

MINUTES OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
HUBBARD MUSEUM OF THE AMERICAN WEST
JOHNNY AND MARTY COPE LEARNING CENTER
REGULAR MEETING
JUNE 27, 2016
5:30 P.M.

The Council of the City of Ruidoso Downs met in regular session on June 27, 2016. Mayor Williams called the meeting to order at 5:30 p.m. and said we are going to have more mobile meetings in the City. This is the first time we have ever been out of the chambers for a meeting that I can remember. He asked Greg Cory to lead the Pledge of Allegiance.

Mayor Williams asked Carol Virden, City Clerk/Treasurer to take roll call. The following were present:

Councilor Morales
Councilor Romero

Councilor Miller
Councilor Walker

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

Also present:

H. John Underwood, City Attorney
Joe Jarvis, Project Manager
Kenny Ellard, Fire Department
Christopher Rupp, Police Chief
Dakota Crouch, HMAW Director

APPROVAL OF AGENDA

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

Mayor Williams entertained a motion.

Councilor Miller moved for - Approval of the Agenda. Seconded by Councilor Walker.

Roll call votes: Councilor Morales, Aye; Councilor Miller, Aye; Councilor Romero, Aye, Councilor Walker, 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.

Councilor Morales moved for – Approval of the Consent Agenda. Seconded by Councilor Miller.

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

APPROVAL OF MINUTES OF REGULAR MEETING OF JUNE 13, 2016.

Councilor Morales moved to approve minutes of Regular Meeting of June 13, 2016. Seconded by Councilor Miller.

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

APPROVAL OF ACCOUNTS PAYABLES

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

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

APPROVAL OF MONTHLY REPORTS

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

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

COMMITTEE REPORTS

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

Roll call votes: Councilor Morales, Aye; Councilor Miller, Aye; Councilor Romero, Aye, Councilor Walker, 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 said there are issues at City Hall. We are having the roof worked on and with the rain recently we had problems with leakage and it's caused damage within the building more than we had hoped for including the chambers so that is why we are here today. For the moment the museum is closed and do have damage from the epic storm on Saturday. Not only did it leak through the roof but also through the front door into the foyer and main lobby area and took out some of our carpeting, flooring, and walls. It's discouraging when you have the summer season and you're inviting citizens to come into your museum so we're working through it with our insurance company and other options to make immediate repairs that we need to make to prevent further damage and for the safety of our employees. They are closed on Tuesday and Wednesday but will be closed until further notice.

Mayor Williams asked Joe Jarvis, Project Manager to talk about any projects.

Joe said the Griffith project is starting to come along. City Hall is getting their roof which is a slow process and there is some new decking to replace damaged decking and tar paper.

Mayor Williams asked him to speak louder when he comes up.

Joe introduced himself and said he was the Project Manager. He said Griffith Drive is moving along and we've cut it down to subgrade almost. We should be ready within the next two weeks to have testing done and calling for the first base course. City Hall we're installing a new roof and doing repairs to the decking and installing new tar paper and metal and possibly use some of the grant money to fix other areas.

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 - Scott A. Verhines/PE-OCCAM/ED Consulting Engineers, Inc. Presentation Regarding Regional Water Initiative.

Greg Cory said he was the Community Development Director for the Village of Ruidoso. Scott Verhines said he was with OCCAM/Ed Consulting Engineers and were under contract to investigate a regional water initiative. Greg said as you are aware the Village of Ruidoso has worked diligently over the last 18 months on managing our water and hiring a water rights administrator conservation specialist in January. Late last year we contracted with OCCAM Engineering and Scott is formerly the State Engineer with the State of New Mexico. We see water as being a regional issue and too often regional neighbors have been at odds. We believe the future of addressing our water needs will be from a regional perspective. The Village is a small community with large demands driven by the large number of visitors that come into our community. We can work out our water problems by working with our neighbors. We hope to store our water during times of monsoons and winter and that we use those reserves during the summer so that our neighbors in the Hondo Valley can do their farming.

Scott Verhines said I spent about 12 years as the Program Manager of the Eastern New Mexico Rural Water System Pipeline project on the east side of the state. I'm going to use it as an example for the presentation tonight. About 5 years ago I got invited to the Ruidoso area to meet with some of the Council and business people and was asked if that would work for us in Lincoln County? Tom Battin's history in banking and with business people had a bearing on the community and he is now the mayor so we engaged with him early on. About a year ago he called and asked to resurrect that and try to get it going again. On the presentation I wanted to share some examples on how to work with your neighbors to solve long-term water issues. The presentation was shown. He said the eastern New Mexico project was conceived in 1963. The Ute Reservoir was built to store the water. It has 8 members and the issue is that the overall underground aquifer is 100% of the water supply. The south has been running out of water for a long time. This project would replace municipal and industrial water supply with the surface water in the Ute Reservoir. In this case it is a long set of infrastructure that would deliver water to all of the member communities. Each initiative is different and have different reasons and issues. Why regionalize? It is identified in the State Water Plan to do regional solutions to long term water supplies. The benefits and the costs are better when you regionalize and an opportunity to educate the public. The challenges would be who is going to run this thing and is everyone aligned in their interest? I understand that there used to be a water connection between the Downs and the Village of Ruidoso and from talking to Dale the Environment Department required that it be separated. He reviewed the strategies and said it takes active members and working with your legislatures. The Joint Powers Agreement needs to be strong. We have met with Carrizozo, Capitan, Alamogordo, Mescalero, Cloudcroft and now you and out of those we had a really positive response. We're trying to find out if we have partners in this.

