

MINUTES OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
CITY COUNCIL CHAMBERS
REGULAR MEETING
JANUARY 25, 2016
4:30 P.M.

The Council of the City of Ruidoso Downs met in regular session on January 25, 2016. 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

Councilor Perry
Councilor Ritter

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

Also present:

H. John Underwood, City Attorney
Mary Castaneda, Finance Director
Dale Graham, Interim Public Works Director
Dakota Crouch, HMAW Associate Director
Chief Rupp, Police Chief
Bonnie Ambrose, LCT Manager

APPROVAL OF AGENDA

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

Mayor Williams entertained a motion to approve the agenda.

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

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

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

APPROVAL OF MINUTES OF REGULAR MEETING OF JANUARY 11, 2016.

Councilor Miller moved to approve minutes of Regular Meeting of January 11, 2016. Seconded by Councilor Perry.

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

APPROVAL OF ACCOUNTS PAYABLES

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

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

APPROVAL OF MONTHLY REPORTS - DECEMBER 2015

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

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

APPROVAL OF COMMITTEE REPORTS - DECEMBER 2015

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

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 - Discussion and Possible Action - Approval of Agenda Briefing Memorandum - Lincoln County Transit Advertising Policy and Pricing for Lincoln County Transit.

Bonnie Ambrose, Lincoln County Transit Manager said we finally got all of the additions into the advertising policy that we see fit. The entities that are funding us have opted to advertise without cost upon availability of space on the buses.

H. John Underwood, City Attorney said the paragraph I added to the policy is paragraph 5.1 on page 4. It adds the legal protection that we need and will provide that services to municipalities and should provide funding for the transit.

Mayor Williams entertained a motion to approve – Agenda Briefing Memorandum – Lincoln County Transit Advertising Policy and Pricing for Lincoln County Transit.

Councilor Ritter moved to approve – Agenda Briefing Memorandum – Lincoln County Transit Advertising Policy and Pricing for Lincoln County Transit. 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 –Bill Dilley – Suggestions:

- Emergency-Snow Ordinance 4” or more Forecast
- Phase 1-Snow Tires and/or Chains Reg.
- Citations-accident (regardless of fault)
- Court decides penalties (varying severity)
- Phase 2-Residents to park on property off the street to allow plowing
- Violations-Vehicle towed at owner’s expense
- Period to run December 1 through March 31

Mayor Williams said I would like to ask Council to postpone this indefinitely since the individual has not approached us since this suggestion was brought forth and we’re not going to follow through until there is a presentation from this individual.

Councilor Morales moved to postpone indefinitely. Seconded by Councilor Ritter.

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

Carol said I was able to contact Mr. Bill Dilley and he lives at River Bend Trailer Park. Unfortunately he can’t make it tonight because he works at the racetrack and is closing tonight so I did tell him to let me know when he would be available and depending on what the Council action is tonight it would be put back on the agenda and I would let him know.

NEW BUSINESS

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

Mayor Williams said there is supposed to be snow again tomorrow so be very careful.

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

There were no Councilor’s Comments.

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Approval of Personnel Recommendation – Promotion – Public Works Director.

Mayor Williams said I would like to bring this forth to Council and recommend Dale Graham for the Public Works Director position. After the retirement of Cleatus Richards Mr. Graham has been Interim Public Works Director for the last five months. He has done a fine job of everything that has been requested of him from the Mayor’s office and also the citizens and has performed in the position. He’s learned in the last five months what it takes to be a Director from the perspective that he’s going to have to be in front of a lot more people and get things done for our City.

Mayor Williams entertained a motion for – Approval of Personnel Recommendation – Promotion – Public Works Director – Dale Graham.

Councilor Miller moved to approve – Personnel Recommendation – Promotion – Public Works Director – Dale Graham. Seconded by Councilor Perry.

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

There was a round of applause.

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Approval of Agenda Briefing Memorandum – Appointment of Precinct Board, Alternates, Translator and Absentee Voter Board – 2016 Regular Municipal Election.

Carol Virden, City Clerk/Treasurer said pursuant to §3-8-19C and §3-9-9 of the Election Code Book today is the last day for the Governing Body to appoint a Precinct Board and Translator for each polling place and Absentee Voter Board. The Presiding Judge would be Elone Tipps. Absentee Voter Presiding Judge would be the same. The Election Clerks would be Sebrina Lundquist, Brenda Frost, Sue McCasland, Debra S. Dvorak. The Translator is Faye Randolph and the Alternate Election Clerk is Netta Coleman. I also am asking for approval of the names as submitted to receive

compensation of \$200.00 for each Precinct Board Worker in accordance with §1-2-16 of the Election Handbook as well as an Alternate standby compensation of \$20.00 in accordance with §3-8-20 of the Election Handbook. It is a long day for these ladies. They have to be here at 6:00 a.m. and generally they don't get to leave here until almost 9:00 p.m. if not later. The reason I have six including the Presiding Judge, Election Clerks, and the Translator is that we have new electronic vote tabulators. I have designated one for those that are unable to read, translate, and it's for the disability so we're going to have two here and that's why I needed six.

Mayor Williams entertained a motion to approve – Agenda Briefing Memorandum – Appointment of Precinct Board, Alternates, Translator and Absentee Voter Board – 2016 Regular Municipal Election.

Councilor Morales moved to approve – Agenda Briefing Memorandum – Appointment of Precinct Board, Alternates, Translator and Absentee Voter Board – 2016 Regular Municipal Election. Seconded by Councilor Ritter.

Carol Virden, City Clerk/Treasurer asked that Councilor Morales also include in the motion the compensation of \$200.00 for each Precinct Board Worker and \$20.00 for the Alternate.

