** Trustee Arzabal, **Seconded by**
41 Trustee Flores.

42
43 Mayor Pro Tem Caro indicated there was a correction in Section 3 Mayer should be Mayor. He asked what
44 the loan amount is.

45
46 Ms. Lujan responded we are only paying the loan amount of \$55k. The total amount of the project is
47 \$551k, the Water Trust Board is giving us \$496k and the loan amount is \$55k. The match is being taken
48 care of by a previous grant, Beck. We will also have in-kind services.

49
50 Mayor Pro Tem Caro asked if we have the money to cover the loan.

51
52 Mayor Barraza responded the Town of Mesilla has an existing loan with the Water Trust Board so this will
53 be added to that existing loan. It is within our budget.

54

1 Mayor Pro Tem Caro asked if it is going to be for Calle de Sur.

2

3 Mayor Barraza reiterated it will be from Snow Road to Happy Valley; Snow Road to Valle Grande to
4 Calle de Picacho.

5

6 Trustee Bernal stated this is long overdue and it will be a plus for the residents in that area. He has heard
7 many comments about how we are moving forward because of Ms. Lujan's efforts.

8

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

10 Mayor Pro Tem Caro Yes

11 Trustee Arzabal Yes

12 Trustee Bernal Yes

13 Trustee Flores Yes

14

15 5. First reading: an ordinance related to vehicle seizures by the Mesilla Marshal's Department.
16 Jeff Gray, Marshal & Nick Hervol, Deputy

17

18 Marshal Gray read the proposed ordinance that will allow the Marshal's Department to seize or forfeit
19 vehicles of people who are re-offending the DUI infractions.

20

21 Mayor Barraza asked what is currently being done.

22

23 Marshal Gray responded currently the town code allows us to tow a vehicle if it the vehicle is uninsured, if
24 the license is suspended or revoked, if they are arrested for criminal charges, or it's a DUI infraction. This
25 ordinance will allow us to tow a vehicle for the offense committed but can hold on to the vehicle for a
26 limited amount of time with multiple convictions.

27

28 Trustee Flores indicated she feels for people that get arrested for DUI which is a big expense. She feels
29 they will come down on people hard. They will have to hire an attorney who charges \$200 an hour or a flat
30 fee of \$500, they may have to miss work; there are a lot of penalties.

31

32 Marshal Gray stated this ordinance is set aside from that. For us to take away a vehicle there needs to be a
33 prior DUI conviction.

34

35 Trustee Flores stated the person gets a notice and their license is revoked if they ignore the notice and do
36 not request a hearing within 10 days.

37

38 Marshal Gray responded even if they have a revoked license they have to have multiple prior convictions.

39

40 Trustee Flores reviewed the schedule of fees in the proposed ordinance.

41

42 Marshal Gray responded it has to be DUI related.

43

44 Trustee Flores stated they can get it revoked before seeing a judge. She does not believe that is fair. She
45 understands it is the driver's responsibility. Believes many people do not know their license is revoked and
46 feels that is very harsh.

47

48 Mayor Barraza stated they do know that their license is revoked.

49

50 Trustee Flores responded they focus on the DUI and are not told by an attorney that there is a revocation
51 hearing that they need to request.

52

53 Trustee Arzabal asked if a person has a suspended license because they did not pay their fines will the
54 vehicle be towed.

55

1 Marshal Gray responded the license needs to have been revoked because of a DUI related infraction.
2
3 Mayor Pro Tem Caro stated agrees with Trustee Flores. He is totally against this ordinance for a
4 community the size of Mesilla. Inaudible Just because the county and the city have already passed such
5 law it does not make it right. It will be like penalizing them twice or like knocking someone down to the
6 ground and continue kicking them. What if it is a one car family how can they get around? This is another
7 money making scheme at the expense of our citizens. He knows that our town is financially strapped but
8 we should not rely on this for revenue. Inaudible (49:08) We have already enraged our residents and
9 visitor's for the slightest infractions.
10
11 Trustee Arzabal recommends Mayor Pro Tem Caro and Trustee Flores work with the Marshal Department
12 on the ordinance.
13
14 Trustee Flores stated she does not like Section 3 feels it should be cut off, it is very broad. A DUI is not
15 something you bring up in conversation it is a personal thing. She feels NM Statute 66.5.39 should only
16 address revoked as to not cause confusion.
17
18 Marshal Gary stated it is administrative.
19
20 Trustee Flores responded revoked is also administrative.
21
22 Deputy Hervol stated revoked is the criminal side where you are immediately arrested. Both can carry a 7
23 day jail time if it is in the DUI town code.
24
25 Trustee Flores asked if the town code suspend on a DUI, she understands you revoke under a DUI.
26
27 Deputy Hervol responded you can be arrested if you have a suspended license for a DUI. The laws have
28 changed over the last few years.
29
30 Trustee Flores stated only a revocation comes from a DUI.
31
32 Deputy Hervol responded that is correct. Inaudible (55:24)
33
34 Mayor Barraza asked if the court clerk does the research on those citations.
35
36 Marshal Gray inaudible (55:55)
37
38 Deputy Hervol state the revocation comes from the conviction but it can also be in a violation.
39
40 Trustee Flores reviewed her concern in Section 7 A5 and Section 5 A5.
41
42 Marshal Gray stated that is a typo and it will be corrected. .
43
44 Trustee Flores asked if the DASO and the NM State Police can impound.
45
46 Marshal Gray responded they would operate under their ordinance which is under state statute.
47
48 Trustee Flores reviewed B1 assertion of claims. She believes you are missing a section dealing with the
49 person that handed the notice at the time of arrest.
50
51 Marshal Gray responded it is after the fact and not the time of arrest.
52
53 Trustee Flores stated there is also language on what we are responsibility is. She counted 65 days and
54 asked if we are keeping the vehicle for that length of time. It would be very costly for the individual.
55
56 Marshal Gray responded this is all happening through the initial 30 days.

