

NEW MEXICO HORSE RACING COMMISSION**MINUTES OF THE SPECIAL MEETING**

Date: March 2, 2020 at 8:00 AM

Place: NMRC Boardroom, 4900 Alameda Blvd. NE, Albuquerque, NM 87113

Members Present: Chairwoman Beverly Bourguet, Vice-Chairman David "Hossie" Sanchez, Commissioner John Buffington, Commissioner Ken Corazza and Commissioner Billy Smith.

NMRC Staff Participating: Executive Director Ismael Trejo and Paralegal Denise Chavez.

Others Present/Participating: Assistant Attorney General Delilah Tenorio.

AGENDA ITEM	Recording #	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
Public Session: 1. Call to Order and Roll Call	TRACK 1 0:38 – 1:04	Meeting called to order by Chairwoman Bourguet. Roll call was taken by Denise Chavez. Assistant Attorney General Delilah Tenorio was present.	No Action Taken.
2. Approval of Agenda	01:07 – 01:22	Chairwoman Bourguet asked for a motion to approve Agenda.	Motion to approve Agenda by Vice-Chairman Sanchez. Commissioner Smith second motion. Motion passed unanimously.

AGENDA ITEM	Recording #	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
<p>Closed: Executive Session</p> <p>Item 3: Licensing/Pending Litigation/Appeals/Hearing officer Reports/Employment Contracts:</p> <p>A. Deliberation and action on the following pending litigation and appeals:</p> <ol style="list-style-type: none"> 1. In the Matter of Trainer, Josue Ponce (Respondent's Objection to Hearing Officer) 2. In the Matter of Owner, Rogelio Marquez (Respondent's Objection to Hearing Officer) 3. In the Matter of Owner, Kathryn Robinson (Respondent's Objection to Hearing Officer) 4. In the Matter of Joel Valeriano & Owner Javier Rodriguez (Order on Hearing Officer's Report) 5. In the Matter of Juan Torres – D-202- CV-2019-04020 (Dismissal Order) 6. In the Matter of Armando Arreola (Discussion of appeal fee payment and refund) 	1:28 - End	<p>Chairwoman asked for a motion to go into Executive Session</p> <p>Roll call vote to go into Executive Session taken by Denise Chavez.</p>	<p>Motion to go into closed session made by Commissioner Corazza. Second by Commissioner Smith.</p>

		<p>disqualification of the horse “Lethal Lil”, loss of purse both at the trial and final race level and that the horse must pass a commission approved exam before being eligible to run. Also included is that the Commission has entertained supplemental facts surrounding mitigating circumstances in this matter; particularly regarding the testimony of Dr. Clement and Dr. Fenger which would support the Hearing Officer’s conclusions and the Commission’s conclusions that the mitigating circumstances addressed in this matter do not rise to the level or do not warrant a change in the fine or penalty amounts by the commission.</p>	<p>Commissioner Buffington Second Motion. Motion passed unanimously.</p>
<p>5. In the Matter of Juan Torres – D-202-CV-2019-04020 (Dismissal Order)</p>	<p>4:08 – 5:00</p>	<p>The Commission would like to entertain a motion to dismiss the proceedings against Mr. Torres pursuant to an Order issued. The Commission’s Dismissal Order will also include the reimbursement of the amount to prepare the transcript by the Respondent; \$543.98</p>	<p>Motion to issue an Order made by Commissioner Buffington. Commissioner Smith Second Motion. Motion passed unanimously.</p>
<p>6. In the Matter of Armando Arreola (Discussion of appeal fee payment and refund)</p>	<p>5:03 – 6:05</p>	<p>The Commission wishes to entertain a motion which requires the Respondent Armando Arreola to proceed with the refund process as outlined by both Commission’s Counsel and Paralegal in emails to Mr. Marquez and apply for the refund of the \$500 appeal fee. Respondent may also use the refund to apply towards his current appeal and that the Commission will toll the deadline for submitting the appeal for Mr. Arreola so that he can go through that process.</p>	<p>Motion made by Commissioner Smith. Commissioner Buffington Second Motion. Motion passed unanimously.</p>