Councilor Morales amended her motion to include compensation of \$200.00 for each Precinct Board Worker and \$20.00 for the Alternate. 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 – Personnel Recommendation – Lincoln County Transit – Position – Part Time/On Call Driver.

Bonnie Ambrose, Transit Manager said I would like to recommend Dana Otey for this position. Dale Dobbs had to have heart surgery so he will be in recovery for the next five weeks at least so we need another driver. She's worked with people with disabilities and seniors and the elderly.

Mayor Williams entertained a motion to approve – Personnel Recommendation – Lincoln County Transit – Position – Part Time/On Call Driver – Dana Otey.

Councilor Miller moved to approve – Personnel Recommendation – Lincoln County Transit – Position – Part Time/On Call Driver – Dana Otey. 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 - Personnel Recommendation - Public Works Department - Position - Office Manager.

Dale Graham, Public Works Director said I would like to ask Council to approve hiring Kelli Hemmingsson for the position of Public Works Office Manager. Her past job experience is similar to what we do at Public Works and she's familiar with purchasing also. She would make a good addition to our department.

Mayor Williams entertained a motion to approve - Personnel Recommendation - Public Works Department - Position - Office Manager - Kelli Hemmingsson.

Councilor Ritter moved to approve - Personnel Recommendation - Public Works Department - Position - Office Manager - Kelli Hemmingsson. Seconded by Councilor Miller.

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

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

Councilor Miller moved to approve - Wastewater Treatment Plant - Invoice - December 2015. Seconded by Councilor Perry.

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

OTHER BUSINESS

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 \$15,389.01. Revenues of \$8,885.52. Out of those revenues \$6,714.52 were grant reimbursements and \$2,171.00 were actual revenues. Expenditures of \$13,966.56 leaving them an ending cash balance of \$10,307.97. The Museum fund had a beginning cash balance of \$26,085.81. Revenues of \$4,207.58. Transfers from Lodger's Tax in the amount of \$9,300.00. Expenditures of \$32,304.86 leaving them an ending cash balance of \$7,288.53.

PUBLIC INPUT

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

There was no Public Input.

CLOSED SESSION

Discussion subject to the attorney-client privilege pertaining to threatened or pending litigation in which the City of Ruidoso Downs is or may become a participant pursuant to §10-15-1 H7, NMSA 1978 and Discussion of the purchase, acquisition or disposal of real property or water rights by the public body pursuant to §10-15-1 H8, NMSA 1978.

Any action will be brought back to Open Session.

Mayor Williams entertained a motion to go into Closed Session for the Discussion subject to the attorney-client privilege pertaining to threatened or pending litigation in which the City of Ruidoso Downs is or may become a participant pursuant to §10-15-1 H7, NMSA 1978 and Discussion of the purchase, acquisition or disposal of real property or water rights by the public body pursuant to §10-15-1 H8, NMSA 1978.

Councilor Ritter moved to go into Closed Session for Discussion subject to the attorney-client privilege pertaining to threatened or pending litigation in which the City of Ruidoso Downs is or may become a participant pursuant to §10-15-1 H7, NMSA 1978 and Discussion of the purchase, acquisition or disposal of real property or water rights by the public body pursuant to §10-15-1 H8, NMSA 1978. Seconded by Councilor Perry.

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

Mayor Williams invited H. John Underwood, City Attorney, Dale Graham and Carol Virden and called for a five minute recess.

Mayor Williams closed the regular meeting at 4:50 p.m.

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

Councilor Ritter moved to go back into Open Session. Seconded by Councilor Perry. Roll call votes: Councilor Miller, Aye; Councilor Perry, Aye; Councilor Morales, Aye, Councilor Ritter, Aye. Motion carried.

Mayor Williams called the regular meeting back to order at 5:26 p.m. and asked that a member of the City Council attest to the fact that the only items discussed in Closed

Session were the attorney-client privilege pertaining to threatened or pending litigation in which the City of Ruidoso Downs is or may become a participant pursuant to §10-15-1 H7, NMSA 1978 and Discussion of the purchase, acquisition or disposal of real property or water rights by the public body pursuant to §10-15-1 H8, NMSA 1978 and that no action was taken.

Councilor Morales attested to the fact that the only items discussed in Closed Session was the attorney-client privilege pertaining to threatened or pending litigation in which the City of Ruidoso Downs is or may become a participant pursuant to §10-15-1 H7, NMSA 1978 and Discussion of the purchase, acquisition or disposal of real property or water rights by the public body pursuant to §10-15-1 H8, NMSA 1978 and no action was taken.

Councilor Morales moved to approve recommendation to approve the Geo Science Task Order. Seconded by Councilor Perry.

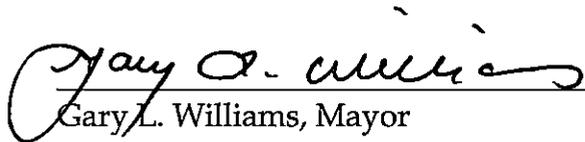
Roll call votes: Councilor Miller, Aye; Councilor Perry, Aye; Councilor Morales, Aye, Councilor Ritter, Aye. Motion carried.

Councilor Morales moved to instruct the City Attorney to move forward with the DL Sanders contract with amendments. Seconded by Councilor Perry.

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

ADJOURNMENT

There being no further business to attend to Councilor Miller moved to adjourn. Seconded by Councilor Ritter. All were in favor and the meeting adjourned at 5:27 p.m.



Gary L. Williams, Mayor





Carol Virden, City Clerk/Treasurer