

NEW MEXICO HORSE RACING COMMISSION
MINUTES OF THE MEETING

Date: April 13, 2017 at 8:30 AM

Place: New Mexico Racing Commission, 4900 Alameda Blvd. NE, Albuquerque

Members Present: Chairman Ray Willis; Vice-Chairman McCulloch; Commissioner Cosper, DVM; Commissioner Leonard Blach, DVM; Commissioner Ken Corazza.

NMRC Staff Participating: NMRC Executive Director Ismael Trejo; NMRC Manager Rosemary Garley; NMRC Paralegal Tina Marie Arce

Others Present/Participating: Assistant Attorney General Audrey McKee

AGENDA ITEM	TRANSCRIPT PAGE NUMBER(S)	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
Call to Order and Roll Call	0 to :28	Meeting called to order by Chairman Willis. Roll call was taken by NMRC Paralegal Tina Arce. Commissioner Corazza was not in attendance although a quorum was recognized. Assistant Attorney General Audrey McKee the NMRC General Counsel was present. Commissioner Corazza entered the room 11 minutes after the meeting started and was counted present.	No Action Taken.
Approval of Agenda	:30 to 01:05	Chairman Willis asked Executive Director Ismael Trejo if there were any changes to the Agenda. Executive Director Trejo directed the Chairman to Mr. Don Cook of the Downs at Albuquerque. Mr. Cook stated that he would like to remove Capital Improvement Project from 6D. Executive Director Trejo had no other changes.	Motion to approve with changes by Vice-Chairman McCulloch; second Commissioner Cosper. Motion carried without objections or abstentions.

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Minutes- March 16, 2017	01:17 to 01:27	Chairman Willis requested a motion to approve the minutes of the March 16, 2017 Regular Commission Meeting.	Motion to approve by Commissioner Blach; Second by Vice-Chairman McCulloch. Motion carried without objections or abstentions.
Chairman's Agenda Rules Committee Update	01:29 to 02:44	There was a Rules Committee Meeting and a Race Dates Meeting on April 12, 2017. Commissioner McCulloch stated that the stars were aligned as both meetings went well. In the Rules Committee Meeting the Rules were updated to include the latest version of ARCI. One item was removed and one was tabled. The Race Dates Committee met and agreed to move forward and there will be another meeting in May.	No Action Taken.
NMHBA Report Breeders Report	02:45 to 05:42	Anna Fay Davis, Executive Director of the New Mexico Horse Breeders. Ms. Davis introduced Mary Barber to the Commission. Mary Barber joined the Association in December of 1993 as Registrar. Her responsibilities include Registering Horses, keeping track of NM Bred Races at each racetrack, preparing percentages for the NM Breds in Open races, preparing correspondence, proof reading and she keeps the office running efficiently. Ms. Davis continued with the race a day report as follows: Sunland Park through Tuesday, April 4, 2017: 274 NM Bred Races in 64 days with 198 TB overnight; 39 QH overnight, 14 QH trials, 13 TB stakes, 7 QH stakes for an average of 4.28% per day. New Mexico Breds in open overnight races: Sunland Park; in 64 days, 237 NM breds ran in open overnight; There were 2241 NM Breds that were scheduled to participate in these races. 63 TB and 20 QH 26%, wire transferred \$58,767.50	No Action Taken

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NMHA	05:44 to 10:07	Pat Bingham, Executive Director of the NMHA stated that preliminary discussions were taking place regarding race days. He informed everyone that the NMHA will not pay for any splits tested beginning 4/21/17. Owner or Trainer will be responsible for paying for the splits to be tested and if the split comes back negative, NMHA will reimburse the Owner or Trainer for the cost of split testing. The NMHA will continue to process split requests as per rule. He announced that the Horseman's banquet is May 10, 2017 at SunRay Park. He stated that during the Legislative session there was an effort to tax agricultural feeds and impose a gross receipts tax on purses and the Horsemen will continue to oppose this. The NMHA will be sending out a Newsletter again and would like everyone to send their emails. The NMHA is commissioning an Economic Impact Study.	No Action Taken.
Jockey's Guild	010:08 to 011:05	John Beech, Regional Manager for the Jockey's Guild stated that there are only good reports coming from the Jockeys at Sunland Park racetrack. The Jockeys were happy to have a local jockey win the Sunland Derby. They are looking forward to the opening of SunRay Park.	No Action Taken.
NMRC Executive Director Report	011:26 to 014:22	Ismael Trejo, Executive Director for NMRC started by stating this was his one year anniversary of being at the NMRC, and thanked everyone for the opportunity to serve the racing community. The SunRay Park walk through was April 10, 2017 and everything looked clean and ready for the race meet. Mr. Trejo thanked Sunland Park for putting on a great show at the Sunland Derby.	No Action Taken.
Ratification of Approval for May 2017 Simulcast schedules for Zia Park, Sunland Park, SunRay Park, Ruidoso Downs and Downs at Albuquerque	014:23 to 014:39	Chairman Willis requested a motion to ratify approval of the May 2017 Simulcast schedules for all of the tracks.	Motion to ratify Vice-Chairman McCulloch; Second by Commissioner Cosper. Motion carried without objections or abstentions.

