

NEW MEXICO HORSE RACING COMMISSION
MINUTES OF THE REGULAR MEETING

Date: September 19, 2024, at 9:00 a.m.

Place: NMRC Boardroom; 4900 Alameda Blvd., NE, Albuquerque, NM and Zoom Video Conference – Meeting ID: 859 4875 9014

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

NMRC Staff Participating: Executive Director Ismael Trejo, In-House Counsel Richard Bustamante, 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	0:00:05 – 0:00:36	Meeting called to order at 9:00 a.m. by Commissioner Billy Smith. A quorum was present. Executive Director Ismael Trejo, In-House Counsel Richard Bustamante, and Law Clerk Denise Chavez were also present.	No Action Taken.
II. Pledge of Allegiance	0:00:38 – 0:00:55		Pledge of Allegiance was recited.
III. Approval of Agenda	0:01:01 – 0:01:46	Commissioner Smith asked if there were any changes to the agenda today. Chairman Smith reported it was his understanding the Rules Hearing and Rules Adoption should be removed from today’s Agenda.	Motion to approve the agenda as modified made by Commissioner Buffington. Commissioner Pitre second the motion. Motion passed unanimously by roll call vote.

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
IV. Approval of Minutes: August 22, 2024 – Regular Commission Meeting	0:01:49 – 0:02:10	Commissioner Smith asked if the minutes for the August 22, 2024, regular meeting were reviewed and if there were any changes. There were no changes.	Motion to approve the minutes from August 22, 2024, meeting made by Commissioner Buffington; Second by Commissioner Pitre. Motion passed unanimously.
V. Commissioners' Reports	0:02:11 – 0:02:18	No comments.	No Action Taken.
VI. Agency Director Reports: A. NMRC Report	0:02:19 – 0:05:59	<ul style="list-style-type: none"> • Executive Director Trejo reported he heard a lot more positive feedback about the All-American being held in Albuquerque versus in Ruidoso Downs. Executive Director Trejo said he believes it was because of cheaper lodging in Albuquerque as opposed to Ruidoso. The Governor and her grandchildren were also present for All-American and had a great time. • Executive Director Trejo reported the NMSF race meet started off without a lot of fanfare. However, he believes it was because the State Fair was going on at the same time and thinks most people don't want to fight traffic to watch the horse races. He believes handle will increase now that the fair is over. 	No Action Taken.

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
B. NMHBA Report	0:06:02 – 0:09:03	<ul style="list-style-type: none"> Executive Director Trejo reported the NM Racing Commission will be doing some more extensive testing for the September 2, 2024, races. He announced to all that purses will NOT be released until all results for such testing is complete. <p>Mary Barber presented the Race-A-Day Report for Ruidoso Downs through Monday, September 2, 2024, stating it ran 155 NM Bred Races through Monday, September 2, 2024. In overnight races, the NMHBA contributed \$747,500.00 which was \$52,500.00 less than in 2023. It averaged 3.69 NM Bred per day, +29 for three a day.</p>	<p>No action taken.</p> <p>No action taken.</p>
<p>VII. Executive Session:</p> <p>A) NMHA v. NMRC, et al. (Pending Litigation)</p> <p>B) Alexander v. NMRC (Pending Litigation)</p> <p>C) IMO: Frankie Martinez (Hearing Officer's Report)</p> <p>D) IMO: Mark Dyer (Hearing Officer's Report)</p> <p>E) IMO: Alex Rangel (Licensing)</p>	0:09:08 – 0:09:47	<p>Chairman Smith called for a motion to enter into executive session. Vice-Chairman 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.</p>	<p>Motion to enter into Executive Session made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p> <p>No action taken on Agenda Items VII (A - H).</p>

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
<p>B. IMO: Mark Dyer (Licensing)</p>	<p>0:01:13 – 0:01:38</p>	<p>The NM Racing Commission reviewed the entire record and the Hearing Officer’s Recommendation for this matter. After deliberation in open session, the Hearing Officer’s Report was adopted in full.</p>	<p>Motion to adopt the Hearing Officer’s Report and Recommendations in full made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p>
<p>C. Licensing Matters:</p> <ol style="list-style-type: none"> 1. IMO: Alex Rangel 2. IMO: Kristy Cruce 3. IMO: Rick Baugh 	<p>0:01:39 – 0:02:08</p>	<p>The NM Racing Commission was advised by the Gaming Control Board the background check for Alex Rangel of Zia Park was completed and Mr. Rangel was approved.</p> <p>The NM Racing Commission was advised by the Gaming Control Board the background check for Kristy Cruce of Zia Park was completed and Ms. Cruce was approved.</p> <p>The NM Racing Commission was advised by the Gaming Control Board the background check for Rick Baugh of Ruidoso Downs was completed and Mr. Baugh was approved.</p>	<p>Motion to approve the secondary licenses of Alex Rangel, Kristy Cruce and Rick Baugh made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p>
<p>4. IMO: Ever Morales Flores</p>	<p>0:02:09 – 0:02:35</p>	<p>Mr. Ever Morales Flores requested approval to apply for Groom’s License with the NMRC.</p>	<p>Motion to approve Mr. Morales Flores to</p>

