

# Grants mayor prepares to defy shutdown

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BY SCOTT TURNER / JOURNAL STAFF WRITER

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Papa's Pawn owner Diane Rowe has been cited by New Mexico State Police for keeping her business open despite an order deeming it nonessential. (Roberto E. Rosales/Albuquerque Journal)

GRANTS – The door at Papa's Pawn is locked. A sign on the door asks patrons to knock.

Diane Rowe is only allowing two customers at a time into her business on North First Street.

"I'm not even allowing people in to browse. We're not allowing children in," she said. "It's not that we don't want to see their smiling faces. We want them to stay safe. ... We're very mindful of who we let come in here."

Her business – filled with goods like cameras, guns, a Dallas Cowboys jersey, musical instruments and even bowling pins – is lined with tape to remind customers to keep their physical distance to prevent the spread of COVID-19.

Rowe said she's taking the same precautions big businesses like Walmart, Walgreens and Smith's Food and Drug in town are required to under Gov. Michelle Lujan Grisham's stay-at-home orders that allow businesses deemed essential to remain open.

Her business, however, has not been deemed "essential."

Rowe has already received a cease-and-desist order from New Mexico State Police. A second visit could result in a misdemeanor charge, a \$100 fine and possible jail time, she said. And a third visit could result in as much as a \$5,000 fine per day if she keeps the business open.

But come Monday, more businesses in the Cibola County town of around 9,000, about an hour west of Albuquerque, could be joining the pawn shop in defying the governor's orders. That's when Grants Mayor Martin Hicks said he will be allowing businesses to reopen, including the municipal golf course.



Mayor Martin Hicks speaks to a reporter. The mayor of the western New Mexico city has announced that he will allow small businesses to reopen. (Image source: KOAT-TV via AP)

Grants has become a focal point in a revolt brewing around the state. Some city and county governments around New Mexico have passed emergency declarations asking the governor to lift closings of nonessential businesses, saying her orders have crippled their economies. Nineteen mayors signed a letter urging her to allow businesses to reopen, and demonstrators in Santa Fe, Albuquerque and Roswell this past week have demanded the same.

As for Grants, Hicks said "burgers will be flipped" in the pro shop while rounds of golf are played – with social distancing observed.

Hicks insists businesses in Grants will be following Centers for Disease Control and Prevention guidelines.

He said the city's police department won't be enforcing the governor's orders. Neither will the Cibola County Sheriff's Office. Cibola County Sheriff Tony Mace – like Hicks – is a frequent critic of the governor.

Hicks asserted that Lujan Grisham's orders "are killing my town. We are ready to roll up the sidewalks." He said more than 80 businesses in town have been closed.

Hicks also said he doesn't fear action from the Governor's Office.

“What’s she going to try to do to me?” he asked. “If she tries to do something, I’ll sue her, and we’ll let the courts sort it out.”

Lujan Grisham criticized the mayor’s plans during her Friday news conference, comparing it to “opening up a peeing section in a pool.”

“This infection is spreading and is dangerous,” the governor said. “This notion that you don’t have to comply is wrong.”



The Hillcrest Shopping Center in Grants sits empty during a midweek afternoon because businesses have been closed during the COVID-19 outbreak. (Roberto E. Rosales/Albuquerque Journal)

Lujan Grisham noted that areas near the town in the northwest corner of the state have been hit hard by the virus.

As of Saturday, there were 39 COVID-19 cases in Cibola County. But neighboring McKinley County had 708 cases, San Juan County had 435 and Sandoval County had 365.

For that reason, Acoma Gov. Brian Vallo asked the governor in a letter Friday to intervene, calling Hicks’ decision “reckless and irresponsible” and saying it poses risks for the pueblo that sits less than 28 miles east of Grants.

“I am extremely concerned that opening now is too soon and will create a very risky situation for my pueblo and hamper our efforts to keep our community safe and protected,” Vallo wrote.

State Police planned to enforce the public health emergency order, Lujan Grisham spokeswoman Nora Meyers Sackett said in a statement, “to ensure that New Mexicans are not conducting themselves in ways that endanger their health or the health of their community, and they will continue to do that work statewide.”

Because of that, not all businesses in Grants may be joining in the act of defiance.

Ronnie and Cheryl Pynes, who own several businesses, said their nonessential businesses will remain closed.