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Open Meetings Act Resolution 2017	014:40 to 016:09	Audrey McKee, General Counsel to the NMRC, advised the Commission that in January they voted on an older version of the Open Meetings Act and they would need to rescind their motion to adopt the old Open Meetings Act and then Motion to adopt the updated version.	Motion to rescind the Motion to adopt the Open Meetings Act Resolution that was adopted in January Vice-Chairman McCulloch; Second by Commissioner Cosper. Motion to adopt the April 2017 Open Meetings Act Resolution Vice-Chairman McCulloch; Second by Commissioner Cosper. Motions carried without objections or abstentions.
Approval of 2017 Ruidoso Downs Official Veterinarian	016:17 to 017:13	Chairman Willis called for a Motion regarding Ruidoso Downs bid for Official Veterinarian.	Motion to approve Dr. Fly as the Official Veterinarian for Ruidoso Downs Vice-Chairman McCulloch; Second by Commissioner Cosper. Motion carried without objections or abstentions.
Approval of 2017 SunRay Park State Stewards	017:20 to 019:34	Ismael Trejo, Executive Director of the NMRC requested approval of the SunRay Park Stewards. Ron Walker, Martin Hamilton and Linda Salinas. Mr. Walker will be presiding Steward. Mr. Trejo introduced Martin Hamilton to the Commission. Mr. Hamilton stated that he is excited and anxious to start the SunRay meet.	Motion to approve SunRay Stewards Vice-Chairman McCulloch; Second by Commissioner Cosper. Motion carried without objections or abstentions.
Approval for Downs at Albuquerque 2017 Jockey And Exercise Rider Insurance 2017 Post times & Wagering Format	019:37 to 021:00	Don Cook with the Downs at Albuquerque requested approval of the 2017 Jockey and Exercise Rider Insurance as submitted. Mr. Cook stated that it is a 4% reduction from 2016. Mr. Cook also requested approval of the 2017 Post times and Wagering Format.	Motion to approve Jockey and Exercise Rider Insurance by Commissioner Bach; Second by Vice-Chairman McCulloch. Motion to approve the Post Times and Wagering Format Commissioner Bach; Second by Vice-Chairman McCulloch. Motion carried without objections or abstentions.

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Approval for Ruidoso Downs Amend 2017 Race Dates Amend Number of Races per day Increase Overnight Purses	021:01 To 035:59	Dennis Monroe on behalf of Ruidoso Downs racetrack requested approval to amend the 2017 Race Dates from 60 to 52. Ruidoso would like to drop eight Mondays starting July 10, 2017. Mr. Monroe also requested approval to amend the number of races to 10 a day and increase the overnight purses by 5%. The Horsemen's Association strongly objected. Vice-Chairman McCulloch changed the number of races to add "A minimum of 10" races a day.	Motion to keep the race dates the same Vice-Chairman McCulloch. No Second, Motion dies. Motion to approve amended race dates Commissioner Blach; Second by Commissioner Corazza. Motion carried 4-1 with Vice-Chairman McCulloch objecting. Motion to approve a minimum of 10 races per day Commissioner Blach; Second by Commissioner Corazza. Motion to approve increase overnight purses by 5% Commissioner Blach; Second by Commissioner Corazza. Motion carried without objections or abstentions.
Approval for SunRay Park Jockey & Exercise Riders Insurance Officials	036:07 to 040:08	Lonnie Barber, Director of Racing at SunRay Park requested approval of Jockey & Exercise Riders Insurance. There was a 10% reduction on the Jockey Insurance. Licensing information on Rusty Herrera was not provided. Mr. Herrera will need to apply for an application and pass a background check to be approved.	Motion to approve Jockey and Exercise Rider Insurance by Vice-Chairman McCulloch; Second by Commissioner Blach. Motion to approve Officials pending Rusty Herrera's favorable background Commissioner Blach; Second by Vice-Chairman McCulloch. Motion carried without objections or abstentions.
Ratification of Approval for Sunland Park Amend Wagering Format and Post Times	040:10 to 048:00	Dustin Dix, Director of Racing at Sunland Park requested to amend wagering format and post times for races conducted on March 26, 2017. Sunland Derby day brought in 3.2 million. 6 horses out of 5381 starts, 4 QH and 2 TB broke down. This is well below the National average. Mr. Dix continued by stating, the racetrack surface is very good and every indicator points to a	Motion to ratify approval to amend wagering format and post times for March 26, 2017 Commissioner Cosper; Second by Commissioner Blach. Motion carried without objections or abstentions.

