

NEW MEXICO HORSE RACING COMMISSION
MINUTES OF THE REGULAR MEETING

Date: July 18, 2024, at 9:00 a.m.

Place: NMRC Boardroom; 4900 Alameda Blvd., NE, Albuquerque, NM and Zoom Video Conference – Meeting ID: 835 0537 2749

Members Present: Commissioners John Buffington, Billy Smith, and Robert “Bob” Pitre.

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

<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	0:00:00 – 0:00:22	<p>Meeting called to order at 9:05 a.m. by Commissioner Billy Smith. Roll call was taken by Denise Chavez. A quorum was present.</p> <p>Executive Director Ismael Trejo, In-House Counsel Richard Bustamante, Law Clerk Denise Chavez, and Administrative Assistant Sara Lopez were also present.</p>	No Action Taken.
II. Pledge of Allegiance	0:00:25 – 0:00:42		Pledge of Allegiance was recited.
III. Approval of Agenda	0:00:49 – 0:01:11	Commissioner Smith asked if there were any changes to the agenda today. There were none.	Motion to approve the agenda made by Commissioner Buffington. Commissioner Pitre second the motion. Motion passed

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			unanimously by roll call vote.
IV. Approval of Minutes: June 13, 2024 – Regular Commission Meeting	0:01:26 – 0:01:53	Commissioner Smith asked if the minutes for the June 13, 2024, regular meeting were reviewed and if there were any changes. There were no changes.	Motion to approve the minutes from June 13, 2024 meeting made by Commissioner Buffington; Second by Commissioner Pitre. Motion passed unanimously.
V. Commissioners’ Reports	0:01:55 – 0:02:08	No comments.	No Action Taken.
VI. Agency Director Reports: A. NMRC Report	0:02:09 – 0:06:38	<ul style="list-style-type: none"> • Executive Director Trejo reported that despite the handful of cancellations and limited racing due to the natural disasters at Ruidoso Downs this past month and the hard work on multiple occasions of Rick Baugh and his staff to get the track surface back in shape for racing, Ruidoso Downs eclipsed the million-dollar plateau on 4 occasions and handled over \$900,000 one other time. • Executive Director Trejo reported that HISA/HIWU is facing uncertainty right now because of the movement in Federal Courts as to whether HISA is unconstitutional. Only time will tell what will happen. 	No Action Taken.

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B. NMHBA Report	0:06:40 – 0:08:56	<ul style="list-style-type: none"> Executive Director Trejo was invited to the Jockey Club Round Table in Saratoga Springs. He is hopeful that the discussion in Saratoga Springs will perhaps shed light on the strategy for HISA and its future. Executive Director Trejo thanked Dr. Lowe and Dr. O’Sullivan for spending time to train Colorado Racing Commission’s new vet. Executive Director Trejo reported that our vets have pre-race examined 100% of horses entered to run at the current Ruidoso Downs race meet. They put a lot of time and effort in assuring the safety of the horse is first and foremost. <p>Mary Barber presented the Final Race-A-Day Report for Ruidoso Downs through Saturday, June 29, 2024, stating it ran 47 NM Bred Races in 15 days. In overnight races, the NMHBA contributed \$170,500.00 which was \$24,000.00 less than in 2023. It averaged 3.14 NM Bred per day, +2 for three a day.</p>	<p>No action taken.</p> <p>No action taken.</p>
VII. Executive Session: entered at 9:16 AM A) NMHA v. NMRC, et al. (Pending Litigation) B) Alexander v. NMRC (Pending Litigation)	0:09:03 – end	Commissioner Smith 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,	Motion to enter into Executive Session made by Commissioner Buffington. Commissioner Pitre seconded the motion.

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<p>C) Soto v. Trejo, et al. (Pending Litigation)</p> <p>D) Martinez & Hernandez v. NMRC (Pending Litigation)</p> <p>E) IMO: Aminadab Alvidrez (Licensing)</p> <p>F) IMO: Jose R. Vega (Licensing)</p> <p>G) IMO: Rick Baugh (Licensing)</p> <p>H) NM Racetracks (Licensing)</p> <ol style="list-style-type: none"> 1) The Downs at Albuquerque 2) Zia Park 3) Sunland Park 4) SunRay Park 5) Ruidoso Downs 		<p>suspensions, renewal or revocation of a license; deliberations on adjudicatory proceedings and pending or threatened litigation.</p>	<p>Motion passed unanimously by roll call vote.</p> <p>No action taken on Agenda Items VII (A - H).</p>
<p>VIII. <u>Unfinished/New Business and/or Action Items:</u></p>	<p>2nd Open Session Recording:</p> <p>Unavailable due to technical difficulties</p>	<p>In-House Counsel Bustamante affirmed the Commission only discussed in Executive Session those matters listed under Items 7. A through H which were pending litigation and/or licensing matters 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.</p>	