1 Trustee Flores indicated it reads not later than 30 calendar days after a claim has been filed earlier you were
2 giving 35 days making it 65 days.

3
4 Marshal Gray stated seizure and forfeiture are different; forfeit is a longer length of time.

5
6 Trustee Arzabal recommends that Trustee Flores be a part of a worksession to go over her concerns.

7
8 Mayor Barraza asked why this was taken from the City of Albuquerque.

9
10 Marshal Gray responded this was taken from the Dona Ana Sheriff's office and amended to suit our town.
11 We will have to go through a RFP for the towing process. We are looking at getting re-offenders off the
12 street.

13
14 Mayor Barraza indicated she is a firm believer that you drink, you drive, you loose. New Mexico is one of
15 the leading states in DUI fatalities. People loose their lives when someone gets behind the wheel after
16 drinking and somebody pays with their lives. People do have to pay the price even if it means paying
17 financially. They had the choice of getting behind the wheel. She is sorry if it causes a financial burden
18 but if they kill someone they cause a financial burden to another family and you cannot put a price on a
19 person's life. When it comes to DUI I have no mercy.

20
21 Trustee Flores indicated her grandmother was killed by a drunk driver and her aunt was thrown over the
22 vehicle but she believes in redemption and forgiveness. She believes that this statute penalizes not only the
23 drive but the whole family. It makes it very difficult, painful and hard to get their life together.

24
25 Marshal Gray reiterated this is for reoccurrence not for a first offense. Dona Ana County ranks tied for 3rd
26 in the state in DUI fatality accidents.

27
28 Deputy Hervol stated this reading comes at a good time; New Mexico State University has pulled their DUI
29 teams due to economic restrictions. The sheriff's department has also been reduced. We stop people
30 everyday that have prior DUI's. If we save one person whether there residents or just passing through from
31 getting hit in Mesilla isn't it worth it. He also believes in redemption. He arrested a guy, 33 years of age,
32 on his 4th offense at 3:00 p.m. who asked how his parents were going to get their vehicle. He had every
33 intention of citing the father for allowing an intoxicated person to drive but changed his mind when the
34 father came in. He asked him if he had given his son the keys to the car and did he know that he did not
35 have a license, the father responded yes he had given his son the keys and that he has not had a license for
36 years.

37
38 Mayor Pro Tem Caro stated this should not be in the scope of the Town of Mesilla Marshal's Office. He
39 believes the county and state should be here to take over DUI's and does not know why it was brought up.

40
41 Mayor Barraza responded it has been recommended that a worksession be held to discuss the concerns of
42 the board and bring them forward at a future meeting.

43
44 Trustee Arzabal asked that the board members email any concerns to Trustee Flores.

45
46 Mayor Barraza stated we are putting language and comments in the ordinance which will be reviewed by
47 the Marshal and Trustee Flores and brought to the 1st meeting in November.

48
49 **-Correspondence**

50
51 Mayor Barraza stated she has received correspondence that she wants to share with the board. There were
52 some residents who had their vehicles towed during the Deiz y Size de Septiembre fiesta. Every attempt
53 was made before any of those vehicles were towed; Deputies went around the plaza and the merchants.
54 Ms. Ross, whose car was towed, wanted the board to reimburse her for expenditures incurred during the
55 towing of her vehicle. Residents are placing no parking signs in front of their residents which are on the
56 town's easements. Also since the town did not place those signs they cannot be enforced. Also a resident

1 asked if one side of the street could be designated as no parking, yes that can be done but that would mean
2 that family members could not park on the side of the street.