Mayor Williams asked on the east side of the State did it involve the county governments? Were they also a participant and would they get as much of the benefit?

Scott said yes. When we first started there were 12 and then we settled on 8 entities. Counties don't usually own or operate water systems or have water rights.

Mayor Williams said Mr. Cory, Lincoln County has a lot of water associations that have their own way of having water for their citizens. Is it part of the plan to include them?

Greg Cory said yes and those are some of the partners we would also be speaking to. For example the Sun Valley Association. A regional solution would help them and us.

Scott Verhines said even some of the poorest water associations in New Mexico came together and developed a regional project themselves. They shared an operation, maintenance and replacement that kept the costs down.

Mayor Williams asked how the water situation was with the Village?

Greg Cory said it's better than what it has been. We got the Grindstone line completed. We're slowly filling up Grindstone and filling up Alto. We have installed a number of new meters to monitor tank levels and water production. We've also replaced all of the residential and commercial meters. We are in the midst of a 20 day water leak detection study. Our Governing Body adopted in January a Water Conservation Plan. We completed a two year water audit and the level of non-revenue water. We feel very good about our water situation.

Mayor Williams asked if the water system in the eastern part of the State is operational?

Scott Verhines said no and the project is going to be done over a number of years. The intake phase is completed.

Mayor Williams said so then the time frame wouldn't be so extensive here in Lincoln County.

Joe Jarvis, Project Manager asked if that would be using ground water and surface water?

Scott Verhines said the point in the project where we are right now is what the common problems are. What are supply, administration or what are those?

Joe said me and my Director would like to meet with you sometime and have more information we could inform Council about. We have water but no rights to pump it.

Mayor Williams also introduced Ron Sena, Deputy Manager of the Village of Ruidoso.

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Memorandum of Understanding Between the Village of Ruidoso and the City of Ruidoso Downs as the Administrative Authority for the Ruidoso Downs Police Department for DWI Enforcement Activities and Reimbursement of Costs.

Chief Rupp said this MOU is our annual renewal for the DWI Enforcement money. This money will also be used to pay our officers overtime when we conduct DWI activities at the schools. It's there to be proactive in our community. It has been a very successful program. This year it is a lesser amount of \$3,000 and last year it was \$5,000.

Councilor Morales moved to approve. Seconded by Councilor Walker.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Resolution No. 2016-09 Participation in Local Government Road Fund Program Administered by the New Mexico Department of Transportation.

Joe Jarvis, Project Manager said the total cost of this project will be \$77,964 to be funded in proportional shares as follows: New Mexico Department of Transportation 75% of \$58,473 and the City of Ruidoso Downs matching share shall be 25% of \$19,491. This money is going to be used for construction and reconstruction of various areas of Agua Fria to fix some of the roads because of the water/sewer projects.

Councilor Miller moved to approve. Seconded by Councilor Walker.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Direct City Attorney to Proceed for the Consolidated Dispatch Center with Village of Ruidoso.

H. John Underwood, City Attorney said at the last meeting we had a presentation by DFA regarding central dispatch and the benefit of doing a central dispatch. There was no action taken at that meeting regarding whether or not the City of Ruidoso Downs wants to pursue due diligence in formulating a plan to determine if they and the Village of Ruidoso should do a central dispatch and join up. What I would proceed with based

on Council direction is to request that the Chief and legal and whatever staff we need to meet with the staff of the Village for discussion to determine what would be necessary to move forward. What cost would the City incur? We would no longer have our dispatchers and they would become employees of the Village of Ruidoso so we would need to compensate the Village of Ruidoso and then how fast would this happen and whether or not we could get some help in funding for that. I think we would probably want to determine that within the next 90 days and have a joint meeting with the Council and the Village and make a decision at that time. Part of the attempt is to have this in place around January 1st so I would ask Council to give legal the authority to move forward with actions to move forward to determine with a central dispatch or not and what the cost to the City would be.

Councilor Morales said she got the impression that the agenda item was like let's go ahead and let's get this done. We do need to find out what the costs are and what are the benefits? If our employees go to the Village do we pay them or what? There are a lot of issues to be checked into before we make an agreement. I would also like to see a type of agreement before having a consolidated dispatch in place.

Mr. Underwood said I believe the intent was to instruct legal to go ahead and do those things necessary and bring that information back to Council including a draft of a Joint Powers Agreement. I don't perceive it as a vote to put it in place until we find out what the cost and ramifications and all the considerations are.

