NEW MEXICO HORSE RACING COMMISSION MINUTES OF THE REGULAR MEETING

Date: February 20, 2025, at 9:00 a.m.

Place: NMRC Boardroom; 4900 Alameda Blvd., NE, Albuquerque, NM and Zoom Video Conference – Meeting ID: 829 2216 9342

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.

AGE	ENDA ITEM	RECORDING #	DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS	ACTION TAKEN
Public Session 1:				
I. Call to O	order and Roll Call	0:01:48 - 0:02:05	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	f Allegiance	0:02:07 - 0:02:24	•	Pledge of Allegiance was recited.
III. Approva	l of Agenda	0:02:32 - 0:02:54	Commissioner Smith asked if there were any changes to the agenda today. No changes to today's Agenda.	Motion to approve the agenda as submitted made by Commissioner Buffington. Commissioner Pitre second the motion. Motion passed unanimously by roll call vote.

AGENDA ITEM	RECORDING #	DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS	ACTION TAKEN
IV. Approval of Minutes: January 16, 2025 – Regular Commission Meeting	0:02:58 - 0:03:14	Commissioner Smith asked if the minutes for the January 16, 2025, regular meeting were reviewed and if there were any changes. There were no changes.	Motion to approve the minutes of the January 16, 2025, meeting made by Commissioner Buffington; Second by Commissioner Pitre. Motion passed unanimously.
V. Commissioners' Reports	0:03:17 - 0:03:21	None	No Action Taken.
VI. Agency Director Reports: A. NMRC Report	0:03:23 - 0:12:13	 Executive Director Trejo began reporting on Sunland Derby weekend. He said mutuel handle was just a bit over 4.2 million that weekend, which is a significant increase over the 2.8 million that was wagered on that event last year. Attendance was a little over 14k people – nice attendance. He reported that if you did not watch the race, you missed a very exciting stretch run between two very competitive horses. It was a very exciting race to watch! Executive Director Trejo reported about the press conference last week to inform the industry of what is going on with the NMRC's drug testing program. The agency has received a lot of support from 	No Action Taken.

AGENDA ITEM	RECORDING #	DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS	ACTION TAKEN
		 throughout the country regarding the results. Executive Director Trejo reported there a couple of "quirky" bills in legislation (SB 323 and 367). They are not in line with what is going on in the breeding industry. For example, in 1990 in North America there were over 44,000 registered TBs and in 2023 that number declined to approximately 18,500. This industry is in serious trouble. Stakeholders need to get together and come up with some solutions to fix the industry soon. Chairman Smith confirmed out that this is a problem not just in NM but throughout the country. Chairman Smith asked Executive Director Trejo to talk about how the lack of simulcast signals is also negatively affecting the industry. Executive Director Trejo said losing the Oaklawn signal this winter was a significant blow to NM. Fans love Oaklawn Park. It ultimately affects the equine testing fund. The equine testing fund between 2023 and 2024 decreased over \$115,000.00 	No action taken.
B. NMHBA Report	0:12:15 - 0:24:00	Mary Barber presented the Race-A-Day Report for Sunland Park through Sunday, February 9, 2025, stating it ran 86 NM Bred Races in 23 days through	No action taken.

AGENDA ITEM	RECORDING #	DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS	ACTION TAKEN
		Sunday, February 9, 2025. In overnight races, the NMHBA contributed \$774,000.00 which was \$73,000.00 less than in 2024. It averaged 8.74 NM Bred per day, 638/73 for three a day.	No action taken.
VII. Executive Session: A) NMHA v. NMRC (Pending Litigation) B) Alexander v. NMRC (Pending Litigation) C) Amestoy v. NMRC (Pending Litigation) D) IMO: Joe M. Davis (Licensing) E) IMO: Ruidoso Downs (Licensing)	0:24:05 - 0:24:41	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.	Motion to enter into Executive Session made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote. No action taken on Agenda Items VII (A - E).
VIII. Unfinished/New Business and/or Action Items:	1:43:25 – 1:43:39	In-House Counsel Bustamante affirmed the Commission only discussed in Executive Session those matters listed under Items 7. A-E 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.	

AGENDA ITEM	RECORDING #	DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS	ACTION TAKEN
A. Review of NMRC 2024 Audit	1:43:43 – 1:53:33	NMRC's 2024 Audit findings were provided by Scott Peck of MP Group, Inc.	No Action Taken.
B. IMO: Joe M. Davis (Licensing) C. Approvals for Sunland Park	1:53:44 – 2:03:51	After reviewing the entire record provided by Mr. Davis and hearing the pleas of Mr. Davis to allow him to be licensed in NM in open session, the Commissioners unanimously voted to decline his request for a license in NM. The Commission noted Mr. Davis is licensed in 3 other jurisdictions and suggested if he can go at least 2 years in those other jurisdictions without any violations, he may come back to the Commission and request to be licensed by the NMRC.	Motion to deny Mr. Davis' request for a license with NMRC made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
1. Request for Ratification of Approval to Shut Simulcasting on January 21, 2025 Due to Inclement Weather 2. Request for Ratification of	2:05:06 - 2:06:05	Mr. Dustin Dix of Sunland Park briefly stepped away from his office, so Executive Director Trejo requested ratification of approval on behalf of Sunland Park to shut down simulcasting on January 21, 2025. The request was made due to several tracks closing for the day because of inclement weather. Sunland Park had no signals to simulcast.	Motion to ratify the approval to shut simulcasting on 1/21/2025 made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
Approval to Amend 2025 Racing Officials (Mutuel Manager and Clerk of Scales)	2:06:10 - 2:06:36	Mr. Ahmad Mughni of Sunland Park requested ratification of approval to amend Sunland Park's 2025 Racing Officials as previously approved.	Motion to ratify the approval to amend Sunland Park's 2025

