

NEW MEXICO HORSE RACING COMMISSION
MINUTES OF THE REGULAR MEETING

Date: May 11, 2023, at 9:00 a.m.

Place: NMRC Boardroom; 4900 Alameda Blvd., NE, Albuquerque, NM and Zoom Video Conference – Meeting ID: 818 8056 1116

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

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

Also Present: Assistant Attorney General Daniel Rubin

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
Public Session 1: I. Call to Order and Roll Call	0:00:31 – 0:01:02	Meeting called to order at 9:01 a.m. by Vice-Chairman Sanchez. Roll call was taken by Denise Chavez. Executive Director Ismael Trejo, In-House Counsel Richard Bustamante, Law Clerk Denise Chavez, and Assistant Attorney General Daniel Rubin were also present.	No Action Taken.
II. Pledge of Allegiance	0:01:14 – 0:01:25		Pledge of Allegiance was recited.
III. Approval of Agenda	0:01:36 – 0:02:11	Vice-Chairman Sanchez asked if there were any changes to the agenda today. There were no changes.	Motion to approve the agenda made by Commissioner Smith. Commissioner Buffington second the motion. Motion passed unanimously.

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IV. Approval of Minutes: April 20, 2023	0:02:14 – 0:02:50	Vice-Chairman Sanchez asked if the minutes for the April 20, 2023 meeting were reviewed and if there were any changes. There were no changes.	Motion to approve the minutes from April 20, 2023 meeting made by Commissioner Smith; Second by Commissioner Buffington. Motion passed unanimously.
V. Commissioners' Reports	0:03:10 – 0:03:34	<ul style="list-style-type: none"> • Vice-Chairman Sanchez introduced and welcomed the newest appointed Commissioner, Robert "Bob" Pitre. 	No Action Taken.
VI. Agency Director Reports: A. NMRC Report	0:03:36 – 0:16:05	<ul style="list-style-type: none"> • Executive Director Trejo welcomed Mr. Pitre to the Commission on behalf of himself and NMRC Staff. • Executive Director Trejo reported even though it was a very short turn-around from last meeting, the agency has been very busy trying to solicit personnel; the NMRC Official Vet, Richard Mobley, announced his retirement, so it's been a scramble to find another official vet for the upcoming race meet at Ruidoso Downs. Executive Director Trejo had some very good leads and since Arizona Downs will not be racing, he was able to hire a vet from AZ. Unfortunately, the NMRC had 2 stewards backing out of the Ruidoso meet, so he has 	No Action Taken.

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		<p>been on the search for good-quality stewards for Ruidoso as well.</p> <ul style="list-style-type: none"> • Executive Director Trejo welcomed and introduced NMRC's newest State Investigator, Arthur Pierre. He comes to us with great horse racing experience. He has worked as a groom, trainer, on a breeding farm, as an Assistant Starter. He worked in the jocks' room and even worked on the tractors on the track. • Executive Director Trejo reported HISA/HIWU Anti-Doping Program has been postponed until May 22. Training for that program will be going on at Ruidoso Downs on May 19. • Executive Director Trejo reported the track inspection at Ruidoso will also take place on May 19. • Executive Director Trejo reported that he, CFO, Amber Trujillo, and Arthur Pierre visited the Department of Corrections in Santa Fe to inspect the progress of the horse facility. A lot of progress was made! • Executive Director Trejo introduced Investigator Leasa Johnson to talk about some new technology to detect concussions. Leasa Johnson showed the equipment and answered questions from the Commissioners and audience. 	No Action Taken.

