

MINUTES OF THE CITY COUNCIL  
OF THE CITY OF RUIDOSO DOWNS  
CITY COUNCIL CHAMBERS  
REGULAR MEETING  
MAY 29, 2012  
5:30 P.M.

The Council of the City of Ruidoso Downs met in regular session on May 29, 2012. Mayor Williams called the meeting to order at 5:30 p.m. and asked H. John Underwood to lead the Pledge of Allegiance. Mayor Williams asked Carol Virden, City Clerk/Treasurer to take roll call. The following were present:

Councilor Holman  
Councilor Miller

Councilor Hood  
Councilor Perry

Carol Virden, City Clerk/Treasurer informed Mayor Williams there was a quorum.

Also present:

Carol Virden, City Clerk/Treasurer  
H. John Underwood, City Attorney

APPROVAL OF AGENDA

Mayor Williams stated next item on the agenda was Approval of Agenda.

Mayor Williams said he would like to remove Item 11G from New Business because it needs to be discussed further.

Mayor Williams entertained a motion to approve the agenda with the removal of Item 11G from New Business.

Councilor Hood moved to approve the agenda with the removal of -+-Item 11G from New Business. Seconded by Councilor Miller.

Roll call votes: Councilor Holman, Nay; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

APPROVAL OF CONSENT AGENDA

Mayor Williams stated next item on the agenda was approval of the Consent Agenda.

Mayor Williams entertained a motion to approve the Consent Agenda.

Councilor Miller moved to approve the Consent Agenda. Seconded by Councilor Hood.

Roll call votes: Councilor Holman, Nay; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

APPROVAL OF MINUTES OF THE BUDGET WORK SESSION OF MAY 8, 2012.

Councilor Miller moved to approve the Minutes of the Budget Work Session of May 8, 2012. Seconded by Councilor Hood.

Roll call votes: Councilor Holman, Nay; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

APPROVAL OF MINUTES OF REGULAR MEETING OF MAY 14, 2012.

Councilor Miller moved to approve the Minutes of the Regular Meeting of May 14, 2012. Seconded by Councilor Hood.

Roll call votes: Councilor Holman, Nay; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

APPROVAL OF ACCOUNTS PAYABLE

Councilor Miller moved to approve Accounts Payable. Seconded by Councilor Hood.

Roll call votes: Councilor Holman, Nay; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

APPROVAL OF MONTHLY REPORTS

Councilor Miller moved to approve Monthly Reports. Seconded by Councilor Hood.

Roll call votes: Councilor Holman, Aye; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

APPROVAL OF COMMITTEE REPORTS

Councilor Miller moved to approve Committee Reports. Seconded by Councilor Hood.

Roll call votes: Councilor Holman, Nay; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

Mayor Williams stated the next item on the agenda was – Mayor’s Comments.

Mayor Williams said The Nest is hosting a barbeque on May 31<sup>st</sup> from 1:00-3:00 at the courtyard to honor the community's First Responders and have done a fantastic job of assisting HEAL and The Nest.

Mayor Williams said also on May 31<sup>st</sup> in Albuquerque the Community Development Council will award and allocate funds for the 2012 CDBG passed by the Senate last month. The CDBG requests for the City were to complete the projects on River and Nevada. The presentation given by our Public Works Director was spot on. What impressed this group of engineers was the graphs and diagrams in our package. Mayor Williams said he was encouraged that they will get the full funding of \$25,000 to complete both projects.

Mayor Williams said this Saturday the Economic Development Board was sponsoring a business workshop at the Hubbard Museum. He said the topics would be: "Board Relations-Best Practices for Effective Communication," Business Retention & Expansion," and "Community Partnerships."

Mayor Williams said as an update the Whitewater Fire was growing and was up to 152,000 acres. The positive thing about that was the winds in the next few days was going to be moderate and the smoke in our community would be minimal.

Mayor Williams said he would like to thank three of our employees from the Parks Department who worked four days out at All American Park to ensure that the tournament had the fields marked, restrooms made presentable, and parks cleaned. He thanked Frankie Gonzales, Ronnie Randolph, and Pete Montano.

Mayor Williams said the next item on the agenda was - Councilors Comments.

Councilor Holman had no comments.

Councilor Miller said she would like to invite everyone to All American Park to see what is being done there. There is a lady helping and her name is Dagmar. She said they are supplying more and more trees and brought in nine fruit trees yesterday and a bunch of shrubs and flowers. We are going to get twenty more trees tomorrow and are getting some New Mexico Olive Trees from New Mexico Forestry. They just gave them to us and are around a \$250 value. The trees will be distributed between the parks. We have a Rain Barrel Project we are trying to get started. She said she would also like to thank all of the sponsors that helped with the Great American Cleanup for the food like Wal-Mart, Thriftway, and Lawrence Brothers. Jorge's and Zia Gas are our big sponsors that help with cash for things that can't be bought with grant funds. Councilor Miller said it was looking good at the parks and they can always use help. If you see something that needs to be done or something watered to let them know.

Councilor Hood said that Dagmar does a lot of work and thanked her.

Councilor Perry had no comments.

Mayor Williams stated the next item on the agenda was – Consider Approving City of Ruidoso Downs Preliminary Budget for FY 2012-2013.

