

MINUTES OF THE SPECIAL MEETING
OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
WEDNESDAY, OCTOBER 13, 2005
4:00 P.M.

The Council of the City of Ruidoso Downs met in Special Session on October 13, 2005 in conjunction with the Council of the Village of Ruidoso and the Wastewater Treatment Plant Joint Use Board. Mayor Miller called the meeting to order at 4:06 p.m. Upon roll call, the following were present:

Councilor Miller Councilor Morales
Councilor Olivo Councilor Garrett

Administrator Waters informed Mayor Miller there was a quorum.

Also present:

Dan Bryant, City Attorney
John P. Waters, City Administrator
Annette Wallace, Secretary

APPROVAL OF AGENDA

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

EXECUTIVE SESSION PURSUANT TO SECTION 10-15-1(H) 7, THREATENING AND/OR PENDING LITIGATION

Mayor Miller entertained a motion to go into Executive Session pursuant to Section 10-15-1(H) 7, Threatening and/or Pending Litigation.

Councilor Garrett moved to go into Executive Session pursuant to Section 10-15-1(H) 7, Threatening and/or Pending Litigation. Seconded by Councilor Morales. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller closed the Special Meeting at 4:09 p.m.

Mayor Miller called the Special Meeting back to order at 5:13 p.m.

Motion was made by Councilor Miller to go back into open session. Seconded by Councilor Garrett. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Councilor Morales attested to the fact that the only item discussed in Executive Session was pursuant to Section 10-15-1(H)7, Threatening and/or Pending Litigation and no action was taken.

Councilor Morales moved to have a unified motion between the City of Ruidoso Downs, the Village of Ruidoso and the Wastewater Treatment Plant Joint Use Board. Seconded by Councilor Garrett. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Councilor Michelle Rebstock moved to authorize Ned Kendrick to negotiate a settlement with Forest Guardian as outlined in Executive Session. Seconded by Councilor Morales. Motion carried.

Councilor Michelle Rebstock of Village of Ruidoso moved to authorize Del Archuleta of Molzen-Corbin & Associates to start testing the phosphorous at the wastewater treatment plant as discussed in Executive Session. Seconded by Bob Miller. Motion carried.

Mayor Miller entertained a motion to adjourn. Motion was made by Councilor Garrett and seconded by Council Morales to adjourn at 5:22 p.m. Motion carried.

/s/ Bob A. Miller, Mayor

ATTEST:

/s/ Carol Virden, City Clerk