

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
AUGUST 23, 2004

The Council of the City of Ruidoso Downs met in regular session on August 23, 2004. Mayor Miller called the meeting to order at 5:30 p.m. and asked Tommy Hood to lead the Pledge of Allegiance. Upon roll call, the following were present:

Councilor Miller	Councilor Morales
Councilor Garrett	Councilor Olivo

Administrator Waters informed Mayor Miller there was a quorum.

Also present were:

John P. Waters, City Administrator
Carol Virden, City Clerk/Treasurer
Robert Logan, Department of Public Safety Director
Ken Mosley, Public Works Director
Tom Armstrong, Planning, Licensing & Permits Supervisor

APPROVAL OF AGENDA

Mayor Miller entertained a motion to approve the agenda. Motion was made by Councilor Olivo and seconded by Councilor Morales to approve the Agenda. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

APPROVAL OF CONSENT AGENDA

Mayor Miller entertained a motion to approve the consent agenda. Motion was made by Councilor Garrett and seconded by Councilor Miller to approve the Consent Agenda. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

APPROVAL OF MINUTES OF AUGUST 9, 2004 REGULAR MEETING

Motion was made by Councilor Garrett and seconded by Councilor Miller to approve the Minutes of the August 9, 2004 regular meeting. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

ACCOUNTS PAYABLE

Motion was made by Councilor Garrett and seconded by Councilor Miller to approve the Accounts Payable. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

UNFINISHED BUSINESS

None

NEW BUSINESS

Mayor Miller stated next item on the agenda, consider approving Resolution No. 2004-22 Adjusting 2004-2005 Fiscal Year Budget – Water Emergency Fund.

Administrator Waters said as you remember the Governor declared a state of emergency for the City of Ruidoso Downs because we had a well go down. That well normally provides us with supplemental water that essentially helps us get through the tough times of the year. When the well stopped producing more than 40 g.p.m. for three hours a day, it became insufficient to meet our needs. It created a water emergency. Part of the water emergency is drilling new wells. We do have one drilled. You have some information from Mr. Mosley that he will go over later. They were expenses incurred on that as well as the new Riverside well we are looking at. This money is essentially put in there to deal with that well and the new well that will be drilled in the future. It will not be enough to cover the complete cost of those obviously. We are using this money for matching to try to get some drought relief money from the State. They have the Drought Task Force which is chaired by John D'Antonio of the State Engineers Office. We have information from them on the grants and we are looking forward to getting some funding from that area and possibly from the USDA for additional funding. If we can put a State's source, a Federal source and this money together, we should be able to deal with the \$650,000 Riverside well which is our approximate cost for that new well. This resolution makes the budget adjustments necessary to get that money in place to start acquiring additional monies.

Councilor Garrett moved to approve Resolution No. 2004-22 adjusting 2004-2005 Fiscal Year Budget – Water Emergency Fund. Seconded by Councilor Olivo. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated next item on the agenda, consider approving Resolution No. 2004-23 – Disaster Recovery Program.

Administrator Waters said this resolution was presented to us by the Department of Public Safety at the State level. The Department of Public Safety has several requirements that are in relation to the Disaster Relief Program and the state of emergency declared by the Governor. This is something that has to be completed in order to receive funding for the emergency portion. That covers everything with the old well; it covers our overtime and expenses we have incurred with the emergency. It does not cover the drilling of the new well. At least it will help us recover some of our other expenses. There are significant overtime expenses we have incurred in dealing with this. In particular, Ronnie and Benny have been working long, long hours and Mo has spent some serious time out there. While Mo's salary is an

administrative salary and is not able to be compensated, we will get a 75 percent match from the State emergency fund for the other guys. This will allow us to submit this to the State with our reimbursement requests.

Councilor Miller moved to approve Resolution No. 2004-23 – Disaster Recovery Program. Seconded by Councilor Morales. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated the next item under New Business, consider approving Personnel Recommendation for Temporary Parks Laborer position. Mr. Mosley said we had three applicants for the temporary parks laborer. Out of the three, two were able to be contacted. Out of those two, Mr. Isabel Villa had the best qualifications we considered we needed for the position. It is my recommendation that we hire Mr. Villa for the position.

Councilor Miller moved to approve hiring Isabel Villa as temporary parks laborer. Seconded by Councilor Garrett. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated next item on the agenda, consider approving Personnel Recommendation for Promotion Position for Code Enforcement Officer.