“We don’t want to break the law,” Ronnie Pynes said. “We don’t want to go to jail. We don’t want to pay a fine ... We can’t afford to pay \$5,000 a day in fines.”

Ronnie Pynes is in the contracting business, and the Pynes own real estate, which includes the Hillcrest Center strip mall located a couple of blocks down the road from Papa’s Pawn. Cheryl Pynes’ Handbag Lady store is in the shopping center. They also own a storage facility.

But they are sympathetic with business owners like Rowe and the mayor. And they question Lujan Grisham’s authority to close businesses like theirs.

On Thursday afternoon, the parking lot at the strip mall they own was nearly empty. Only a few cars were outside O’Reilly Auto Parts – the only business in the strip mall that remains open. The strip mall also includes Bealls clothing store and Sun Loans.

He said the strip mall tenants were struggling to pay rent and had to lay off employees. His wife had to lay off an employee at her handbag store.

“We think we know how to prevent a health emergency without the governor holding our hands,” Ronnie Pynes said. “We don’t want the coronavirus. We’re putting tape on our floors for social distancing. We’re putting up sneeze guards.”

He also joined Rowe in collecting the signatures of 81 business owners requesting the mayor and city council approve a resolution allowing local businesses that wished to do so be allowed to resume operations as of Monday. But Ronnie Pynes had hoped the governor would also sign off on the plan.

He voiced concerns about the governor’s plan to extend her emergency order to May 15.

“Three weeks is an eternity for a business owner,” Pynes said, adding that petition signers were willing and hopeful about reopening.

“We wanted to send a message that we’re hurting,” Pynes said.

The petition asserts that the small businesses in town were better suited to follow recommended guidelines than “the so-called big box stores, where people by necessity congregate in larger concentrations than in smaller businesses.”

“We appreciate the mayor’s action,” Pynes said. “He has a passion for the people of Grants.”

“All we want is a level playing field,” added Rowe, who believes her pawn shop should be considered essential since it serves low income people “who can’t go to a bank.” She also believes

her business is protected by the U.S. Constitution's Second Amendment since it is also a gun shop.

"They (the Governor's Office) didn't give us a chance to prove that we were following the restrictions," Rowe said.

Hicks said he received more than 80 phone calls on Thursday alone, mainly in support of his plans to reopen the town.



Cheryl Pynes owns a handbag store in Grants, but is not planning to reopen Monday. (Roberto E. Rosales/Albuquerque Journal)

But Grants resident Bernie Garcia, who was going in to shop at the Dollar General discount store on the west side of town, said Hicks "is wrong for doing it."

"He should keep the businesses closed, I think," he said. "We're not that high up with the virus yet. I think it's going to get worse."

He felt that way despite being out of work as a construction worker because of the business closings.

"I know businesses are hurting," he said, "but I'm hurting too."

Renee Garcia, who was wearing a mask for protection as she finished shopping at Dollar General, said she understood why Hicks was trying to reopen businesses.



“But I don’t necessarily know that it’s a great idea,” she said. “We still have to take in the safety of every citizen. It’s kind of a toss-up. I understand he wants small businesses to do better. At the same time, I think it’s a little too soon.”

Antonio Wilson, who was wearing protection as he finished shopping at Walmart, expressed a similar view.

“We don’t really know who has the virus,” he said. “If people keep carrying it around, all of this is for nothing.”



Papa’s Pawn has remained open despite the governor’s orders deeming it nonessential. (Roberto E. Rosales/Albuquerque Journal)

According to The Associated Press, Hicks is among 19 mayors who signed a New Mexico Business Coalition letter to the governor last week pleading for an end to the public health order that closed nonessential businesses statewide. The mayors of Carlsbad, Estancia, Hatch, Red River, Melrose, Tatum, Magdalena, Eunice, Roswell and Portales also signed the letter, along with smaller towns and villages, the AP reported.

Farmington Mayor Nate Duckett declared an economic emergency in his city April 15 because of the governor’s order. His declaration asks Lujan Grisham to modify her orders to allow all businesses to open at 20% capacity while practicing social distancing measures.

The Chaves County and Eddy County board of commissioners passed similar declarations last week, with Otero and Lea counties expected to do the same, the Carlsbad Current-Argus reported.