

MINUTES OF THE CITY COUNCIL  
OF THE CITY OF RUIDOSO DOWNS  
CITY COUNCIL CHAMBERS  
REGULAR MEETING  
JANUARY 12, 2015  
4:30 P.M.

The Council of the City of Ruidoso Downs met in regular session on January 12, 2015. Mayor Williams called the meeting to order at 4:30 p.m. and asked Kenny Ellard to lead the Pledge of Allegiance. Mayor Williams asked Carol Virden, City Clerk/Treasurer to take roll call. The following were present:

Councilor Miller  
Councilor Morales

Councilor Perry

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

Also present:

H. John Underwood, City Attorney  
Mary Castaneda, Finance Director  
Christopher Rupp, Police Chief

APPROVAL OF AGENDA

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

Mayor Williams entertained a motion for Approval of Agenda.

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

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

APPROVAL OF CONSENT AGENDA

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

Mayor Williams entertained a motion for Approval of the Consent Agenda.

Councilor Morales moved to approve the Consent Agenda. Seconded by Councilor Perry.

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

APPROVAL OF MINUTES OF REGULAR MEETING OF DECEMBER 8, 2014

Councilor Morales moved to approve Minutes of the Regular Meeting of December 8, 2014.  
Seconded by Councilor Perry.

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

APPROVAL OF ACCOUNTS PAYABLES

Councilor Morales moved to approve Accounts Payables. Seconded by Councilor Perry.

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

APPROVAL OF MONTHLY REPORTS

Councilor Morales moved to approve Monthly Reports. Seconded by Councilor Perry.

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

APPROVAL OF COMMITTEE REPORTS

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

Roll call votes: Councilor Miller, Aye; Councilor Perry, Aye; Councilor Morales, 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 Public Works has been out on the street today fixing a massive water leak running toward the condos. It's been going on for about a week now. They've been on it since about 9:00 this morning.

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

Councilor Miller said I want to thank everyone who went to the Open House at the museum on December 20<sup>th</sup> to enjoy the museum and check in with Santa Claus and buy gifts at our Gift Shop. It wasn't as big this year but we think it was because the kids were already on vacation. I also want to thank the volunteers that helped too.

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Mayor’s Appointment to Fill Vacancy Pursuant to Chapter 31: City Council section 31.01 Establishment; Members; Duties (E) Vacancies.

Mayor Williams said I am bringing the name of Luther Light for your consideration. Mr. Light is a resident of the City of Ruidoso Downs. He is now formally a member of the P & Z Board and has been on the board for three years. He’s been Chairman for six months so he’s familiar with parliamentary procedures. He’s very dedicated and precise and a studious individual who knows the information throughout before he makes decisions on any item brought forth and has showed that on the P & Z Board. He is younger than we are and would bring a flagrant enthusiasm to the Council to carry us through to next year and the appointment would go through March 15<sup>th</sup> of next year 2016. At that time the through the election that position would be filled for the next two years.

Mayor Williams entertained a motion for Council to accept Mayor’s recommendation to fill the vacancy left by Councilor Hood. Mayor Williams recommended Luther Light.

Motion died due to lack of motion.

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – FTA Fiscal Year 2015 Certifications and Assurances.

Carol Virden, City Clerk/Treasurer said this is the Standard Certification and Assurances for Lincoln County Transit that we meet the 5311 requirements such as the lobbying for private sector protection procurement of the assurance system. This is the sixth year we are doing the transit and this is the process for any request for reimbursement in 2015. It will require the Mayor Williams signature as well as the Legal Department, H. John Underwood.

Mayor Williams entertained a motion to approve – FTA Fiscal Year 2015 Certifications and Assurances.

Councilor Morales moved to approve – FTA Fiscal Year 2015 Certifications and Assurances. Seconded by Councilor Perry.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Standard Operating Procedures Policy No. 2014-03 – Lincoln County Transit.

Carol Virden, City Clerk/Treasurer said the Standard Operating Procedures Policy No. 2014-03 is before and this document is meant to define the Standard Operating Procedures used by the Lincoln County Transit to ensure continuity and compliance with the FTA

Drug and Alcohol Testing Program. The process is to have a working document that can also help in training for the New Drug and Alcohol Testing Program for a manager and assistant and will also be used to reference and to respond to any unusual events that may occur in the management of the program. This will be the last policy left to complete the FTA for Lincoln County Transit and City of Ruidoso Downs as fiscal agent.

Mayor Williams entertained a motion to approve - Standard Operating Procedures Policy No. 2014-03 - Lincoln County Transit.

Councilor Miller moved to approve - Standard Operating Procedures Policy No. 2014-03 - Lincoln County Transit. Seconded by Councilor Perry.