Terri Mosley, Finance Director said before them was basically the same budget that was reviewed in the Budget Workshop on May 8<sup>th</sup>. There are two changes. The General Fund revenues stay the same at \$3,224,040 and the expenditures will be decreased by \$40,486 making the total expenditures \$3,156,302 and that is because they had to make some adjustments in the calculations for the police salaries and in the Legislative budget there was a request to increase the Vehicle Maintenance line item from \$350 to \$500. They did meet their 1/12<sup>th</sup> reserve, which is now \$263,025.

Mayor Williams entertained a motion to approve City of Ruidoso Downs Preliminary Budget for FY 2012-2013.

Councilor Miller moved to approve City of Ruidoso Downs Preliminary Budget for FY 2012-2013. Seconded by Councilor Hood.

Roll call votes: Councilor Holman, Aye; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

Mayor Williams stated the next item on the agenda was – Consider Approving Third Renewal Agreement between the City of Ruidoso Downs and H. John Underwood Ltd.

H. John Underwood, City Attorney said he put a memo in their folders and next year they will have to go out with RFP's for a one-year original contract and three renewals. He said he has enjoyed working for the City of Ruidoso Downs and his associate Zach Cook has opened his own office effective May 1<sup>st</sup>. He said it is important to have two lawyers available and he has entered into a contract with Lori Gibson PC to be assistant City Attorney and is going to enjoy working the next year for the City of Ruidoso Downs.

Mayor Williams said he appreciates everything Mr. Underwood has done for the City.

Mayor Williams entertained a motion to approve third renewal agreement between the City of Ruidoso Downs and H. John Underwood Ltd.

Councilor Miller moved to approve third renewal agreement between the City of Ruidoso Downs and H. John Underwood Ltd. Seconded by Councilor Perry.

Roll call votes: Councilor Holman, Aye; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

Mayor Williams stated the next item on the agenda was – Consider Approving Resolution No. 2012-07 Supporting the Filing of an Application to New Mexico Department of Transportation for Funding Assistance for FY 2014.

Patty DeSoto, Lincoln County Transit Manager said the Letter of Intent is the first part of the grant application process. This grant cycle would run October 1, 2013 to September 31, 2014. She said the numbers they have before them are suggested numbers she is applying for FY 2014 but doesn't mean those are the numbers they will get. It will depend on her presentation.

Councilor Holman asked if this was a matching grant?

Patty DeSoto, Transit Manager said she believes it is a 25% matching grant. She said she did put some capital figures in there because it is a good time to think about replacing vehicles and some have over 200,000 miles in case they were to purchase a vehicle.

Councilor Holman asked which fund that would come out of? Would it be the General Fund?

She said it would be however the council wanted to do that. Right now she is trying to raise funding through advertising on the back of the buses. She said she has tried talking to Mescalero about fundraising but hasn't gotten much response but could try again.

Councilor Holman said this would then be above their \$25,000 commitment?

She said yes.

Councilor Hood asked how many vehicles had or were close to the 200,000 miles?

Patty said it was mainly the high top that the City originally gave them.

Mayor Williams entertained a motion to approve Resolution No 2012-07 Supporting the Filing of an Application to New Mexico Department of Transportation for Funding Assistance for FY 2014.

Councilor Hood moved to approve Resolution No. 2012-07 Supporting the Filing of an application to New Mexico Department of Transportation for Funding Assistance for FY 2014. Seconded by Councilor Miller.

Roll call votes: Councilor Holman, Nay; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

Mayor Williams stated next item on the agenda was - Discussion and Possible Action to Approve Changes and/or Updates to the City of Ruidoso Downs Code of Ordinances Chapter 131 Titles "Offenses Concerning Fire and Fire Prevention."

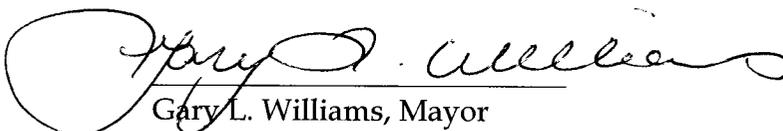
Steve Dunigan, Planning & Zoning Director said they have been working on some additional language to an existing ordinance that will allow us to speak to the property owners more from the standpoint of prevention and less from the penalties may be. He said he can use some of this language regarding ladder fuels with regard to neighboring properties and so

Mayor Williams called the regular meeting back to order at 6:47 p.m. and asked that a member of the City Council attest to the fact that the only items discussed in Closed Session were that of Discussion subject to the attorney-client privileged pertaining to threatening and/or pending litigation pursuant to § 10-15-1 (H7) NMSA 1978.

Councilor Miller attested to the fact that the only items discussed in Closed Session were that of discussion subject to the attorney-client privileged pertaining to threatening and/or pending litigation pursuant to § 10-15-1 (H7) NMSA 1978 and no action was taken.

ADJOURNMENT

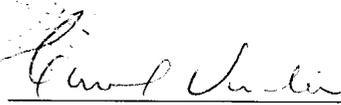
There being no further business to attend to, Mayor Williams adjourned the meeting at 6:47 p.m.



Gary L. Williams, Mayor



ATTEST:



Carol Virden, City Clerk/Treasurer