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<p>C. IMO: Aminadab Alvidrez (Licensing)</p>		<p>Mr. Aminadab Alvidrez presented documentation and was present via Zoom for any questions by the Commission.</p>	<p>Motion to approve Mr. Alvidrez to reapply for an Owner's License made by Commissioner Buffington; Second by Commissioner Pitre. Motion passed unanimously.</p>
<p>D. IMO: Jose R. Vega (Licensing)</p>		<p>Mr. Jose R. Vega presented documentation, was present for any questions by the Commission, and had multiple people within the industry speaking on his behalf.</p>	<p>Motion to approve Mr. Vega to reapply for a Jockey's License made by Commissioner Buffington; Second by Commissioner Pitre. Motion passed unanimously.</p>
<p>E. Request for Ratification of Approval of Variances</p> <ol style="list-style-type: none"> 1. The Downs at Albuquerque 2. SunRay Park 3. Sunland Park 4. Zia Park 5. Ruidoso Downs <p>F. Approvals for Ruidoso Downs</p> <ol style="list-style-type: none"> 1. Request for Ratification of Approval to Amend 2024 Post Times & Wagering Format 		<p>Executive Director Trejo presented the reason for approving the NM Racetracks variances for June 21, 22, 23, 30, 2024 and July 2, 2024, due to the fires and flooding at Ruidoso Downs.</p> <p>Mr. Rick Baugh requested ratification of approval to amend Ruidoso Downs' 2024 Post Times &</p>	<p>Motion to ratify the approval of variances made by Commissioner Buffington; Second by Commissioner Pitre. Motion passed unanimously.</p> <p>Motion to ratify the approval to amend</p>

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<p>2. Request for Ratification of Approval to Amend 2024 Racing Officials</p> <p>3. Request for Approval of Rick Baugh as GM for Ruidoso Downs (Pending Background)</p>		<p>Wagering Format. All adjustments were to make up for cancelled races due to fires and flooding at Ruidoso Downs.</p> <p>Mr. Rick Baugh requested ratification of approval to amend Ruidoso Downs' 2024 Racing Officials. Mr. Baugh reported Barb Rippe stepped down as Head Clocker, however she will remain as Placing Judge. Jackie Riddle will move from Assistant Clocker to Head Clocker; Walt Soes to be Assistant Clocker on race days. Tara Lind will be assistant clocker on non-race days; Lastly, Rick Thedford to replace Joree Sriver as Clerk of Scales for June 28, 29 and 30th. Then, on July 14th Mr. Baugh requested that Terry Webb be approved to replace Walt Soes as Assistant Clocker on race days only.</p> <p>Mr. Rick Baugh is requesting approval of his position as General Manager for Ruidoso Downs.</p>	<p>Ruidoso Downs' 2024 Post Times & Wagering Format as presented made by Commissioner Buffington; Second by Commissioner Pitre. Motion passed unanimously.</p> <p>Motion to ratify the approval to amend Ruidoso Downs' 2024 Racing Officials made by Commissioner Buffington; Second by Commissioner Pitre. Motion passed unanimously.</p> <p>Motion to approve Rick Baugh as GM for Ruidoso Downs (pending background check) made by Commissioner Buffington; Second by</p>

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<p>4. Request for Ratification of Approval to Amend 2024 Stakes Schedule</p> <p>5. Request for Ratification of Approval to Cancel Races 16 & 17 on June 29, 2024 and Entire Race Card on June 30, 2024 and July 1, 2024</p> <p>6. Request for Ratification of Approval to Cancel Thoroughbred Races July 4, 5, 6, 7, 12, 13 and 14, 2024</p>		<p>Mr. Rick Baugh of Ruidoso Downs requested ratification of approval to amend 2024 Stakes Schedule. These amendments are to make up for stakes races that had to be cancelled due to the fires and flooding in Ruidoso Downs.</p> <p>Mr. Rick Baugh requested ratification of approval to cancel races 16 and 17 on June 29, 2024, and entire cards on June 30 and July 1, 2024, due to fires and flooding.</p> <p>Mr. Rick Baugh requested ratification of approval to cancel TB races on July 4, 5, 6, 7, 12, 13, and 14, 2024, due to fires and flooding damage to TB portion of racetrack.</p>	<p>Commissioner Pitre. Motion passed unanimously.</p> <p>Motion to ratify the approval to amend 2024 Stakes Schedule made by Commissioner Buffington; Second by Commissioner Pitre. Motion passed unanimously.</p> <p>Motion to ratify the approval to cancel races as presented made by Commissioner Buffington; Second by Commissioner Pitre. Motion passed unanimously.</p> <p>Motion to ratify the approval to cancel races as presented made by Commissioner Buffington; Second by Commissioner Pitre.</p>

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<p>G. Request for Approval to Promulgate Rules Hearing:</p> <ol style="list-style-type: none"> 1. Subsection I of 15.2.1.7 NMAC 2. Subsections A and B of 15.2.1.9 NMAC 3. Subsections B, D, F and N of 15.2.3.8 NMAC 4. Subsection B of 15.2.5.12 NMAC 5. Subsections A and B of 15.2.6.9 NMAC 6. Subsections A and C of 15.2.6.12 NMAC 7. Subsection L of 16.47.1.8 NMAC 		<p>Executive Director Trejo requested approval for the NMRC staff to promulgate a rules hearing.</p>	<p>Motion passed unanimously.</p> <p>Motion to approve NMRC staff to promulgate a rules hearing for rules as presented made by Commissioner Buffington; Second by Commissioner Pitre. Motion passed unanimously.</p>
<p>X. Adjournment at 11:00 AM</p>	<p>0:31:58 - end</p>	<p>Chairman Smith adjourned meeting.</p>	


 Billy G. Smith, Chairman 8/28/24
 Date


 Executive Director Ismael Trejo 8-28-24
 Date