AGENDA ITEM	RECORDING #	DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS	ACTION TAKEN
		Tarriea Fields, Mutuel Manager, was out sick on January 23, 2025 and Dustin Dix filled in for the day. Additionally, Joree Scriver, Racing Secretary, was out sick on January 25, 2025, Sean Winsor filled in for the day.	Racing Officials made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
3. Request for Ratification of Approval to Amend 2025 Shue Fly Stakes Nomination Blanks	2:06:38 – 2:06:59	Mr. Mughni requested ratification of approval to amend Sunland Park's 2025 Shue Fly Stakes Nomination Blanks. Specifically, the request was to reconfigure the purse distribution for a 6-horse payout versus a 10-horse payout. The reason for a 6-horse field was due to 8 horses out of the 14 fastest times during the trials tested positive for illegal substances and were subsequently placed on the steward's list, making them ineligible for entry.	Motion to ratify the approval to amend Sunland Park's 2025 Shue Fly Stakes Nomination Blanks made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
4. Request for Ratification of Approval to Amend 2025 Post Times & Wagering Format (Super Bowl Sunday and Sunland Derby Day)	2:07:02 - 2:07:23	Mr. Mughni requested ratification of approval to amend Sunland Park's 2025 Post Times & Wagering Format on Super Bowl Sunday and Sunland Derby Day.	Motion to ratify the approval to amend Sunland Park's 2025 Post Times & Wagering Format made by Commissioner Buffington.

AGENDA ITEM	RECORDING #	DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS	ACTION TAKEN
5. Request for Ratification of	2:07:26 - 2:08:14	Mr. Mughni requested ratification of approval to	Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote. Motion to ratify the
Approval to Amend 2025 Stakes Schedule (Bill Thomas Stakes) D. Approvals for SunRay Park	2.07.20 2.00:14	amend Sunland Park's 2025 Stakes Schedule. The Bill Thomas Stakes only received 3 entries and was therefore, the stakes race was canceled. Mr. Mughni reported having a very good derby day at Sunland Park, estimated 14,000 in attendance. The weather was cooperative and all turned out well!	approval to amend Sunland Park's 2025 Stakes Schedule made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
1. Request for Approval of 2025 Racing Officials	2:08:18 - 2:09:27	Mr. Max Moreland of SunRay Park requested approval of 2025 Racing Officials. Mr. Moreland noted on the list Ms. Jasmine Alire did not have a title and he was not sure what Ms. Alire's role is going to be. He asked that all other officials be approved and SunRay would come back, if needed for Mr. Alire.	Motion to approve SunRay Park's 2025 Racing Officials (minus Jasmine Alire) made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.

AGENDA ITEM	RECORDING #	DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS	ACTION TAKEN
2. Request for Approval of 2025 Post Times & Wagering Format	2:09:28 - 2:15:42	Mr. Moreland took the opportunity to introduce Mr. Lonnie Barber back to SunRay Park's team and the new Racing Director, Mr. Tim McKernan, to the Commission. Mr. Moreland requested approval of SunRay Park's 2025 Post Times & Wagering Format as submitted.	Motion to approve SunRay Park's 2025 Post Times & Wagering Format made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll
E. Approvals for Ruidoso Downs			call vote.
1. Request for Approval to Amend 2025 Primary Application	2:16:10 – 2:16:56	Mr. Rick Baugh requested approval to Amend Ruidoso Downs' 2025 Primary Application to indicate that Ruidoso Downs will go from a mixed meet to a straight QH meet due to flooding damage from last year, litigation and sustainability issues.	Motion to approve to Amend Ruidoso Downs' 2025 Primary Application made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
2. Request for Approval of 2025 Stakes Schedule	2:17:00 – 2:17:52	Mr. Baugh requested approval of Ruidoso Downs' 2025 Stakes Schedule as submitted. Mr. Baugh reported that he is working with Ms. Barber of NMHBA and asked if the Commission would give Executive Director Trejo permission to approve	Motion to approve Ruidoso Downs' 2025 Stakes Schedule with the understanding that there is still negotiating and will

AGENDA ITEM	RECORDING #	DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS	ACTION TAKEN
3. Request for Approval of 2025 Purse Schedule	2:17:55 – 2:18:39	any changes made if more money is added pursuant to those discussions with Ms. Barber and then Mr. Baugh will ask for ratification of that approval next meeting. Mr. Baugh requested approval of Ruidoso Downs' 2025 Purse Schedule. Note, there was an error for the 7.5/N3 and 7.5/N/2. Those should be switched.	bring this matter back for ratification as all is finalized made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote. Motion to approve Ruidoso Downs' 2025 Purse Schedule with the amendment discussed made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
4. Request for Approval of 2026 & 2027 Nomination Blanks a. 2026 All American QH Futurity & Derby b. 2026 Mountain Top NM Bred QH Futurity & Derby	2:18:40 – 2:19:42	Mr. Baugh requested approval of Ruidoso Downs' 2026 & 2027 Nomination Blanks as submitted.	Motion to approve Ruidoso Downs' 2026 & 2027 Nomination Blanks made by Commissioner Buffington. Commissioner Pitre

AGENDA ITEM	RECORDING#	DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS	ACTION TAKEN
c. 2026 Ruidoso QH Futurity & Derby d. 2026 Rainbow QH Futurity & Derby e. 2026 Zia QH Futurity & Derby f. 2027 All American Triple Crown			seconded the motion. Motion passed unanimously by roll call vote.
X. Adjournment at 11:18 AM		Chairman Smith adjourned meeting.	

Billy G. Smith, Chairman

Executive Director Ismael Trejo Date