

**CITY OF RUIDOSO DOWNS
GOVERNING BODY REGULAR MINUTES
MONDAY, September 12, 2022 - 2:00 PM
THE HUBBARD ROOM
123 DOWNS DRIVE
RUIDOSO DOWNS, NEW MEXICO 88346**

The City Council of the City of Ruidoso Downs met in a regular session on Monday, September 12, 2022. Mayor Holman called the regular meeting to order at 2:00 p.m. and asked Councilor Lacewell to lead in the Pledge of Allegiance.

ROLL CALL

Present: Councilor Walker, Councilor Lundquist, Councilor Lacewell, Councilor Miller

Municipal Employees Present:

Alejandra L. Giron, City Clerk/Treasurer
John Underwood, City Attorney
Robert Knight, Deputy Police Chief
Officer Meinjueiro
Joey Jarvis, Public Works Director
Mary Castaneda, Finance Director

Guests Present: 3

Municipal Employees Present by Zoom:

Selena Chavez, Assistant City Clerk

APPROVAL OF AGENDA

Mayor Holman stated next item on the agenda was Approval of the Agenda. Councilor Walker moved to approve Agenda. Councilor Lundquist seconded and the motion carried by unanimous roll call vote as follows: Aye: Councilor Miller, Councilor Lundquist, Councilor Lacewell, Councilor Walker.

APPROVAL OF CONSENT AGENDA

Mayor Holman stated next item on the agenda was the Approval of Consent Agenda. Councilor Miller moved to approve the Consent Agenda. Councilor Walker seconded and the motion carried by unanimous roll call vote as follows: Aye: Councilor Miller, Councilor Lundquist, Councilor Lacewell, Councilor Walker.

PUBLIC INPUT

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

Pam Williams made comments.

COUNCILORS COMMENTS



Mayor Holman stated next item on the agenda was Councilors Comments.

Councilor Lundquist stated she understands the training and the academy with the Police officers but she was a little bit disappointed with the officer that promised to stay for three years and now isn't. It seems like over and over that we hire officers and they leave us after we pay for them to get certified. There needs to be something in their contracts that makes them stay with us.

Robert stated that the pay is the reason they leave and it is illegal to hold officers to that obligation to stay and work for a period of time. He is trying to keep officers by looking into other programs and incentives and has a potential applicant to replace the Officer that is leaving.

Councilor Walker stated he just heard what he wanted to hear and that Robert is doing everything he can do to try and keep our officers here.

Councilor Lundquist thanked Robert for his patience and explaining that to her.

Councilor Miller agreed that we are not losing our dog because it is staying in the County and that we are not losing out on the cost. She stated our benefits are better than other entities.

MAYORS COMMENTS

Mayor Holman stated next item on the agenda was Mayor's Comments. No Mayor's Comments.

UNFINISHED BUSINESS

A. Mayor Holman stated next item on the agenda was Discussion and Possible Action on the Greentree Solid Waste Authority Service Issues presented by Ray Dean.

John stated that he has been communicating with Greentree and decided to schedule a meeting with them and asked that this item be postponed to the next meeting.

Councilor Lundquist moved to postpone the Greentree Solid Waste Authority Service Issues presented by Ray Dean to the September 26th meeting. Councilor Walker seconded and the motion carried by unanimous roll call vote as follows: Aye: Councilor Miller, Councilor Lundquist, Councilor Lacewell, Councilor Walker

NEW BUSINESS

A. Mayor Holman stated next item on the agenda was Discussion and Possible Action on Adoption of Resolution 2022-24, a Resolution Authorizing the Execution and Delivery of a Colonias Infrastructure Project Fund Loan/Grant Agreement for the East/West Circle Improvements.

Joey stated this resolution is for Council's approval to authorize the grant agreement from Colonias for the project on East/West Circle improvement for water line replacement. It's a long



grant process it's for \$1,823,000.00 million, they're going to give us \$182,300.00, and we have to match \$203,000.00.

Councilor Miller moved to Adoption of Resolution 2022-24, a Resolution Authorizing the Execution and Delivery of a Colonias Infrastructure Project Fund Loan/Grant Agreement for the East/West Circle Improvements. Councilor Walker seconded and the motion was carried by unanimous roll call vote as follows: Aye: Councilor Miller, Councilor Lundquist, Councilor Lacewell, Councilor Walker.

B. Mayor Holman stated next item on the agenda was Discussion and Possible Action on Approval of Unauthorized Purchase from Sierra Blanca Collision in the amount of \$1,139.79.

Robert stated this is a result of a miscommunication between HR and the Police Department. We were under the impression that she had already made the purchase order and vice versa for the fix of the chargers that were damaged when that truck ran into the light pole and the sign.

Mary stated that there was no approval process.

Councilor Lacewell asked if the insurance paid for it.

Mary responded that she wasn't sure but it doesn't affect the procurement process was not followed.

Councilor Walker stated the City of Ruidoso Downs Procurement violation process in the City Personnel manual and that is how they will have to handle it.

Robert stated that Councilor Walker sheds a light on who is responsible for the payment. There was no malice and it was a result of a miscommunication. It's his understanding that the money is there minus the deductible.

Mary stated that as the CPO for the City of Ruidoso Downs it is her recommendation that Council approves this as the work has been done.

Councilor Miller moved to approve the Unauthorized Purchase from Sierra Blanca Collision in the amount of \$1,139.79. Councilor Lacewell seconded and the motion was carried by unanimous roll call vote as follows: Aye: Councilor Miller, Councilor Lundquist, Councilor Lacewell
Nay: Councilor Walker.

C. Mayor Holman stated next item on the agenda was Discussion and Possible Action on Approval of the Sale of Canine, Canine Expenses, Pickup, and Upfit of Pickup.



