

NEW MEXICO HORSE RACING COMMISSION
MINUTES OF THE REGULAR MEETING

Date: May 19, 2022, at 9:00 a.m.

Place: SunRay Park, StingRay Room; 39 Rd. 5568, Farmington, NM and Teams Video Conference

Members Present: Chairman Sam Bregman, Vice-Chairman David “Hossie” Sanchez, Commissioner John Buffington, Commissioner Billy Smith, and Commissioner Margaret Branch.

NMRC Staff Participating: Executive Director Ismael Trejo, In-House Counsel Richard Bustamante and Law Clerk Denise Chavez.

Also present by video: Assistant Attorney General Delilah Tenorio.

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
Public Session 1: 1. Call to Order and Roll Call	2:19 – 2:42	Meeting called to order at 9:00 a.m. by Chairman Bregman. Roll call was taken by Denise Chavez. Executive Director Ismael Trejo, In-House Counsel Richard Bustamante, and NMRC Law Clerk, Denise Chavez were also present. Assistant Attorney General, Delilah Tenorio was present by video.	No Action Taken.
2. Pledge of Allegiance	2:50 – 3:05		Pledge of Allegiance was recited.
3. Approval of Agenda	3:39 – 4:42	Chairman Bregman asked if there were any changes to the Agenda. Executive Director Trejo requested the Agenda Item 10 heading be revised to read: “Licensing/Pending Litigation/Appeals/Hearing Officer Reports/Employment Contracts/Personnel”.	Motion to adopt the Agenda as amended made by Commissioner Smith. Commissioner Buffington seconded

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			the motion. Motion passed unanimously.
4. Approval of Minutes: April 25, 2022 & April 28, 2022 (Special Meeting)	5:10 – 5:45	Chairman Bregman asked if the minutes for the April 25, 2022, meeting and April 28, 2022, special meeting were reviewed and if there were any changes. There were none.	Motion to approve the minutes from the Regular Commission Meeting on April 25, 2022, and the Special Meeting on April 28, 2022, made by Commissioner Smith; Seconded by Commissioner Buffington. Motion passed unanimously.
5. Chairman's Report	5:50 – 6:13	<ul style="list-style-type: none"> Chairman Bregman recognized and thanked the NMRC staff and all their hard work. Chairman Bregman thanked SunRay Park for having us at its facility for this Commission meeting. The Chairman praised SunRay Park for a great meet. Chairman Bregman reminded anyone involved in TB racing must register with HISA before July 1. If you do not register, your TB horses will be scratched. He pointed out this is the federal law and HISA will be implementing that rule, not the New Mexico Racing Commission. Chairman Bregman advised the link to register is on the NMRC website. 	No Action Taken.

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		<ul style="list-style-type: none"> Chairman Bregman pointed out he is very disappointed the NMHA never signed the export signal and therefore the over-all handle at Sunray Park this racing season is down significantly. Commissioner Smith reminded Chairman Bregman that Vets also need to register for HISA. 	
6. Agency Director Reports: A. NMRC Report	14:40 – 19:08	<ul style="list-style-type: none"> Executive Director Trejo also thanked everyone at SunRay Park for hosting this meeting at its facility, its hospitality and assistance yesterday preparing for the meeting. Executive Director Trejo pointed out Chairman Bregman just covered HISA fairly well but reminded everyone it is absolutely free to register and reiterated if anyone is involved with TB racing and do not register, their horses will be scratched. Executive Director Trejo recognized Chief Investigator Leasa Johnson for collecting over 150 out of competition samples during the training races at Ruidoso Downs. Executive Director Trejo reported some of the NMRC staff attended an in-house training with ARCI. Commissioner Smith asked Executive Director Trejo how much the off-track handle decreased at SunRay Park this 	No Action Taken.


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B. NMHBA	19:19 – 23:25	<p>racine season. Executive Director Trejo reported off-track handle decreased over one million dollars because there was no simulcast export signal.</p> <p>NMHBA's Mary Barber presented the Race-A-Day Report for SunRay Park through Sunday, May 8, 2022, stating it ran 33 NM Bred Races in 9 days. In overnight races, the NMHBA contributed \$303,000.00, which was \$99,000.00 more than in 2021. It averaged 3.67 NM Bred per day, +6 for three a day.</p>	No Action Taken.
7. Public Comments:	<p>23:29 – 25:34</p> <p>37:27 – 41:15</p>	<p>Ms. Chavez reported no written public comments were received. A "Guest" titled Samsung raised their virtual hand to make a comment. Because of technical difficulties, the Guest was not able to speak. Chairman Bregman, however, advised the Commissioners were going to move on with more comments, if any, while these technical difficulties were being worked on and would come back to the guest speaker.</p> <p>The "Guest" Samsung speaker was able to unmute themselves for public comments and identified herself as Vanessa Alexander. Ms. Alexander asked the Commission when all the illegal licensing allegedly taking place in NM was going to be rectified.</p>	No Action Taken.