Chief Logan said on Item E., Promotion to Code Enforcement Officer, I would like to introduce Bill Dunlap. I think everyone knows Bill. Bill Dunlap has been working for the City for about two years now in various positions. He has recently moved over to a position in both street and water department. We would like you to consider his promotion to Code Enforcement Officer. I think Bill will bring a lot of stability to this position, which as we know is greatly needed. He does have some background in security from working at the track and I think that will be a great asset. I would like to recommend Bill for promotion to Code Enforcement Officer.

Councilor Morales moved to approve to promote Bill Dunlap to the position of Code Enforcement Officer. Seconded by Councilor Garrett. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated next item on the agenda, consider approving Personnel Recommendation of Police Officer positions. Chief Logan said I would like to introduce Kenneth Stockman and Jodi Crockford. I would like to recommend these two police officers for the positions we have open. Jodi Crockford will be coming to us from Moriarty where she worked the last eight years and worked her way up to Senior Patrol Officer. She would like to work here in Ruidoso Downs. Kenneth Stockman for the last year has worked for the Truth or Consequences Police

Department and would also like to come here. Both of these officers come very highly recommended.

Councilor Miller moved to approve hiring Jodi Crockford and Kenneth Stockman as police officers for the City of Ruidoso Downs. Seconded by Councilor Olivo. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Chief Logan said I would also like to state that both of these officers have stated to me that they will be able to start just as soon as they find a place to rent. If you know of any places, please contact me and I will pass it on. Councilor Morales said I would like to comment that they are both certified police officers and I am real pleased.

OTHER BUSINESS

Clerk Virden said, just for informational purposes, the City of Ruidoso Downs now has a new service for the citizens of Ruidoso Downs and that is automatic debit for the utility account. We will be mailing the bills and debit on the 10th of every month. We do have applications for anyone that is interested and you can get one at the front office. Save time, save money.

Public Works Director Mosley said I am pleased to announce that our new water well is now on line producing 160 g.p.m. The well test, without any extra friction loss or head pressure, tested at 190 g.p.m. for 24 hours, with a drawdown of only 3.5 to 4 feet. The well was drilled to 300 feet, the pump is set at 254 feet, the static level was at 155. This allows approximately 100 feet of water above the pump. This is significantly better than the 40 g.p.m. for four hours and only nine feet of water above the pump. Our tanks are near full. At this time I would like to suggest that we remain in Stage III water conservation until the next council meeting, which will be after Labor Day, to ensure our water storage maintains adequate levels and our well continues to produce at the level that it is currently.

I would also like to thank Benny Sanchez, Ronnie Randolph, Usrey Drilling, Glorieta Geosciense and all of the citizens that offered drinks and food for the guys that stayed out there all night long. We really appreciate all of your help and these guys did an excellent job. Mayor Miller said we would also like to thank Joe Blaney for his participation too.

PUBLIC INPUT

Mya said it is a fact that the public library is used by many of our city residents. It is also true that the library staff has informed me again today that the City of Ruidoso Downs ordinances are still not in their inventory of reference materials. It was in April of this year, five months ago, I first requested a copy of the ordinances be placed in the library for reference use for our residents. Tonight, I am requesting a written response from my government as to why we cannot provide the legal

guidelines of our City at a reference location, the public library, for easy access to be used by our residents. Federal laws, state laws, county laws, Village of Ruidoso Codes and Regulations are presently available for the public in the reference department at our library. Tell me in writing why the City of Ruidoso Downs financially supports the library but does not place our ordinances in the reference department of the library to be readily available for the use by our residents.

I would like to see Council approve funds to build a large outdoor community information board, weatherproofed by an awning and sliding plastic doors that could be built by the Parks and Recreation staff for the purpose of posting our residents' announcements free of charge; garage sales, places for rent, items for sale, special events, high school athletic schedules and newspaper photo of a woman catching a big fish.

Governor Richardson visited our fine City earlier this year. Those residents attending and those who read the newspaper can recall an order made by the Governor to install a stop light on Highway 70 for the safety of our people. When I asked for an update from a council member, they couldn't give me an answer. Isn't there an answer regarding the status of the Governor's order from anyone who is responsible for implementing decisions in our government. Call me before September 18th when I will be attending a party where the Governor is present. Thank you for hearing from a concerned city citizen.

Councilor Garrett said I would like to respond to Mya. I did speak to the Governor when he was here at the Museum of the Horse. They are sending people down to do another traffic study the weekend of the holiday. Please everyone drive; please go down Downs Drive. They will be counting cars that weekend. We need to show them that we really need a stoplight. I would appreciate it if everyone would help.

Councilor Miller said they will also be counting pedestrians. Councilor Garrett said we will have the Arts and Crafts Fair across the highway so park down below and walk back and forth.

