

NEW MEXICO HORSE RACING COMMISSION
MINUTES OF THE MEETING

Date: January 19, 2017 at 8:30 AM

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

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

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 :30	Meeting called to order by Chairman Willis and roll call was taken by NMRC Paralegal Tina Arce. A quorum was recognized. Assistant Attorney General Audrey McKee the NMRC General Counsel was present.	No Action Taken.
Approval of Agenda	:35 to 1:54	Chairman Willis asked Executive Director Ismael Trejo if there were any changes to the Agenda. Executive Director Trejo made the following changes: 4D Public Comment was moved to 6D, 5E was removed. 6C was changed to "Ratification of Change of Officials"	Motion to approve by Vice-Chairman McCulloch; second Commissioner Corazza. Motion carried without objections or abstentions.

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Minutes- Special Meeting- November 21, 2016	2:10 to 2:20	Chairman Willis requested a motion to approve the minutes of the November 21, 2016 Special Commission Meeting.	Motion to approve by Vice-Chair McCulloch. Second by Commissioner Corazza. Motion carried without objections or abstentions.
Chairman's Agenda Committee Meeting Update Welcome and Introduction of New Commissioner Leonard Blach Recognition and thanking Commissioner Beverly Bourguet for her service	02:23 to 04:24	There were no Committee Meetings to update. Chairman Willis introduced the NMRC new Commissioner Dr. Leonard Blach, DMV. Commissioner Blach made a brief statement. Chairman Willis thanked Commissioner Bourguet for her service to the Commission.	No Action Taken.
NMHBA Report Breeders Report	04:25 to 12:30	Anna Fay Davis, Executive Director of the New Mexico Horse Breeders Associations gave the race a day report as follows: Zia Park through Tuesday, December 13, 2016: 220 NM Bred Races in 56 days with 150 TB overnight; 45 QH overnight, 11 QH trials, 9 TB stakes, 5 QH stakes for an average of 3.93% per day. New Mexico Breds in open overnight races: Zia Park; in 56 days, 195 NM breds ran in open overnight; There were 1,769 NM Breds that were scheduled to participate in these races. Sunland Park through Tuesday, January 10, 2017: 71 NM Bred in 16 days with 47 TB overnight, 13 QH overnight, 5 QH trials, 4 TB stakes, 2 QH Stakes 4.44% In 16 days, 60 NM Bred overnight races. There were 547 NM Breds that were scheduled to participate in these races.	No Action Taken

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NMRC Report	12:43 to 14:45	Ismael Trejo, Executive Director of the New Mexico Racing Commission started by saying that it's been a busy month. There was a walk through at Sunland Park. NMRC attended the dinner at AQHA and NM was talked about highly for the work that has been done in the past year. NM Stake holders met on January 9, 2016 and hair testing was discussed.	No Action Taken.
Ratification of Approval for January and February 2017 Simulcast schedules for Zia Park, Sunland Park, SunRay Park, Ruidoso Downs and Downs at Albuquerque	14:52 to 15:12	Chairman Willis requested a motion to ratify approval of the January and February 2017 Simulcast schedules for all of the tracks.	Motion to ratify Vice-Chairman McCulloch; Second by Commissioner Corazza. Motion carried without objections or abstentions.

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Open Meetings Resolution Act	15:15 to 16:15	Audrey McKee, General Counsel from the Attorney General's Office commented that she is here to answer any questions anyone has regarding the Open Meetings Resolution Act. Chairman Willis requested a motion to adopt the Open Meetings Resolutions Act.	Motion to approve Vice-Chairman McCulloch. Second by Commissioner Corazza. Motion carried without objections or abstentions.
Race Track hair sample testing starting on August 1, 2017 Discussion	16:18 to 1:27:11	Ismael Trejo, Executive Director of the NMRC commented that NM Stake holders met to discuss starting hair sample testing starting on August 1, 2017. Don Cook, General Manager of the Downs at Albuquerque read a letter from the Downs and took questions from Chairman Willis. A public discussion regarding hair sampling took place with Chairman Willis asking NMHA for comments and The Jockey's Guild for comment. Pat Bingham commented for the NMHA and John Beech commented for The Jockey's Guild. Public discussion commenced with several questions and statements on the record. Anna Fay Davis, Executive Director of the NMHBA read a letter into the record from Ralph Vincent, NMHBA President. Dr. Waterman made a brief statement to the concept of hair follicle testing. All were in agreement in principle but wanted to see a firm plan put into place prior to the August 1, 2017 start date.	No Action Taken
Approval of Zia Park Ratification of Racing Official 2017 Nomination Blanks Gaming and Breakage	1:27:16	Dusti Caviness, Representative for Zia Park requested ratification of Racing Official Gerald Richards as clocker, approval for the 2017 Nomination Blanks which had no change in payment or clerical fees and Gaming and Breakage. Commissioner Corazza asked if Zia Park will be doing anything special for Pegasus day. Dusti Caviness responded by saying Zia Park will not be doing anything special for Pegasus day. Zia park will offer specials daily.	Motion to ratify approval of Racing Official Commissioner Cosper; Second Vice-Chairman McCulloch. Motion to approve 2017 Nomination Blanks Vice-Chairman McCulloch; Second Commissioner Cosper. Motion to approve Gaming and Breakage Vice-Chairman

