

NEW MEXICO HORSE RACING COMMISSION

MINUTES OF THE MEETING

Date: July 13, 2017 at 9:30 AM

Place: Ruidoso Downs Racetrack, Hall of Fame- 2nd Floor Entrance

Members Present: Chairman Ray Willis; Vice-Chairman Gayla McCulloch; Commissioner Jerry 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 :23 | Meeting called to order by Chairman Willis. Roll call was taken by NMRC Paralegal Tina Arce. Assistant Attorney General Audrey McKee the NMRC General Counsel was present. | No Action Taken. |
| Approval of Agenda | :29 o 01:32 | Chairman Willis asked Executive Director Ismael Trejo if there were any changes to the Agenda. Executive Director Ismael Trejo stated that items 6A, 6F and 7B would need to be removed from the Agenda. | Motion to approve with changes by Vice-Chairman McCulloch; second Commissioner Cosper. Motion carried without objections or abstentions. |
| Minutes- June 15, 2017 | 01:40 to 01:52 | Chairman Willis requested a motion to approve the minutes of the June 15, 2017 Regular Commission Meeting. | Motion to approve by Vice-Chairman McCulloch; Second by Commissioner Blach. Motion carried without objections or abstentions. |
| NMHBA Report Breeders Report | 01:53 to 07:08 | Anna Fay Davis, Executive Director of the New Mexico Horse Breeders started with the race a day report as follows: SunRay Park through Monday, June 19, 2017: 99 NM Bred Races in 36 days with 49 TB overnight; 39 QH overnight, 4 QH trials, 5 TB stakes, 2 QH stakes for an average of 2.75% per day. New Mexico Breeds in open overnight races: SunRay Park; in 36 days, | No Action Taken |

| AGENDA ITEM | TRANSCRIPT PAGE NUMBER(S) | DISCUSSION / CONCLUSIONS / RECOMMENDATIONS | ACTION TAKEN |
|--|----------------------------|--|------------------------|
| | | <p>476 NM bred's ran in open overnight; Out of these 476, 168 NM Breds came in 1st, 2nd and 3rd. There were 716 NM Breds that were scheduled to participate in these races. 85 TB and 83 QH 35%, wire transferred \$85,128.10</p> <p>Race a day report for Ruidoso Downs through Monday, July 3, 2017: 92 NM Bred races in 24 days with 50 TB overnight, 26 QH overnight, 2 TB trials, 12 QH trials, 1 TB stakes, 1 QH stakes for an average of 3.83%. There were 547 NM Breds that were scheduled to participate in these races. 15 TB and 3 QH 38%, wire transferred \$7,641.40.</p> <p>Race a day report for Downs at Albuquerque through July 2, 2017: 24 NM Bred Races in 6 days with 15 TB overnight, 8 QH overnight and 1 TB stakes for an average of 4.00% per day. In 6 days, The Downs at Albuquerque has run 23 NM Bred open overnight races. There were 207 NM Breds scheduled to participate in these races.</p> | |
| <p>NMHA Horsemen's Report</p> | <p>07:09 to 020:01</p> | <p>Pat Bingham, Executive Director of the NMHA started by handing out a copy of the ad that the NMHA took out in the NMHBA magazine. The horsemen would like to also set up tables at the tracks to spread information about the industry. Mr. Bingham stated that the NMHA is planning on having an all committee meeting on August 15, 2017. The survey's for the Economic Impact study are complete and the horsemen expect that survey to be out shortly. Mr. Bingham also stated that the NMHA would like the horsemen to be involved with NMRC searches on the backside. Mr. Bingham stated that the horsemen would not interfere in these searches, but rather be another set of eyes. Mr. Bingham publically asked for a table at the Ruidoso Downs dedicated to the NMHA for the public to learn about the industry. Commissioner Cosper commented that there should be classes on form reading for the younger generation held by</p> | <p>No Action Taken</p> |

