

MINUTES OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
CITY COUNCIL CHAMBERS
REGULAR MEETING
DECEMBER 14, 2015
4:30 P.M.

The Council of the City of Ruidoso Downs met in regular session on December 14, 2015. Mayor Williams called the meeting to order at 4:30 p.m. and asked Dakota Crouch 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 (via telephone)

Councilor Perry
Councilor Ritter

Carol Virden informed Mayor Williams there was a quorum.

Also present:

H. John Underwood, City Attorney
Mary Castaneda, Finance Director
Christopher Rupp, Police Chief
Dakota Crouch, Associate Director HMAW
Bonnie Ambrose, Lincoln County Transit Manager

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 Ritter.

Roll call votes: Councilor Miller, Aye; Councilor Perry, Aye; Councilor Morales, Aye; Councilor Ritter, 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 Ritter moved to approve the Consent Agenda. Seconded by Councilor Morales.

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

APPROVAL OF MINUTES OF REGULAR MEETING OF NOVEMBER 23, 2015.

Councilor Ritter moved to approve Minutes of Regular Meeting of November 23, 2015. Seconded by Councilor Morales.

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

APPROVAL OF ACCOUNTS PAYABLES

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

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

UNFINISHED BUSINESS

Mayor Williams stated the next item on the agenda was - Unfinished Business.

There was no Unfinished Business.

NEW BUSINESS

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

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

Councilor Miller said the Christmas Event on Saturday was a whole lot of fun. There were between 300 to 400 people that came through so it was a success. Keep Ruidoso Downs Beautiful had goodie bags, refreshments, and crafts tables set up. Nob Hill School classrooms sang at 10:00 and 1:00 and then there was Mr. & Mrs. Claus there to visit with the kids and their families. The classrooms have also been collecting aluminum cans to meet our goal for this event under the recycling category.

Mayor Williams stated the next item on the agenda was - Discussion and Possible Action - Approval of Resolution No. 2015-23 City of Ruidoso Downs 2016 Official Holidays.

Mayor Williams entertained a motion to approve - Resolution No. 2015-23 City of Ruidoso Downs 2016 Official Holidays.

Councilor Morales moved to approve - Resolution No. 2015-23 City of Ruidoso Downs 2016 Official Holidays. Seconded by Councilor Ritter.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Approval of Resolution No. 2015-24 City of Ruidoso Downs Open Meetings Act.

Mayor Williams entertained a motion to approve – Resolution No. 2015-24 City of Ruidoso Downs Open Meetings Act.

Councilor Miller moved to approve – Resolution No. 2015-24 City of Ruidoso Downs Open Meetings Act. Seconded by Councilor Perry.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Approval of 2014-2015 Prior Year Expenditure – Lodger’s Tax Promotional Fund – Lincoln County Cowboy Symposium - \$5,000.00

Mary Castaneda, Finance Director said this was a prior year expenditure from FY 2013-2014.

Mayor Williams entertained a motion to approve – FY 2013-2014 Prior Year Expenditure – Lodger’s Tax Promotional Fund – Lincoln County Cowboy Symposium - \$5,000.00.

Councilor Ritter moved to approve – 2013-2014 Prior Year Expenditure – Lodger’s Tax Promotional Fund – Lincoln County Cowboy Symposium - \$5,000.00. Seconded by Councilor Miller.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Approval of Agenda Briefing Memorandum – Lincoln County Transit Advertising Policy and Pricing for Lincoln County Transit.

H. John Underwood, City Attorney said probably what I failed to do and what I want to do with Council approval is that in my review of this document I need to add a clause that I didn’t put in here when I reviewed it. That would be to provide that the municipalities are the governmental entities authorities who are providing funds to Lincoln County Transit for its operation. Those would be the City of Ruidoso Downs and the Village of Ruidoso to be allowed to place advertising on the buses without charge. That needs to be included in this policy and that way Bonnie would be allowed to do that and also to move that around

discretionarily within her policy. If we don't have it in there it's probably something that could be misinterpreted. I apologize and it's probably legal's oversight so I'm going to ask that I don't know if it could be put on the last meeting of December or the first meeting of January but that we postpone it and let me rewrite one paragraph of this proposed policy. Otherwise I fully agree and Bonnie has done a great job in what we've asked her to do. I don't think it's right that we charge the City or the Village when they are already providing funds to run the operation.