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Public Comment 5 minutes per person	048:04 to 01:03:53	very good year for Sunland. Ralph Vincent of the NMHBA started by congratulating Ismael Trejo for a good year. Mr. Vincent would like to clean up the Horse Racing Industry by getting rid of the multiple offenders. The NMHBA thinks that putting a horse on the Stewards list should go from 60 days to 120 days. The NMHBA would like to see Hair Testing implemented. The NMHBA would like the entire industry to work together to get rid of the multiple violators. Ismael Trejo, Executive Director of the NMRC commented that the Commission has started to summarily suspend multiple medication violators. Leslie Fincher asked how is security at the stable gates keeping suspended individuals out of the racetrack as she sees a lot of suspended individuals on the backside. She felt suspended individuals should be handing over their licenses when they are suspended. Ms. Fincher asked a question regarding serial numbers on medications and if they were still required. Dr. Cosper answered that they are still required and that Ms. Fincher can ask for a copy from the veterinarian.	No action taken.
Licensing/Pending Litigation/Appeals/Hearing Officer Reports (May be Closed pursuant to NMSA 1978, Sections 10-15-1(H)-(1),(3) and (7) and 10-15-1(I))	01:04:02 to 01:05:31	Chairman Willis called for a motion to go into Executive Session to discuss items 7A, 7B and 7C Roll call was taken with all present.	Motion to go into Executive Session by Chairman Willis; Second by Vice-Chairman McCulloch. Motion carried without objections or abstentions.
Licensing/Pending Litigation/Appeals/Hearing Officer Reports (May be Closed pursuant to NMSA 1978,	<u>Track 2</u> 00:04 00:06	Chairman Willis called for a motion to come out of closed session with the only matters that were discussed being 7A, 7B and 7C.	Motion to come out of Closed Session by Chairman Willis;

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Sections 10-15-1(H)-(1),(3) and (7) and 10-15-1-(I)			
In the Matter of Jose A. Gonzalez Hearing Officer Report	00:06 to 04:30	Audrey McKee, General Counsel to the NMRC stated that the Commission would like to adopt the findings of fact and conclusions of law incorporated herein by reference. Appellant Trainer Jose A. Gonzalez is assessed a fine of \$25,000 for the first offense pertaining to "Go Autumn Go" and \$50,000 for the second offense pertaining to "Copes My Goat" for a total fine of \$75,000. To be paid prior to appearing before the Commission. A suspension of 1 year for the first offense and a suspension of 3 years for the second offense for a total of a 4 year suspension to run consecutively. Once eligible, Mr. Gonzalez must retake and pass the trainer's test prior to the suspension being lifted. Mr. Gonzalez must appear before the Commission to ask for his license back. Mr. Gonzalez is not allowed on the grounds of the Association under the jurisdiction of the NMRC. The owners of "Go Autumn Go" and "Copes My Goat" shall receive loss of purse and "Go Autumn Go" and "Copes My Goat" shall be disqualified and loss of purse. "Go Autumn Go" must be on the veterinarians list for 90 days and pass a Commission approved examination prior to becoming eligible. "Copes My Goat" must be on the veterinarians list for 90 days for the first violation and 120 days for the second violation and must pass a Commission approved examination prior to becoming eligible.	Motion to adopt Hearing Officer Report with added penalties Vice-Chairman McCulloch; Second by Commissioner Blach. Motion carried without objections or abstentions.
In the Matter of John Stinebaugh Ruling #0227413	04:32 to 04:44	Audrey McKee, General Counsel to the NMRC stated that this matter will be dismissed with prejudice.	Motion to approve dismissal Commissioner Cosper; Second by Vice-Chairman McCulloch. Motion carried without objections or abstentions
In the Matter of Jose Efren Meraz Ruling #0087913	04:45 to 05:00	Audrey McKee, General Counsel to the NMRC stated that this matter will be dismissed with prejudice.	Motion to approve dismissal Commissioner Cosper; Second by Vice-Chairman McCulloch. Motion carried without

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VI. Adjournment	05:13 to 05:25	Motion for adjournment.	objections or abstentions Motion to adjourn by Commissioner Cosper; Second by Vice-Chairman McCulloch. Meeting adjourned.

Ray Willis

Chairman Ray Willis

05-11-17

Date

Ismael Trejo

Executive Director Ismael Trejo

5-11-17

Date