Robert stated Officer Conway turned in his leave notice to work for the Lincoln County Sheriff's office and has had some conversations with them to purchase the canine officer. They did agree and offered to purchase the canine. The conversation at the Council meeting when Councilor Walker stated if the canine would leave before the 3 years was over then the agency would have to pay for the dog. The \$15,500.00 for the pricing agreement that gives the City what they are getting for the purchase of the dog and depreciated the equipment and asked it be approved by Council to present to their Council on the 20th for approval. The sheriff did not want to purchase the truck and the upfit of the truck. So, on the table is \$15,500.00 for the purchase of the dog and the equipment for the dog like the toys, kennel, and things of that nature. That money would be used for the two vehicles to be upfitted as a person hauler and not for the canine officer. If the sheriff's deal falls through then he negotiated a backup deal with Irene from Ruidoso Malinois that she would purchase the dog for the full price that she sold it to us for.

Mary stated in addition to what Robert stated that the negotiation process would have to be by the Council.

Councilor Lacewell asked who came up with the figure of \$15,500.00.

Robert stated according to the national average canine police officer years working is 8 years but they depreciate. Based on the comments that Councilor Walker stated that we should be fully reimbursed for the dog, he felt the equipment should be depreciated and came up with the \$15,500.00 to try and get the most money out of the canine.

Councilor Lundquist asked that they just want the dog and the kennels they don't want the truck and asked if we are going to take a big hit on the truck.

Robert stated the \$15,000.00 is for the dog and the \$500.00 is for the dog's equipment. It will be about \$5,000.00 to upfit the truck and it's about \$4,700.00 for the other vehicle.

Councilor Lacewell suggested we sell the dog back to Ruidoso Malinois and sell the dog's equipment online.

Robert responded that if Council approves a different price, then he will relay that to the Sheriff's office.

Councilor Miller stated that the equipment is old and we're not going to get full price for it. She would rather see the dog at the County's office rather than back to the breeders.

Robert stated the canine and their handlers get a deep bond and if the dog went back to the breeder, it would have a hard time with any other handler to work with him as effective as Cody does.



Councilor Walker stated he doesn't see the problem for the county to get the dog.

Councilor Lacewell stated the equipment went from \$5,000.00 to \$500.00 which is a huge difference and asked if we could repurpose the equipment or resale it.

Robert stated he wouldn't dissuade them on the price. This price is what he felt at the time was fair. He spoke with Irene and she stated she wouldn't pay more than 20% for equipment. The 20% would be \$1,096.00.

John stated that the ultimate decider is the Council and the County Commission. To let the Commission, know what your price is for the dog and the equipment. The equipment the \$1,096.00 with a list of the times for the dog. So, the matter for the \$16,096.00

Councilor Miller stated that it's very little to let them have the dog with the equipment.

Robert stated the fencing that keeps the dog inside the yard, mussels, leashes, toys,

Councilor Lundquist stated she doesn't agree that the sheriff's dept. to pay for the truck to be upfit then we they can have it all. to

John stated if he already got Mr. Wood to go for the \$500.00 for the equipment as opposed to nothing for the equipment and that would be beneficial.

Councilor Lundquist stated that it should be Cody's responsibility to pay for.

Robert stated that they have been trying to work hard with everyone to work this out. Cody is not working currently, he signed a hold harmless agreement, and the Police department is still responsible for the medical expenses for the dog.

Councilor Walker moved to approve the Sale of Canine and Canine Equipment to the Lincoln County Sheriff's Department for \$15,500.00. Councilor Miller seconded and the motion was carried by unanimous roll call vote as follows: Aye: Councilor Miller, Councilor Lacewell, Councilor Walker. Nay: Councilor Lundquist

CLOSED SESSION

A. Mayor Holman stated next item on the agenda was a Discussion of limited personnel matters. §10-15-1.H.2, NMSA 1978.

Mayor Holman entertained a motion to move into a closed session.

Councilor Lundquist moved to recess into a closed session at 3:16 p.m. for Discussion of limited personnel matters. §10-15-1.H.2, NMSA 1978. Any action taken as a result of the closed session will be brought back into the open session. Councilor Walker seconded and the motion carried



by unanimous roll call vote as follows: Aye: Councilor Miller, Councilor Lundquist, Councilor Lacewell, Councilor Walker.

Present in the closed session were members of the Governing Body. Others present included John Underwood, City Attorney, Officer Meinjueiro, and Ally Giron, City Clerk.

Mayor Holman adjourned the closed session and reconvened the regular session at 3:52 p.m.

Councilor Walker moved to certify that matters discussed in the closed session were limited only to those specified in the motion for closure. Councilor Lundquist seconded and the motion carried with a roll call vote of all follows Aye: Councilor Miller, Councilor Lundquist, Councilor Lacewell, Councilor Walker.

Councilor Walker moved to follow the hearing examiner's recommendation to terminate the employee. Councilor Lundquist seconded and the motion was carried by unanimous roll call vote as follows: Aye: Councilor Miller, Councilor Lundquist, Councilor Lacewell, Councilor Walker.


ADJOURNMENT

There being no further business to come before the Governing Body, Mayor Holman adjourned the regular meeting at 3:54 p.m.

MINUTES ARE DRAFT UNTIL APPROVED ON:

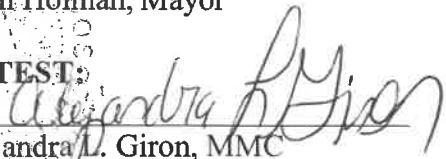
Passed and Approved on the 26th day of September 2022.

APPROVED:



Dean Holman, Mayor

ATTEST:



Alejandra L. Giron, MMC
City Clerk/Treasurer