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	to 1:30:04		McCulloch. Second Commissioner Corazza. Motions carried without objections or abstentions.
Approval for Ruidoso 2017 Stakes Schedule Change for 2017 All American Juvenile Purse 2017 Stall Application, Condition Book, Post Times, Wagering Format 2018 Nomination Blanks Gaming and Breakage	1:30:06 to 1:44:40	Shaun Hubbard, Owner and Director of Racing for Ruidoso Downs requested approval for 2017 Stakes Schedule, Change to 2017 All American Juvenile Purse, 2017 Stall Application, Condition Book, Post Times, Wagering Format, 2018 Nomination Blanks and Gaming and Breakage. Ruidoso is unable to get this race graded and that is why they decreased the purse to \$200,000.00. Mr. Hubbard invited a representative of the NMRC to attend and speak at an AQHA meeting in San Antonio. He extended an offer to pay for representatives to attend. Audrey McKee, Assistant Attorney General for NMRC commented that the NMRC would not be able to accept an offer of payment to attend, but that the NMRC could attend if it is in their budget.	Motion to approve 2017 Stakes Commissioner Cosper; Second by Vice-Chairman McCulloch. Motion 2017 change to All American Juvenile Purse Vice-Chairman McCulloch; Second Commissioner Cosper. Motion to approve 2017 Stall Application and Condition Book Commissioner Blach; Second Vice-Chair McCulloch. Motion to approve Post times Commissioner Corazza; Second Commissioner Blach. Motion to approve Wagering Format and 2018 Nomination Blanks Commissioner Blach; Second Vice-Chairman McCulloch. Motion to approve Gaming and Breakage Vice-Chairman McCulloch; Second Commissioner Cosper. Motions carried without objections or abstentions.

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Approval for Sunland Park Change of Officials Jockey/Exercise Rider Insurance	0:1:44:99 to 01:50:34	Dustin Dix, Director of Racing for Sunland Park thanked Commissioner Bourguet for her service and requested ratification of approval for a Change of Officials; Mike Peterson to replace Tony Martinez Sr., Ann Provost to replace Walt Wiggins Jr. and Dr. Mike Pirrone to replace Dr. Schwyzer. Mr. Dix also requested approval of their Jockey/Exercise Rider Insurance.	Motion to ratify approval Change of Officials Vice-Chairman McCulloch; Second Commissioner Corazza. Motion to approve Jockey/Exercise Rider Insurance Commissioner Corazza; Second Commissioner Blach. Motions carried without objections or abstentions.
Public Comment	1:50:45 to 1:55:10	Pat Bingham, Executive Director of the NMHA briefly commented that racing is going very well at Sunland Park and the Horsemen are very pleased with Tony Martinez Jr. and the track conditions. A ten minute break was taken.	No Action Taken.
In the Matter of John R. Valenzuela	<u>Track 2</u> 00:00 to 00:47	Mr. Valenzuela did not appear for his hearing. His appeal is dismissed.	No Action Taken.
In the Matter of Jose R. Gonzalez Jr.	00:53 to 40:51	In the Matter of Jose R. Gonzalez Jr., all parties were sworn in, witnesses were questioned and testimony was taken. The Commissioners viewed the race in question.	No Action Taken.
In the Matter of Jorge Carrillo	40:52 to 01:09:23	In the Matter of Jorge Carrillo, all parties were sworn in, witnesses were questioned and testimony was taken. The Commissioners viewed the race in question.	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))	1:09:23 to 01:10:30	Roll Call was taken, all Commissioners present.	Motion to go into closed session to discuss Jose R. Gonzalez Race Appeal, Jorge Carrillo Race Appeal, Omar Gutierrez and Oscar Ivan Estrada Order of Dismissal and Employment contract of

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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))	Track 3 00:00 to 01:17 01:18 to 01:54 01:59 to 02:21 02:24 to 02:59	In the Matter of Jorge Carrillo the Commission would like to grant the appeal, however, the Commission's order of finish is different from what was requested from appellant. The official order of finish will be 9,1,2,10,8,3,7,4,6 In the Matter of Jose R. Gonzalez, Jr. the Commission would like to uphold the Steward's decision. The official order of finish will stay the same 4,1,3,7,6,2,5. In the Matter of Omar Gutierrez and Oscar Ivan Estrada the Commission would like to dismiss the case with prejudice. In the Matter of Employment Contract of Dr. Chastain	Dr. Chastain Vice-Chairman McCulloch; Second Commissioner Cosper. Motion to overturn Stewards decision with a new order of finish Vice-Chairman McCulloch; Second Commissioner Cosper. Motion to uphold Steward's decision Commissioner Blach; Second Vice-Chairman McCulloch. Motion to dismiss with prejudice Commissioner Blach; Second Commissioner Cosper. Motion to take no Action Commissioner Corazza; Second Commissioner Cosper. Motions carried without objections or abstentions.
VI. Adjournment	03:00 to 03:02	Motion for adjournment.	Motion to adjourn by Commissioner Cosper; Second by Commissioner Corazza. Meeting adjourned.

Ray Willis 2-16-17
Chairman Ray Willis Date

Ismael Trejo 2-21-17
Executive Director Ismael Trejo Date