Councilor Miller said that's how I perceived it too was for you to look into it for us and we would find out through you. I do look forward to this because it would be an update on communications without us having to borrow money to do it ourselves.

Mayor Williams entertained a motion.

Councilor Miller moved to - direct the City Attorney to proceed for getting information for a consolidated dispatch with the Village of Ruidoso. Seconded by Councilor Walker.

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

Mayor Williams stated the next item on the agenda was - Discussion and Possible Action - Approval of Personnel Recommendation - Public Works Department - Position - Water/Wastewater Maintenance Worker.

Joe Jarvis, Project Manager said before you is a recommendation for hiring Keeton Hoover for the position of Water/Wastewater Maintenance Worker. This position was vacated when Larry Nunez moved up to Parks Foreman. We posted the position and

had three applications and he is the closest fit to the experience needed for the department.

Councilor Morales moved to approve Keeton Hoover. Seconded by Councilor Miller.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Approval of Personnel Recommendation – Hubbard Museum of the American West Department – Position – Gift Shop Supervisor.

Dakota Crouch, HMAW Director said before you is a recommendation to replace a staff member that we lost almost a month ago. Jennifer Garcia is my recommendation. We had five applicants and I interviewed all of them. They were all very qualified but in the end I felt like Ms. Garcia would be the best fit for our staff. She hopes to create a manager training program. She has experience with inventory and control and hospitality and hotel experience. Her latest employment was as a civilian contractor with the government so that she understands government relations also. She comes to us from Las Cruces and is already in the process of moving here.

Councilor Miller moved to approve Jennifer Garcia. Seconded by Councilor Walker.

Roll call votes: Councilor Morales, Aye; Councilor Miller, Aye; Councilor Romero, Aye, Councilor Walker, 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.

Mayor Williams said Lincoln County Transit had a beginning cash balance of \$16,846.05. Revenues of \$1,957.00. Expenditures of \$9,354.23 leaving them an ending cash balance of \$9,448.82. The museum fund had a beginning cash balance of a negative \$5,446.27. Revenues of \$8,608.94. Transfers of \$30,836.00. Expenditures of \$28,381.33 leaving them an ending cash balance of \$5,617.34. This is the report for May.

Mayor Williams stated the next item on the agenda was – Information Only – Drinking Water Distribution System Sampling Plan (DSSP) for City of Ruidoso Downs Water System PWS #NM 35-132-14.

Joe Jarvis, Project Manager said we wanted to let you get a look at the DSSP report. It's something I've been working on and it's a new thing the State is requiring. They made

us update all of the systems information. They have a new rule called Revive 24-4 and it just means we have to take a bunch more samples but it's no big deal. It shows where we sample and how we sample and alternate locations. When this came out it was due the in April and I took a class in the middle of March. We had this turned in on time and they gave us one revision that was to remove a highlight on somebody's name and everything was verified and passed. When I talked to John with the State we were one of the only three in this area that had this done on time.

PUBLIC INPUT

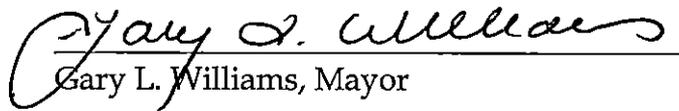
Mayor Williams stated the next item on the agenda was Public Input with a three-minute time limit.

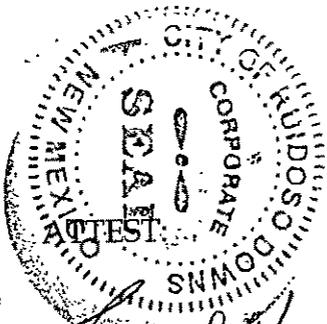
Pam Williams said it kind of frustrates me that we keep doing this Joint Powers thing and we end up with the short end of the stick. From what I'm hearing we're giving away our Police Department and then the Transit hasn't done real well. We pay a whole lot for it and then everybody else benefits and mostly it all goes to Ruidoso. Now you're talking about doing our water. Are we just going to give the City to Ruidoso? Are we becoming one entity? I'm concerned because I chose not to live in Ruidoso. I chose to live in the City of Ruidoso Downs and I'd like to stay that way. Don't give my water away and don't give my Police Officers and having the dispatch there concerns me. There's going to be more expense to all this. It just doesn't make sense to me. We need to study what we're doing before you give it all away.

Judy Beavers said I've only been here 47 years and have experienced everything. I do know the previous Councils and Mayor worked very, very hard to give Ruidoso Downs its own name, distinguish it, and try to let people realize there is a difference between Ruidoso and Ruidoso Downs. I don't understand why we would transfer our dispatchers up to Ruidoso. They wouldn't know our system. They wouldn't know our streets. I just see that it's going to make a delay and it's going to cause confusion. Nobody knows yet what the cost is going to be.

ADJOURNMENT

There being no further business to attend to Mayor Williams adjourned the meeting at 6:38 p.m.


Gary L. Williams, Mayor



Carol Virden

Carol Virden, City Clerk/Treasurer