Mayor Williams stated the next item on the agenda was - Discussion and Possible Action - Cooperative Agreement and Lease Between the City of Ruidoso Downs and the County of Lincoln - Ruidoso Downs Senior Citizens Center.

H. John Underwood, City Attorney said it took about a year to get the amendments worked out and the function of the County and ours. The County got all of the repairs done after we communicated with the right people at the County. The City wanted to make sure that the citizens would have the rights to reserve the use of the center. Part of the issues involved with that included federal requirements for food service so all of their money was tied up. We put into this that us or the citizens would be allowed in the food services area. We put in that there would be a two-day written notice of requesting the use of the center. There has also been a \$200,000 insurance policy to cover them but we never had proof of it being insured so now we have a provision of \$500,000 a year and they pay for that along with a provision for personal injury. In the event that the County loses their funding from the federal aging funding this agreement will terminate. I would recommend that we approve this and they will take it to the County tomorrow.

Councilor Miller asked why it is a 10-year period?

H. John Underwood, City Attorney said it can be for any period but it's just easier and these type of leases are usually 10-year periods.

Councilor Miller said I just worry because the building is getting older.

H. John Underwood, City Attorney said they are required to maintain the building. We're supposed to let them know what needs to be maintained.

Mayor Williams entertained a motion to approve - Cooperative Agreement and Lease Between the City of Ruidoso Downs and the County of Lincoln - Ruidoso Downs Senior Citizens Center.

Councilor Miller moved to approve – Cooperative Agreement and Lease Between the City of Ruidoso Downs and the County of Lincoln – Ruidoso Downs Senior Citizens Center. Seconded by Councilor Perry.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Hourly Wage Increases – Utility Clerk – Secretary Finance and Administration – Public Works Department.

Mayor Williams said this was brought forth because funds were available to allow this to occur for the low paying salaries of these individuals. They were deserving of increases in the hourly wage to bring them up a little bit above from poverty level. The request for these individuals is not isolating or let other employees know that they're not as wanted. These employee's salaries are basically an opportunity to give a little extra to them to show them and also the fact that there is no premises within the salary structure that allows employees to have any kind of increase in their salary for certifications they receive in Public Works who have the water and sewer levels and over and above. Some of them do it on their own above what's required by the City. The fact of what we have here is further discussion needs to be brought forth because of the request that has been made is part of that funding coming from another government agency and with a complete understanding of how that funding will be done.

Mayor Williams asked Council to postpone that discussion and approval action to the January 26<sup>th</sup> Council Meeting. By that time we will have all of the workings of this completed and any further information will be provided to the Council. Staff and Legal are also requesting that it be postponed until the January 26, 2015 meeting.

Councilor Morales asked if we postpone to table?

Carol Virden, City Clerk/Treasurer said postpone.

Councilor Morales moved to postpone the hourly wage increases until the Council Meeting of January 26, 2015. Seconded by Councilor Miller.

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

Mayor Williams stated the next item on the agenda was from the Consent Agenda – Discussion and Possible Action – Wastewater Treatment Plant – Invoices – October 2014 and November 2014.

Councilor Morales moved to approve – Wastewater Treatment Plant – Invoices – October 2014 and November 2014. Seconded by Councilor Perry.

Roll call votes: Councilor Miller, Aye; Councilor Perry, Aye; Councilor Morales, 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 Reports – Hubbard Museum of the American West and Lincoln County Transit.

Mary Castaneda, Finance Director said these figures are tentative for the month of December 2014. Lincoln County Transit has a beginning cash balance of \$1,978.03. They had revenues of \$1,330.00 in fares and grant reimbursement \$20,441.61 which bring the total revenues to \$21,771.61. They had expenditures of \$5,728.73 leaving them with a tentative ending cash balance of \$18,020.91. The museum had a beginning cash balance of \$10,215.32. Revenues were \$7,793.37. I went ahead and made transfers for the first half of the year in the amount of \$55,000.00. They had expenditures in the amount of \$32,303.84 which brings their ending cash balance to \$40,704.85.

#### PUBLIC INPUT

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

Wayne Williams said I have a suggestion and then some reasons for that suggestion if you don't mind. I would suggest that we move Public Input up before any other business. As everybody knows somebody might catch what you didn't catch in your briefing. For example I don't know whether you guys crunched the numbers on this Senior Citizens thing or not but last month it cost, if that's an indication for the month, it cost \$8,400.00 per year to lease the building to them for ten cents a year. As a citizen I would like to have some input before it's voted on not afterwards. If you don't have any input all it does is make you mad. You should get the input before the business. That would be my suggestion for the Council to take under consideration for the future.

#### ADJOURNMENT

There being no further business to attend to Councilor Miller moved to adjourn at 4:54 p.m. Seconded by Councilor Perry.



*Gary L. Williams*  
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Gary L. Williams, Mayor

*Carol Virden*  
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Carol Virden, City Clerk/Treasurer