3
4 Ms. Linda Skolnik stated she lives directly behind the church and they have had no parking signs for 6
5 years for safety which is between the bar and the church; this is their emergency exit. Many people park
6 blocking their exit and the trash cans. The signs do not bother any traffic she would like to them to stay
7 there.

8
9 Ms. Alicia Sanchez stated she has 3 no parking signs; 2 driveway, 1 between the front door and window.
10 Her husband had an accident and the ambulance was unable to get to the front door. The marshal had to go
11 to our home one evening because a truck was blocking our driveway. They have had to call the Marshal
12 due to a truck with a trailer parking in front of their driveway.

13
14 Mayor Barraza thanked them for their letters and comments.

15
16 Marshal Gray stated we run into a problem issuing no parking sign at a residence. Legally we cannot
17 enforce a no parking sign placed by a resident. We can enforce a no parking when the municipality places
18 the sign.

19
20 Mayor Barraza indicated behind the Double Eagle there is a sign that reads no parking between arrows; she
21 had understood that the Town of Mesilla had put up those signs come to find out Double Eagle has put up
22 those signs for their employees. At the fiesta citations were issued and they turned out to be Double Eagle
23 employees. Signs cannot be placed on town easement for employees. She asked if Calle de San Albino can
24 have one side designated as no parking and it can be enforced by the town. This would mean that no one
25 would be able to park on that side of the street, not even a homeowner.

26
27 Marshal Gray stated the municipality has control of the roadways to eliminate those issues; the businesses
28 and residents do not. This is specific and in black in white. We understand the needs of the town and its
29 citizens but as a municipality we are bound by law. We do not have the flexibility to place a sign that
30 would read no parking except for resident.

31
32 Mayor Pro Tem Caro stated he is concerned with the big vehicles that come into the town and traveling our
33 streets.

34
35 Marshal Gray responded we can set up restrictions on the roadway; we may have to adopt an ordinance to
36 not allow certain vehicles due to the size of our streets.

37
38 Mayor Pro Tem Caro stated he saw where a delivery truck is causing problems on our streets.

39
40 Marshal Gray responded we have spoken to the distributors before regarding using smaller vehicles which
41 some distributors are using. We do not have a weight delivery outside of the core of the town. Deliveries
42 are made when traffic is minimal. Medical emergencies can be handled by calling 911. Several residents
43 block their driveways during fiestas, we have asked the resident to call us and let us handle that. A
44 homeowner does have the right to have a vehicle towed that blocks the entrance to their property. The
45 streets are public right-a-ways. With the growth of the community parking issues are growing. We are
46 trying to educate the residents to park on their property and not on the streets. During special events people
47 park in the intersections; parking is an issue.

48
49 Mayor Pro Tem Caro indicated he saw cars parked at the stop sign.

50
51 Marshal Gray stated parking is 20ft. from stop signs.

52
53 Mayor Barraza responded we have parking lots that people refuse to use because they do not want to walk.

54
55 Marshal Gray indicated it makes us look bad if we do something and makes us look bad if we do not do
56 something. We need to preserve our ambience of Mesilla without going sign crazy.

1 Mayor Pro Tem Caro stated we can limit the delivery trucks time for delivery. The Town of Mesilla
2 Marshal's Department can help when they are having trouble getting out of their driveways. We may also
3 have to address the issue with Andele's Hot Dog location.

4
5 Marshal Gray responded we can have cited distributors and informed them that some of their delivery
6 trucks to not fit on our streets. Asked that the Marshal's department be contacted where there are issues
7 with delivery trucks because even if they do not fit; they make them fit.

8
9 Ms. Sanchez stated that the delivery truck at Andele's causes problems. inaudible

10
11 Marshal Gray responded call 911 to move any vehicles blocking your driveway. Reiterated we do not have
12 the right to enforce no parking signs placed by a homeowner. We can have a vehicle towed if it is blocking
13 the entrance to your property. A delivery truck can be moved if it is blocking a streets. There is a problem
14 with deliveries being done at La Posta and other businesses.

15
16 Mayor Barraza indicated we need to contact Andele's regarding the delivery situation. There is a resident
17 on Calle de Guadalupe that has no parking signs on its trash cans; we cannot enforce by it.

18
19 Marshal Gray stated you need a permit to post the signs but the marshal's department still cannot enforce it.
20 If they abide by your posting that would be great. There is a house on Guadalupe and Medrano that has
21 signs; he removed the sign on Medrano because parking is legal. The resident put the signs back up and
22 should be addressed by codes.