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B. NMHBA Report	0:16:06 – 0:18:21	Mary Barber presented the Race-A-Day Report for SunRay Park through Sunday, April 30, 2023, stating it ran 38 NM Bred Races in 12 days. In overnight races, the NMHBA contributed \$488,500.00 which was \$81,500.00 more than in 2022. It averaged 3.17 NM Bred per day, +2 for three a day.	No Action Taken.
Executive Session: entered at 9:20 AM	0:18:39 – end	Vice-Chairman Sanchez called for a motion to enter into executive session. Commissioner Buffington moved for the Commission 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.	Motion to enter into Executive Session made by Commissioner Buffington. Commissioner Smith seconded the motion. Motion passed unanimously by roll call vote.
Back into Open Session: 11:00 AM VII. Licensing/Pending Litigation/Appeals/Hearing Officer Reports/Employment Contracts/Personnel A. NMHA (Pending Litigation) B. Brad Bolen (Pending Litigation) C. Vanessa Alexander (Pending Litigation) D. Coronado Partners (Pending Litigation)	0:00:14 – 0:00:45	In-House Counsel, Richard Bustamante affirmed the Commission only discussed in Executive Session those matters listed under Items 7. A-I which were pending litigation, licensing matters, and for deliberations in connection with adjudicatory proceedings as identified under Item VII of the meeting Agenda, in accordance with NMSA 1978, Sections 10-15-1(H)(1), (3) and (7) of the Open Meetings Act.	No action taken on Agenda Items VII (A-G).

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<p>E. SunRay Park (Licensing) F. Sunland Park (Licensing) G. Ruidoso Downs (Licensing) H. Juan Carlos Cordero (Licensing) I. Miguel Guzman (Licensing)</p> <p>VIII. Unfinished/New Business and/or Action Items</p> <p>A. Request for Approval of 2023 Ruidoso Downs' Stewards</p> <p>B. Request for Approval of Proposed Regular Commission Meeting Dates July – November, 2023</p>	<p>0:00:47 – 0:01:27</p> <p>0:01:35 – 0:02:24</p> <p>0:02:25 – 0:03:43</p>	<p>Assistant Attorney General Daniel Rubin swore in Mr. Bob Pitre as a Commissioner.</p> <p>Executive Director Trejo requested approval of 2023 Ruidoso Downs' Stewards as submitted, pending approval from the Governor's office.</p> <p>Executive Director Trejo requested approval of the second half of 2023 proposed dates for the regular Commission meetings. The dates are as follows: Thursday, July 20, 2023; August 17, 2023; September 21, 2023; October 19, 2023 and November 16, 2023, all in Albuquerque. Commissioner Smith requested that the August meeting be held in Ruidoso.</p>	<p>Motion to approve 2023 Ruidoso Downs Stewards made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.</p> <p>Motion to approve the second half of 2023 dates for the regular Commission meeting with the minor change of the August meeting being held in Ruidoso Downs made by Commissioner Smith. Motion seconded by</p>

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<p>C. Approvals for SunRay Park</p> <p>1. Request for Ratification of Approval to Amend 2023 Post Times & Wagering Format</p> <p>2. Request for Ratification of Approval to Amend 2023 Stakes Schedule and Gaming & Breakage</p>	<p>0:03:52 – 0:06:37</p> <p>0:06:39 – 0:07:21</p>	<p>Vice-Chairman Sanchez complimented Steve Fedunak for clearing up and acting promptly on the issues discussed at the last meeting.</p> <p>Steve Fedunak of SunRay Park requested ratification of approval to amend 2023 post times and wagering format. These changes were made to adjust 28 minutes between races to accommodate necessary tractors clearing the track before horses are allowed on. The Daily Double Wagers were also removed to provide Global Tote ample time to investigate potentially questionable payoffs associated with the wagers calculation programming.</p> <p>Steve Fedunak requested ratification of approval to amend 2023 Stakes Schedule and Gaming & Breakage. This amendment was made to include two divisions of the Jimmy Drake and Jack Cole Stakes to accommodate over 20 nominations for both Stakes.</p>	<p>Commissioner Buffington. Motion passed unanimously.</p> <p>Motion to ratify the approval to amend 2023 post times and wagering format made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.</p> <p>Motion to ratify the approval to amend 2023 Stakes Schedule and Gaming & Brakeage made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.</p>