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
<p>D. Approvals for NM State Fair</p> <p>1. Request for Approval to Amend 2024 Primary License</p>	<p>0:02:37 – 0:03:14</p>	<p>After discussion with Mr. Morales Flores and deliberation at last month’s regular Commission meeting, the Commission voted to table Mr. Morales Flores’ to give him the opportunity to provide written proof of a job offer (if possible, the person offering Mr. Morales Flores a job is to appear at the next meeting with Mr. Morales Flores) and Mr. Morales Flores must provide proof of his U.S. Citizenship or provide proof of a work visa, whichever is applicable to him.</p> <p>All documentation requested last month for Mr. Morales Flores was provided and Mr. Alex Garcia also attended meeting on behalf of Mr. Morales Flores stating he will be working for him as a groom.</p> <p>Mr. Cook of the Downs at Albuquerque on behalf of the New Mexico State Fair requested approval to amend its 2024 Primary License. September 28 and 29, 2024, race dates will be moved to The Downs at Albuquerque for a total of 17 race days for the NM State Fair.</p>	<p>apply for a Groom’s License made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p> <p>Motion to approve to Amend the NM State Fair’s 2024 Primary License made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p>
<p>E. Approvals for The Downs at Albuquerque</p> <p>1. Request for Approval to Amend 2024 Primary License</p>	<p>0:03:15 – 0:03:47</p>	<p>Mr. Cook of the Downs at Albuquerque requested approval to amend its 2024 Primary License.</p>	<p>Motion to approve to Amend DAA’s 2024</p>

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
<p>F. Approvals for Sunland Park</p> <p>1. Request for Approval of 2024/25 Stall Application</p> <p>2. Request for Approval of 2024/25 Purse Schedule</p> <p>3. Request for Approval of 2024/25 Stakes Schedule</p>	<p>0:05:07 – 0:05:31</p> <p>0:05:36 – 0:07:14</p> <p>0:07:15 – 0:08:23</p>	<p>Mr. Dustin Dix of Sunland Park requested approval of Sunland Park’s 2024/25 Stall Application as presented.</p> <p>Mr. Dix requested approval of 2024/25 Purse Schedule. Mr. Dix reported this Purse Schedule is a 10% cut from last year’s Purse Schedule due to simulcast handle being down. Chairman Smith asked if this reduction in handle was due to all the other jurisdictions which have cut off simulcasting to NM, and Mr. Dix replied he believes that is a part of the problem.</p> <p>Mr. Dix requested approval of 2024/25 Stakes Schedule. Mr. Dix reported these stakes are 19.42%. Three Stakes were cancelled due to not being able to fill them in past years. The breed</p>	<p>unanimously by roll call vote.</p> <p>Motion to approve Sunland Park’s 2024/25 Stall Application made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p> <p>Motion to approve Sunland Park’s 2024/25 Purse Schedule made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p> <p>Motion to approve Sunland Park’s 2024/25 Stakes Schedule made by</p>

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
		stakes are now \$90k instead of \$100k after discussions with NMHBA.	Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
<p>4. Request for Approval of 2024/25 Post Times & Wagering Format</p>	<p>0:08:26 – 0:08:44</p>	<p>Mr. Dix requested approval of 2024/25 Post Times & Wagering Format as presented.</p>	<p>Motion to approve Sunland Park’s 2024/25 Post Times & Wagering Format made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p>
<p>5. Request for Approval of 2024/25 Gaming & Breakage</p>	<p>0:08:47 – 0:09:10</p>	<p>Mr. Dix requested approval of 2024/25 Gaming & Breakage as presented by the NM Horse Breeders Association.</p>	<p>Motion to approve Sunland Park’s 2024/25 Gaming & Breakage made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed</p>

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
<p>G. Approvals for Zia Park</p> <p>1. Request for Approval of 2024 Racing Officials</p> <p>2. Request for Approval to Amend 2024 Primary License</p>	<p>0:09:13 – 0:10:40</p> <p>0:10:41 – 0:10:58</p> <p>0:11:00 – 0:12:25</p>	<p>Mr. Alex Rangel introduced Hussain Mahrous as General Manager of M Resort and former GM of Zia Park.</p> <p>Mr. Rangel requested approval of 2024 Racing Officials as presented.</p> <p>Mr. Rangel requested approval to Amend Zia Park’s 2024 Primary License. Zia Park added 2 days to its 2024 Race Meet Schedule. November 8, 2024, and December 11, 2024, will be added to its schedule making 32 days of racing.</p>	<p>unanimously by roll call vote.</p> <p>No Action Taken.</p> <p>Motion to approve Zia Park’s 2024 Racing Officials as presented made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p> <p>Motion to approve Zia Park’s to Amend 2024 Primary License made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.</p>
<p>X. Adjournment at 10:31 AM</p>	<p>0:12:47 - end</p>	<p>Chairman Smith adjourned meeting.</p>	



Billy G. Smith, Chairman Date

 11-1-24

Executive Director Ismael Trejo Date