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C. Approval of 2022 Substitute Official Veterinarian at SunRay Park	28:05 – 28:51	Executive Director Trejo requested approval of Joan D'Alonzo as the FY22 Substitute Official Veterinarian at SunRay Park.	Motion to approve the FY22 Official Substitute Veterinarian as presented at SunRay Park made by Commissioner Smith. Motion Seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.
D. Approval of Proposed Commission Meeting Dates for July through November 2022	28:54 – 31:31	Executive Director Trejo requested approval of the following dates for the second half of 2022 regular Commission meetings: July 21, 2022; August 18, 2022; September 22, 2022; October 20, 2022; and November 17, 2022. Chairman Bregman proposed the July meeting be held at Ruidoso Downs and the August meeting be held at the Downs at Albuquerque.	Motion to approve the July thru November 2022 dates as presented by Executive Director Trejo and locations of July and August meetings amended by Chairman Bregman made by Commissioner Smith. Motion Seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.


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E. Approvals for SunRay Park	31:34 – 32:40	Mr. Lonnie Barber thanked the Commission for coming out to SunRay Park. He reported this meet was a success and the track's handle was good.	Motion to ratify the approval to amend 2022 post times and wagering format made by Commissioner Smith. Motion Seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.
1. Ratification of Approval to Amend 2022 Post Times & Wagering	32:41 – 33:25	Mr. Barber requested ratification of approval to amend 2022 post times and wagering format for May 6, and May 7. Mr. Barber reported that change was due to running 11 races on May 6 and the post times were changed for the Kentucky Derby card on May 7.	
2. Approval to Amend 2022 Racing Officials	33:28 – 34:59	Mr. Barber requested approval to amend the 2022 Racing Officials. The only change was to move Stephanie Enriquez as the Simulcast Manager. She has worked with SunRay Park for a long time and they felt she would be great in this role.	Motion to approve to amended 2022 Racing Officials for SunRay Park made by Commissioner Smith. Motion Seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.
F. Approvals for The Downs at Albuquerque	35:48 – 36:47	Mr. Don Cook was having technical difficulties. Therefore, Executive Director Trejo presented the requests for Mr. Cook. The Downs at Albuquerque requested approval of the first quarter 2022 Simulcast Deduction Amount.	Motion to approve the first quarter 2022 Simulcast Deduction Amount for The Downs at Albuquerque made by
1. Approval of First Quarter 2022 Simulcast Deduction Amount			

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2. Approval of 2022 Racing Officials	36:50 – 37:23	The Downs at Albuquerque requested approval of the 2022 Racing Officials as submitted.	Commissioner Smith. Motion Seconded by Commissioner Buffington. Motion passed unanimously by roll call vote. Motion to approve the 2022 Racing Officials for The Downs at Albuquerque made by Commissioner Smith. Motion Seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.
Executive Session: entered at 10:00 AM	1:11:05 – end	Chairman Bregman called for a motion to enter into executive session to discuss the items listed in the agenda, pursuant to Sections 10-15-1H(1), H(3) and H(7) of the Open Meetings Act authorizing closed sessions for matters related to issuance, suspensions, renewal or revocation of a license, deliberations on adjudicatory proceedings and pending or threatened litigation.	Chairman Bregman moved to enter into Executive Session. Commissioner Smith Commissioner Buffington seconded the motion. Motion passed unanimously by roll call vote.
Back into Open Session: 10:30 AM 9. Licensing/Pending Litigation/Appeals/Hearing Officer's Reports/Employment Contracts	2nd Recording		

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A. Pierre Amestoy (Pending Litigation)		There is pending litigation brought by Mr. Pierre Amestoy. This matter was a status update. No action was taken.	No Action Taken.
B. Vanessa Alexander (Pending Litigation)		There is pending litigation brought by Ms. Vanessa Alexander. This matter was a status update. No action was taken.	No Action Taken.
C. Brad Bolen (Pending Litigation)		There is pending litigation brought by Mr. Brad Bolen. This matter was a status update. No action was taken.	No Action Taken.
D. NMHA (Pending Litigation)		There is pending litigation brought by the New Mexico Horsemen Association. This matter was a status update. No action was taken.	No Action Taken.
11. Adjournment at 10:31 AM			


 Chairman Sam Bregman

7/21/22
 Date


 Executive Director Ismael Trejo

7-21-22
 Date