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<p>3. Request for Ratification of Approval to Amend 2023 Post Times (5/6/2023)</p> <p>4. Request for Ratification of Approval to Run 11 Races on 5/5/23</p> <p>5. Request for Ratification of Approval to Amend 2023 Racing Officials</p>	0:07:23 – 0:08:17	<p>Steve Fedunak requested ratification of approval to amend 2023 post times on May 6, 2023 for the Kentucky Derby.</p> <p>Mr. Fedunak also requested ratification of approval to run 11 races on May 5, 2023.</p> <p>Lastly, Mr. Fedunak requested ratification of approval to amend 2023 racing officials. He requested Lana Mobley and Angela Johnson to be allowed to work in the test barn as assistants to due to the termination of Denise Hamling.</p>	<p>Motion to ratify the approval to amend 2023 post times on May 6, 2023, to run 11 races on May 5, 2023 and amend 2023 Racing Officials made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.</p>
<p>D. Approvals for The Downs at Albuquerque</p> <p>1. Request for Approval of 2023 Condition Book (#1) & Condition Book Officials</p>	0:08:25 – 0:09:14	<p>Don Cook of The Downs at Albuquerque requested approval of the 2023 Condition Book (#1) and the Condition Book Officials as submitted.</p>	<p>Motion to approve the 2023 Condition Book (#1) and the Condition Book Officials made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.</p>
<p>2. Request for Approval of 2023 Stakes Schedule</p>	0:09:16 – 0:10:11	<p>Don Cook requested approval of the 2023 Stakes Schedule. Mr. Cook pointed out the changes to the Stakes Schedule: raised the majority of the open stakes by \$10k. The Fall Quarter Horse Championship was raised to \$50k; \$350k guaranteed. Commissioner Smith asked Mr. Cook</p>	<p>Motion to approve the 2023 Stakes Schedule made by Commissioner Smith. Motion seconded by Commissioner</p>

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3. Request for Approval of 2023 Purse Structure	0:10:13 – 0:10:37	when the Fall Quarter Horse Championship is scheduled. Mr. Cook replied Sunday, October 15. Don Cook requested approval of the 2023 Purse Structure. The overnight purse structure is identical to last year.	Buffington. Motion passed unanimously. Motion to approve the 2023 Purse Structure made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.
4. Request for Approval of 2023 Post Times & Wagering Format	0:10:38 – 0:10:55	Don Cook requested approval of the 2023 Post Times & Wagering Format as submitted.	Motion to approve the 2023 Post Times & Wagering Format made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.
5. Request for Approval of 2023 Gaming & Breakage	0:10:59 – 0:11:22	Don Cook requested approval of the 2023 Gaming & Breakage.	Motion to approve the 2023 Gaming & Breakage made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.

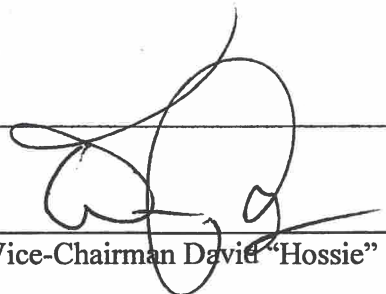
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E. Approvals for Ruidoso Downs 1. Request for Approval to Amend 2023 Stakes Schedule (Lasix Free)	0:13:17 – 0:14:16	Rick Baugh of Ruidoso Downs requested approval to amend 2023 Stakes Schedule to run all covered black type races Lasix Free to comply with HISA.	Motion to approve to amend 2023 Stakes Schedule made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.
F. Juan Carlos Cordero (Licensing)	0:00:06 – 0:00:10	Vice-Chairman called for a motion, if any, in this matter. There was none.	No action taken.
G. Miguel Guzman (Licensing)	0:00:14 – 0:00:17	Vice-Chairman called for a motion, if any, in this matter. There was none.	No action taken.
IX. Adjournment at 11:21 AM	0:01:15 - end	Vice-Chairman called for a motion to adjourn.	Motion to adjourn today's meeting made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.

Vice-Chairman David "Hossie" Sanchez Date

Executive Director Ismael Trejo

Date

IX. Adjournment at 11:21 AM	0:01:15 - end	Vice-Chairman called for a motion to adjourn.	Motion to adjourn today's meeting made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.
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 9/6/2023
 Vice-Chairman David "Hossie" Sanchez Date


 9-6-23
 Executive Director Ismael Trejo Date