Bonnie Richardson said I am chairperson of the Parks and Recreation Committee. I am sending around photographs I took night before last of the new skate park. We are so thrilled to have this in Ruidoso Downs. There are so many of them and they have so much energy. It is just great to see that our City has done something. We have two things this year. We have a walking trail and a skate park. It is so hard to catch up and anybody that has been here for very long knows the community did not have very much money to work with. Now we have money but we have a lot of problems, our water, our sewer and our drainage. It all has to be caught up so the fact that we can pay some attention to the needs of our young people and the recreational needs of everybody is so important. I wish to thank you on behalf of all the young people and the older people that are able to participate with our walking trail. One other thing I would like to remind everybody the Parks and Rec has a

committee that meets the first Thursday of every month in this meeting hall and we would like to invite anybody who is interested in parks, recreation, green space, anything they can help our committee to further our goals in Ruidoso Downs. We would really welcome their attendance and participation. Thank you very much.

Councilor Garrett said Mya, you came to me awhile back and asked me about a tetherball for a group of girls. Is that something they are still interested in. Mya said yes, I thought it was appropriate to take this information to the Council after having talked to youth in our community and let you people go to your parks people and ask for that tetherball. Tetherball is very popular with young girls and even two of them would be so inexpensive compared to that skateboard park. Councilor Garrett asked that it be on the next agenda.

Sabrina Lundquist said I just want to second what Bonnie said. My boys are thoroughly enjoying the skate park and a lot of kids are. It is a wonderful thing. I would like to ask Mr. Mosley is there any way to blade that corner there at the river to get some of the dirt and rock off of the road. Those trucks going through there are having a hayday. Mr. Mosley asked down River Lane and Ms. Lundquist said yes. Mr. Mosley said yes.

Jim Burrow said I am glad to see we have the skateboard park in and to see the children using it. I have been by there several times and every time I have been by there, I have seen one of our police officers over there talking to the kids. I think that is wonderful that the kids in this community can go up and associate with a police officer and not be scared of them.

Administrator Waters said I might add that not only is he over there talking to the kids, he is actually out there skating with them. Officer Tejada is a pretty good skateboarder.

George McCasland said the junk cars around town, maybe the Code Enforcement can do something. The loud radios, they play them so loud it is ridiculous. My house is a long way from most other people and it drives me out of the bedroom. I call the police and they do respond but they don't seem to issue a citation. The next day it is business as usual and I have to call the police again. I think they probably get tired of hearing from me but I have to do it. The boom boxes on the cars, it looks like they could do something about that too. Some cities are doing it so it would be something new for us to do it. I just think it is ridiculous but I am just one man's opinion. The pavement on Central, I would like to know if there is any work going to be done. Mr. Mosley said we are waiting for the project to be finished and then we will attack all of the construction of the roads probably in the next couple of months. Mr. McCasland said the speeding on Central, it is not five miles over it is like 30 or 40 miles over and loud mufflers. These kids will put it in second gear and run it all the way up the hill and all the way down the hill. Surely I am not the only person that objects to it. I would like to offer that to Council for their consideration.

EXECUTIVE SESSION

Mayor Miller entertained a motion to go into executive session pursuant to Section 10-15-1(H)7 Threatening and or Pending Litigation and Section 10-15-1(H)8 Acquisition of Real Property and Water Rights.

Councilor Miller moved to go into executive session Pursuant to Section 10-15-1(H)7 Threatening and or Pending Litigation and pursuant to Section 10-15-1(H)8 Acquisition of Real Property and Water Rights. Seconded by Councilor Morales. Roll call votes: Councilor Olivo, Aye; Councilor Garrett, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller closed the regular meeting at 5:56 p.m. and invited City Administrator Waters and City Clerk Virden to attend the executive session. Mayor Miller called for a five minute recess to clear the council chambers.

Councilor Morales moved to call the regular meeting back in session. Seconded by Councilor Garrett. Roll call votes: Councilor Olivo, Aye; Councilor Garrett, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried. Mayor Miller called the regular meeting back to order at 6:19 p.m.

Councilor Morales said I declare that nothing was discussed but threatening and or pending litigation, acquisition of real property and water rights and no action was taken.

The Councilor briefly discussed having a second picnic for the employees sponsored by the councilors.

Mayor Miller entertained a motion to adjourn. Motion was made by Councilor Morales and seconded by Councilor Olivo to adjourn at 6:21 p.m. Motion passed unanimously.

Bob A. Miller, Mayor

ATTEST:

Carol Virden, City Clerk/Treasurer