Mayor Williams entertained a motion to postpone until the first meeting in January - Agenda Briefing Memorandum - Lincoln County Transit Advertising Policy and Pricing for Lincoln County Transit.

Councilor Morales moved to - postpone until the first meeting in January 11, 2016 - Agenda Briefing Memorandum - Lincoln County Transit Advertising Policy and Pricing for Lincoln County Transit. Seconded by Councilor Perry.

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

Mayor Williams stated the next item on the agenda was - Discussion and Possible Action - Approval of Agenda Briefing Memorandum - Update to Museum Emergency Procedures Policy.

Dakota Crouch, HMAW Associate Director said this policy or rather procedure manual does not circumvent or surpass the City safety and emergency policy book. It is some procedures that are specific to the museum like how we deal with patrons who are in the museum when an emergency happens, how we would deal with a collection, and how we would deal with business operations. The only real updates in this policy is that our building does not have the highest quality of electrical utility service and frequently during storms we may have power outages so in addition to updating contact information since previous employees were listed as contacts I have added a Section H: Power outage and how we would deal with that. The procedure if approved would be for the staff to announce that there is a power outage and that we are asking any patrons in the museum at the time to remain where they are and that the staff will take flashlights which should be in their workstation and escort them out of the building for safety purposes. At that point we would lock the building for security purposes and contact the electric provider who would also make sure there was no one trapped in the elevator. Once we have an idea from the electric provider the time frame for restoring power to the museum this procedure if the power will be out for two or more hours the museum will be closed and the employees will be dismissed. Once power is restored then we may or may not choose to reopen the museum for the remainder of the day depending on the time of day.

Mayor Williams entertained a motion to approve - Agenda Briefing Memorandum - Update to Museum Emergency Procedures Policy.

Councilor Morales moved to approve – Agenda Briefing Memorandum – Update to Museum Emergency Procedures Policy. Seconded by Councilor Perry.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Approval of Agenda Briefing Memorandum – Adoption of Policy Regarding Use of Digitized Collections and Fees Associated.

Dakota said periodically the museum receives requests from another museum or an author or researcher or sometimes even advertisers to use photographs or post cards or something else that is an image type item in our collection that we have a digital version of. The requests are sometimes for publication or exhibition and we don't currently have a policy on how we would approve or deny those requests. It became apparent that it is a common practice of institutions such as ours to have archived materials digitized to have a processing fee associated with that use or permission granting. I have provided a copy of the policy and fee schedule that I'm proposing. The policy would say anything we own we can approve or deny the rights to reprint, republish, exhibit it based on the rights that we have to it and based on the project that they want to use it for. It also states that the City of Ruidoso Downs and the Hubbard Museum of the American West retain all rights to future reproduction and that we are only granting permission to use the image or moving image or audio recording for one specific purpose. If you want to use it again you would have to request it again and pay the fee again. If it is a portion of our collection but someone else may hold any sort of right which there is like only one set of photographs that anyone holds any other sort of right to but is someone does hold any right other than us it is not our responsibility to attain the person requesting permission to use that image for the rights to it. It is the requestors responsibility.

Mayor Williams entertained a motion to approve - Agenda Briefing Memorandum – Adoption of Policy Regarding Use of Digitized Collections and Fees Associated.

Councilor Miller moved to approve - Agenda Briefing Memorandum – Adoption of Policy Regarding Use of Digitized Collections and Fees Associated. Seconded by Councilor Perry.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Approval of Agenda Briefing Memorandum – Adoption of New Loan Forms.

Dakota said this is for a form to fill out when our museum loans out, leases, or rents any of our collection items to another museum or educational institution it can also be used if we

are borrowing or renting items from an individual who does not have these forms. This is a document to have signed from both entities that everyone agrees to the terms of the loan.