23
24 Mayor Barraza thanked the residents for the letters making us aware of the problems and hoped some of
25 their concerns were addressed.

26
27 Mr. Sanchez asked if they can leave the signs up.

28
29 Mayor Barraza responded it is better if you take them down but asked them to call 911 if they block their
30 driveway.

31
32 Ms. Sanchez indicated they would leave the ones on the driveway.

33
34 Marshal Gray recommended taking the signs off the fence and placing them on at the corner of the property
35 on the driveway side.

36 37 **STAFF REPORTS**

- 38 6. Community Development Office *Approved by consent agenda*
- 39 7. Community Programs *Approved by consent agenda*
- 40 8. Finance Department. *Approved by consent agenda*
- 41 9. Fire Department. *Approved by consent agenda*
- 42 10. Marshal Department. *Approved by consent agenda*
- 43 11. Public Works Department. *Approved by consent agenda*

44 45 46 **PUBLIC COMMENTS:**

47
48 Ms. Susan Krueger indicated the town needs to reconsider Mayor Pro Tem Caro's. Mesilla needs to look at
49 a needs assessment, request a cost benefit analysis to put this ordinance in place, and how many resources
50 are need to enforce this ordinance. This is a huge type of ordinance for a community this size. Is there an
51 indication from the county or the city that a seizure ordinance prevents DUI; she believes there is not any
52 indication that it does. Asked what is the goal to keep DUI out of Mesilla she does not think that can
53 happen. The interlocking ignition device is now in place. There are 2 procedures for driver licenses;
54 administrative and one is court. The court imposes an interlocking ignition device by law; allows the
55 individual to still drive their vehicle. She believes forfeiter is a civil action. This proposed ordinance will

1 not be available to public till next Monday, so she asks that nothing is set up until the public has access to
2 the ordinance. Asked does the Town of Mesilla need this type of ordinance or should it consider the
3 immobilization boot if there is an indication that this does stop repeat DUI's. Asked if the Marshal's
4 department could collect information along with Public Works regarding pot holes. She had requested
5 Community Development add a lighting code when passing building permits. There is a neighbor that is
6 complaining that there are some pillars at the entrance of a home on Snow Road with some lights that
7 imitate headlights.

8
9 Mayor Barraza indicated they need to come in and speak to Ms. Gentile.

10
11 Ms. Krueger responded that they have done that and got no satisfaction. She will ask them to write a letter
12 to Mayor Barraza.

13
14 Mayor Pro Tem Caro stated there are 13 outside lights at the 2 story house going to my house.

15
16 Ms. Krueger indicated including the courtyard there are 17 lights. She did bring it to Ms. Gentile's
17 attention and it was not addressed.

18
19 **BOARD OF TRUSTEES COMMENTS:**

20
21 Trustee Arzabal indicated a proposal was made at board meeting and someone said that was a stupid
22 comment. We as a board have never said that to some one's idea or recommendation. There is a
23 community south of Mesilla that they cannot even have a meeting with there being a fight. That says a lot
24 of us as a board.

25
26 Mayor Barraza stated she feels we have the utmost respect for each other.

27
28 Mayor Pro Tem Caro stated with all respect to the marshal he understands they are doing their job. He sees
29 people hurting when getting a DUI, by having to pay all fines attached to that. This gets to be really bad
30 and people cannot afford this. We need to look what is in the best interest of the community. We are
31 putting more and more laws; we are taking more and more away from our freedom system. Too many
32 ordinances are not a good thing; it is going to become a complete police state.

33
34 Mayor Barraza responded if they have money to buy beer than they are not hurting for money. There are
35 laws in place for a reason. If you are speeding in a school zone when the lights are flashing and you
36 proceed to speed then you are breaking the law. We do not make up the laws; laws are state statute and are
37 there for a reason. We only have one officer on duty at a time and there are that many citations can you
38 imagine what else is happening around the town. If they do not want to get a citation then follow the rules;
39 there is a consequence when breaking the law. If there is not a consequence when breaking the law then
40 why have a law in the first place? Through the direction of the board we have asked the officers to do their
41 job and she feels they are doing a great job. She feels this has been a good meeting. We need the
42 constituents to let us know what is going on in the community since we are not out there on a daily basis.
43 We do everything we can to accommodate them within reason.

44
45 **ADJOURNMENT**

46
47 **Motion:** To adjourn, Moved by Trustee Arzabal, **Seconded by** Mayor Pro Tem Caro.

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

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

51
52
53 **MEETING ADJOURNED AT 8:15 P.M.**

54
55 **APPROVED THE 24TH DAY OF OCTOBER, 2011**

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Nora L. Barraza
Mayor

ATTEST:

Nicholas Eckert
Town Clerk/Treasurer