| AGENDA ITEM | TRANSCRIPT PAGE NUMBER(S) | DISCUSSION / CONCLUSIONS / RECOMMENDATIONS | ACTION TAKEN |
|--|-----------------------------|---|--|
| | | <p>the NMHA. Mr. Bingham stated that the horsemen should be able to put that together and that he had attended Dustin Dix's handicap workshop and found that very helpful. Commissioner Corazza asked if rulings or new rules could be published on the NMHA website regarding medication violations. Mr. Bingham stated that he would not be opposed to publishing rulings after the adjudication process.</p> | |
| <p>NMRC Executive Director Report</p> | <p>020:02 to 022:22</p> | <p>Ismael Trejo, Executive Director for NMRC started by thanking Shaun Hubbard and Amanda Greer for allowing the NMRC to conduct their meeting at Ruidoso Downs. Mr. Trejo stated that the NMRC have hired a new investigator Melodie Ryan, who was with the NMRC previously. The opening of The Downs at Albuquerque was fantastic, with large crowds. The Rainbow Futurity trials at Ruidoso Downs went very well as the AQHA integrity team was present.</p> | |
| <p>Ratification of Approval of August 2017 Simulcast Schedules for Zia Park, Sunland Park, SunRayPark, Ruidoso Downs, and DAA</p> | <p>022:23 to 022:47</p> | <p>Chairman Willis called for a Motion to ratify the NMRC Executive Director's approval.</p> | <p>Motion to ratify by Commissioner Cosper; Second by Commissioner Blach. Motion carried with no objections and abstentions.</p> |
| <p>Approval of Steward Pasquale Bovenzi for DAA/NMSF</p> | <p>022:48 to 023:22</p> | <p>Ismael Trejo, of the NMRC stated that Mr. Pat Bovenzi will be replacing Steward Martin Hamilton after August 1, 2017.</p> | <p>Motion to approve by Commissioner Cosper; Second by Commissioner Blach. Motion carried with no objections and abstentions.</p> |
| <p>Ratification of Race Review Committee Member Randy Summers</p> | <p>023:24 to 024:47</p> | <p>Ismael Trejo, of the NMRC requested approval for another member of the Race Review Committee, Randy Summers. Vice-Chairman McCulloch asked if this would be an addition or a substitution of a member. Mr. Trejo answered that Mr. Summers is an addition in case of a conflict of interest.</p> | <p>Motion to approve by Vice-Chairman McCulloch; Second by Commissioner Cosper. Motion carried with no objections and abstentions.</p> |

| AGENDA ITEM | TRANSCRIPT PAGE NUMBER(S) | DISCUSSION / CONCLUSIONS / RECOMMENDATIONS | ACTION TAKEN |
|---|---------------------------|--|---|
| <p>Approval for Ruidoso Downs Amend Dates on 2018 Ruidoso Futurity and Derby Nomination Blanks 2019 Triple Crown Nomination Blank Retroactive approval of Capital Improvement Projects Ratification of Approval to amend entry days</p> | <p>024:49 to 030:13</p> | <p>Shaun Hubbard, of Ruidoso Downs requested approval on the amended dates for the 2018 Ruidoso Futurity and Derby Nomination Blanks. Mr. Hubbard stated that each of these races needed their own weekend which would create entertainment weekends for the track. Mr. Hubbard requested approval of the 2019 Triple Crown Nomination Blank and the retroactive approval of Capital Improvement Projects. Mr. Hubbard requested ratification of approval to amend entry days. Mr. Hubbard stated that he has had numerous requests from the local horsemen and horsemen throughout the state to change entry dates. Chairman Willis asked if changing the dates has helped with the entries. Mr. Hubbard answered that it has and he was encouraged but time would tell. Rosemary Garley commented to clarify the record on the capital improvements that there were five projects.</p> | <p>Motion to approve Amended dates for the Ruidoso Futurity and Derby Nom Blanks by Commissioner Blach; second by Vice-Chairman McCulloch. Motion to approve 2019 Triple Crown Nom Blank by Vice-Chairman McCulloch; second by Commissioner Blach. Motion to approve the capital improvement projects Commissioner Blach; second Vice-Chairman McCulloch. Motion to ratify approval to amend entry dates by Commissioner Blach; second by Commissioner Cosper. Motions carried without objections or abstentions.</p> |
| <p>Approval for Sunland Park 2017-18 First Condition Book 2017-18 Stall Application Nomination Blanks, 2017-18 Shue Fly, 2018 West Texas Maturity, 2018 West Texas Derby, 2018 N.M Spring Futurity, 2018 Copper Top Futurity Gaming and Breakage</p> | <p>030:13 to 035:12</p> | <p>Dustin Dix, of Sunland Park requested approval of their 2017-18 First Condition Book. Pat Bingham, of the NMHA requested that Sunland Park consider going back to a 60/40 split between TB and QH racing. Mr. Dix requested approval of the 2017-18 Stall Application, Nomination Blanks, 2017-18 Shue Fly, 2018 West Texas Maturity, 2018 West Texas Derby, 2018 N.M Spring Futurity, 2018 West Texas Futurity, 2018 Copper Top Futurity and Gaming and Breakage.</p> | <p>Motion to approve 2017-18 First Condition book by Vice-Chairman McCulloch; Second by Commissioner Cosper. Motion to approve 2017-18 Stall Application by Commissioner Blach; Second by Vice-Chairman McCulloch. Motion to approve Nomination Blanks and Gaming and Breakage by Vice-Chairman McCulloch; Second by Commissioner Blach. All Motions carried without objections or abstentions.</p> |
| <p>Public Comment</p> | <p>035:14 to 044:13</p> | <p>Dr. Boyd Clements and Dr. Jason Scott read a brief statement into the record. A letter from several practicing veterinarians was distributed to the Chairman and all Commissioners.</p> | <p>No Action was taken.</p> |

