

MINUTES OF THE CITY COUNCIL  
OF THE CITY OF RUIDOSO DOWNS  
CITY COUNCIL CHAMBERS  
REGULAR MEETING  
JANUARY 13, 2014  
4:30 P.M.

The Council of the City of Ruidoso Downs met in regular session on January 13, 2014. Mayor Williams called the meeting to order at 4:30 p.m. and asked Chief Rupp 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:

H. John Underwood, City Attorney  
Christopher Rupp, Police Chief  
Mary Castaneda, Finance Director  
Cleatus Richards, Public Works Director  
Ray Pawley, Independent Consultant, Hubbard Museum

APPROVAL OF AGENDA

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

Mayor Williams entertained a motion to approve the agenda.

Councilor Miller moved to approve the agenda. Seconded by Councilor Perry.

Roll call votes: Councilor Holman, Aye; 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 stated that under Item 5 there was Item 8 that did not have the asterisks but wanted that included under the Consent Agenda for approval.

Mayor Williams entertained a motion for Approval of the Consent Agenda to include Item 5 and Item 8 under number 5 that did not have the asterisks.

Councilor Miller moved to approve the Consent Agenda to include Item 5 Item and Item 8 under number 5 that did not include the asterisks. Seconded by Councilor Perry.

Carol Virden, City Clerk/Treasurer asked if they could make a correction to that motion. She said Item 5 is not the consent it's just Item 8 that she did not put the asterisks on.

Councilor Miller and Councilor Perry confirmed clarifying the items.

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

APPROVAL OF MINUTES OF JOINT MEETING OF DECEMBER 4, 2013

APPROVAL OF MINUTES OF REGULAR MEETING OF DECEMBER 9, 2013

Councilor Miller moved to approve Minutes of the Joint Meeting of December 4, 2013 and the Regular Meeting of December 9, 2013. Seconded by Councilor Perry.

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

APPROVAL OF ACCOUNTS PAYABLES

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

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

APPROVAL OF MONTHLY REPORTS: NOVEMBER 2013

Councilor Miller moved to approve Monthly Reports for November 2013. Seconded by Councilor Perry.

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

COMMITTEE REPORTS

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

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

### UNFINISHED BUSINESS

Mayor Williams said there was no Unfinished Business.

### NEW BUSINESS

Mayor Williams stated the next item on the agenda was - Mayor's Comments.

Mayor Williams said the engineering of the Agua Fria Wastewater Collection System has begun. That would continue for the next few months and then we'll see if our funding comes through. If you haven't noticed in the City we do have the two new police vehicles that are in service and there is a great response from the citizens that they are very professional looking and really brings up the image of the City. We have another item and it's a potential officer tonight named Robert Odom. He was identified in a letter from the Gathering Place Church and what it states is "Chief Rupp, we would like to thank Officer Robert Odom for assisting us in the recovery of our church van. Officer Robert Odom showed great concern and diligence. We appreciate the manner of Officer Robert Odom's quality for such a man as Robert Odom gives our hitchhiking community safe." He said he thought that was a great accommodation of a letter for a man who just started with us and Council will be considering his appointment tonight. He also wanted to thank Officer Odom and Chief Rupp for bringing that to him.

Mayor Williams stated the next item on the agenda was - Councilor's Comments.

Councilor Miller said she wanted to thank everybody who made the Open House possible over at the museum and the staff helped our committee like they always do. She said she had a few pictures and they had 350 to 400 people come into that facility. It was a busy, busy day. She said they had some recycling craft projects for the kids and good cookies, biscochitos, coffee and juice. We had two choirs. The baseball team came and sang a little bit. Then we had children's choirs from the elementary school with their music teacher. Then they had a man come to do karaoke with the kids. They also had Santa Claus and Father Christmas in the afternoon. It went all day long, it was laid back, and people were having the best time. She passed around the pictures.

There were no other Councilor's Comments.

Mayor Williams stated the next item on the agenda was - Discussion and Possible Action - Approve Personnel Recommendation Position - Lincoln County Transit Driver.

Mayor Williams said one of our transit drivers, Cecilia Villareal took up the position of Data Entry Secretary position in the Police Department. She did a lateral transfer over to that position which left her position open. We are very fortunate to have a young lady who has been in with us before and know how transit operates and has a dedication and enthusiasm that will carry over. It really makes us feel good to have her in position and we didn't have

go out and search. Emma Martinez is the recommendation that I make to Council to approve for that position.

Mayor Williams entertained a motion to approve recommendation of Emma Martinez for Lincoln County Transit Driver.

Councilor Hood moved to approve Personnel Recommendation Position – Lincoln County Transit Driver. Seconded by Councilor Miller.

Councilor Holman asked if that was part-time or full-time?

Carol Virden, City Clerk/Treasurer said that was the 32 hours which is considered with benefits.

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 – Discussion and Possible Action – Approve Personnel Action – Public Works Department Promotion – Street Foreman.

Cleatus Richards, Public Works Director said my recommendation if for promoting Ricky Valdez as Foreman in the Public Works Department. He has been with the Public Works Department for three years and does have previous foreman experience with his prior employer which is FNF Construction. I think Ricky will do a good job with a raise to \$12.31 an hour.

Mayor Williams entertained a motion to approve Personnel Action – Public Works Department Promotion of Ricky Valdez with an additional sixty cents an hour.

Councilor Hood moved to approve Personnel Action – Public Works Department Promotion of Ricky Valdez with an additional sixty cents an hour. Seconded by Councilor Miller.

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 – Discussion and Possible Action – Personnel Recommendation – Public Works Department – Position – Parks Maintenance Worker.