Mayor Williams entertained a motion to approve - Agenda Briefing Memorandum - Adoption of New Loan Forms.

Councilor Perry moved to approve - Agenda Briefing Memorandum - Adoption of New Loan Forms. Seconded by Councilor Miller.

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

Mayor Williams stated the next item on the agenda was - Discussion and Possible Action - Approval of Agenda Briefing Memorandum - Renewal of Loan #2006.01 New Mexico History Museum/Lincoln Site.

Dakota said we have been contacted by the New Mexico History Museum and they have requested the renewal of a loan that we have out to them of a horse mannequin. It is at their Lincoln Historical site currently and they want to continue to use that. It has a \$2,000 replacement value.

Mayor Williams entertained a motion to approve - Agenda Briefing Memorandum - Renewal of Loan #2006.01 New Mexico History Museum/Lincoln Site.

Councilor Ritter moved to approve Agenda Briefing Memorandum - Renewal of Loan #2006.01 New Mexico History Museum/Lincoln Site. Seconded by Councilor Morales.

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

The next item was from the Consent Agenda - Discussion and Possible Action - Wastewater Treatment Plant - Invoice - October 2015.

Councilor Ritter moved to approve - Wastewater Treatment Plant - Invoice - October 2015. Seconded by Councilor Morales.

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

Mayor Williams stated the next item on the agenda was - Discussion and Possible Action - Personnel Recommendation - Lincoln County Transit - Position - Part-Time/On-Call Driver.

Bonnie Ambrose, Lincoln County Transit Manager said I would like approval to hire Melanie Holt. She is a Ruidoso resident. I am in desperate need of a driver to fill my evening shift.

Councilor Miller said I don't recall how many seats are on the buses but does it take a commercial license?

Bonnie said no, there are thirteen seats or less and our two ADA buses only have eleven.

Councilor Miller asked if they have to go through any training?

Bonnie said they have to pass a DOT physical and DOT drug test. They will also go through safety training to make sure they know how to use wheelchair lifts and training to drive a City vehicle.

Councilor Miller asked who does that?

Bonnie said we do.

Mayor Williams entertained a motion to approve - Personnel Recommendation - Lincoln County Transit - Position - Part-Time/On-Call Driver - Melanie Hall.

Councilor Miller moved to approve - Personnel Recommendation - Lincoln County Transit - Position - Part-Time/On-Call Driver - Melanie Hall. Seconded by Councilor Perry.

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

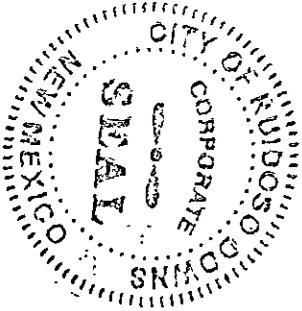
Mary Castaneda, Finance Director said Lincoln County Transit had a beginning cash balance of \$14,219.47. Revenues of \$15,673.41. Out of those \$13,260.65 were grant reimbursements. Expenditures of \$14,503.87 leaving them a tentative ending cash balance of \$15,389.01. The Museum fund had a beginning cash balance of \$19,287.71. Revenues of \$32,434.94. There was a quarterly payment from the Hubbard Foundation of \$25,000.00. Expenditures of \$25,576.86 leaving them a tentative ending cash balance of \$26,145.79.

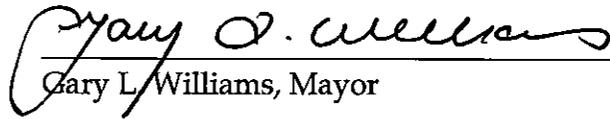
PUBLIC INPUT

There was no Public Input.

ADJOURNMENT

There being no further business to attend to Councilor Ritter moved to adjourn at 5:08 p.m.
Seconded by Councilor Morales. All were in favor





Gary L. Williams, Mayor

ATTEST:



Carol Virden, City Clerk/Treasurer