| AGENDA ITEM | TRANSCRIPT PAGE NUMBER(S) | DISCUSSION / CONCLUSIONS / RECOMMENDATIONS | ACTION TAKEN |
|---|--|---|---|
| | | <p>Chairman Willis stated that the Commission has invited several veterinarians to participate in the Medication Committee. Vice-Chairman McCulloch invited any veterinarian to participate on the Rules Committee as well. Vice-Chairman McCulloch stated that if there is a rule that the veterinarians want to change, to write it up and submit it to the Committee. Commissioner Corazza invited Dr. Clements to sit down with him to discuss some of his concerns. Commissioner Blach stated that he is working towards making sure all of the NMRC rules are followed.</p> | |
| <p>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)</p> | <p>044:34 to 045:49</p> | <p>Chairman Willis called for a motion to go into Closed Executive Session to discuss items 7A, 7C, and 7D. Roll call was taken with all present. Executive Director Trejo was asked to remain in Executive Session.</p> | <p>Motion to go into Executive Session by Chairman Willis; Second by Vice-Chairman McCulloch. Motion carried without objections or abstentions.</p> |
| <p>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)</p> | <p><u>Track 2</u> 00:13 to 00:33</p> | <p>Chairman Willis called for a motion to come out of closed session with the only matters that were discussed being 7A, 7B, 7C, 7D, 7E and 7F.</p> | <p>Motion to come out of Closed Session by Chairman Willis;</p> |
| <p>In the Matter of Anselmo Garcia Settlement Agreement</p> | <p>00:34 to 05:52</p> | <p>Audrey McKee, General counsel to the NMRC stated that the Commission would like to adopt the Settlement Agreement. Appellant Trainer Anselmo Garcia is assessed a fine of \$10,000 to</p> | <p>Motion to adopt Settlement Agreement by Vice-Chairman McCulloch; Second by Vice-Chairman McCulloch. Motion</p> |

| AGENDA ITEM | TRANSCRIPT PAGE NUMBER(S) | DISCUSSION / CONCLUSIONS / RECOMMENDATIONS | ACTION TAKEN |
|-------------|---------------------------|---|---|
| Adjournment | 06:03 To 06:11 | <p>be paid in 60 days. Mr. Garcia was assessed a suspension of 2 years, with the second year to be deferred. If Appellant incurs a violation for a Class I, II, III drug he shall be suspended for the duration of the two (2) year suspension; and forfeiture of the purse and Wrs Quick Regards be unplaced from the 2nd race finishing in 1st place at Ruidoso Downs Racetrack on June 17, 2016. Trainer Garcia must appear before the Commission before being reinstated. Wrs Quick Regards must pass a Commission-approved examination before becoming eligible to be entered in any race governed by the NMRC.</p> <p>Chairman Willis called for a motion to adjourn.</p> | <p>carried without objections or abstentions.</p> <p>Motion to adjourn by Commissioner Corazza; Second by Commissioner Blach. Motion carried.</p> |

Ray Willis 9-13-17
Chairman Ray Willis Date

[Signature] 9-13-17
Executive Director Ismael Trejo Date