Cleatus Richards, Public Works Director said we had an opening in the Parks Department and the recommendation for Parks Maintenance Worker is Lawrence Gonzales. We had two good applicants which we interviewed and Lawrence had the best qualifications. He does have a good work background in the areas with Parks & Recreation.

Mayor Williams said the hourly wage would be \$10.62 if you approve that request.

Councilor Miller moved to approve Personnel Recommendation – Public Works Department – Position – Parks Maintenance Worker. 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 – Discussion and Possible Action – Personnel Recommendation – Ruidoso Downs Police Department – Police Officer.

Chief Rupp said tonight I am asking to bring Officer Robert Odom up for consideration for full-time employment from temporary. He has been with us full-time since January 9<sup>th</sup> and is doing a fantastic job for us out on the street. I would appreciate your consideration.

Mayor Williams said he is already worth the \$18.42 in this position.

Mayor Williams entertained a motion to approve Personnel Recommendation – Ruidoso Downs Police Department – Police Officer.

Councilor Hood moved to approve Personnel Recommendation – Ruidoso Downs Police Department – Police Officer. Seconded by Councilor Miller.

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 – Discussion and Possible Action – Personnel Action – HMAW – Position – Museum Technician.

Ray Pawley, Independent Consultant, Hubbard Museum said the Museum Technician is an opening by the previous position held by Adele Karolik. This will be collection oriented. This position will also be assisting Phillip and will provide a little bit of relief for staff and during lunch hours. His name is Billy Crouch.

Mayor Williams said Billy Crouch's wage is \$12.00 if approved.

Mayor Williams entertained a motion to approve Personnel Action – HMAW – Position – Museum Technician.

Councilor Miller moved to approve Personnel Action – HMAW – Position – Museum Technician. Seconded by Councilor Holman.

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 - Discussion and Possible Action - Temporary Appointment of Assistant Municipal Clerk for the conduct of the 2014 Regular Municipal Elections - Annette Wallace.

Carol Virden, City Clerk/Treasurer said the office of the City Clerk is requesting the approval of a temporary appointment of an Assistant Municipal Clerk for the conduct of the 2014 Municipal Elections - Annette Wallace.

Mayor Williams entertained a motion to approve - Temporary Appointment of Assistant Municipal Clerk for the conduct of the 2014 Regular Municipal Elections - Annette Wallace.

Councilor Hood moved to approve - Temporary Appointment of Assistant Municipal Clerk for the conduct of the 2014 Regular Municipal Elections - Annette Wallace. Seconded by Councilor Miller.

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

The next item on the agenda was a Consent Agenda item - Consider Approving Wastewater Treatment Plant Operating Invoice for November 2013.

Councilor Miller moved to approve Wastewater Treatment Plant Operating Invoice for November 2013. Seconded by Councilor Perry.

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

#### OTHER BUSINESS

**(Items are for discussion only - no action will be taken)**

Mayor Williams stated the next item on the agenda was - Updated Financial Status Report - Hubbard Museum of the American West and Lincoln County Transit.

Mary Castaneda, Finance Director said the revenues for Lincoln County Transit were 28% and the expenditures were 41% for November with an ending balance of \$6,398.94 in the negative. She said the museum revenues were at 34% and the expenditures were at 41%.

Councilor Miller said they did have a great December though. According to the report they had a hundred people a day so that's pretty good. When you get that in it will be better for December for the museum.

Mayor Williams told Ray Pawley thank you and to thank his staff their hard work and for getting the museum turned around.

#### PUBLIC INPUT

Mayor Williams stated the next item on the agenda was - Public Input.

There was no Public Input.

#### CLOSED SESSION

Pursuant to Section 10-15-1 (H7) NMSA 1978 Discussion subject to the attorney-client privileged pertaining to threatening and/or pending litigation in which the City of Ruidoso Downs is or may become a participant.

Any action taken as a result of the Closed Session will be brought back into Open Session.

Mayor Williams entertained a motion to go into Closed Session for Discussion subject to the attorney-client privileged pertaining to threatening and/or pending litigation pursuant to Section 10-15-1 (H7) NMSA 1978 in which the City of Ruidoso Downs is or may become a participant.

Councilor Miller moved to approve to go into Closed Session for Discussion subject to the attorney-client privileged pertaining to threatening and/or pending litigation pursuant to Section 10-15-1 (H7) NMSA 1978 in which the City of Ruidoso Downs is or may become a participant. Seconded by Councilor Hood.

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

Mayor Williams closed the regular meeting at 4:48 p.m. and invited H. John Underwood, City Attorney, Carol Virden, City Clerk/Treasurer, and Christopher Rupp, Police Chief and called for a five minute recess.

Mayor Williams entertained a motion to go back into Open Session.

Councilor Hood moved to go back into Open Session. Seconded by Councilor Miller.

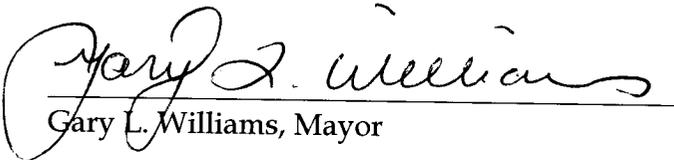
Mayor Williams called the regular meeting back to order at 4:57 p.m. and asked that a member of the City Council attest to the fact that the only items discussed in Closed Session were that of Discussion subject to the attorney-client privileged pertaining to threatening and/or pending litigation pursuant to Section 10-15-1 (H7) NMSA 1978 in which the City of Ruidoso Downs is or may become a participant.

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 Section 10-15-1 (H7) NMSA 1978 in which the City of Ruidoso Downs is or may become a participant and no action was taken.

ADJOURNMENT

There being no further business to attend to Mayor Williams adjourned the regular City Council meeting at 4:58 p.m.

  
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Gary L. Williams, Mayor



  
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Carol Virden, City Clerk/Treasurer