

NEW MEXICO HORSE RACING COMMISSION

MINUTES OF THE MEETING

Date: November 16, 2017 at 8:30 AM

Place: 4900 Alameda Blvd. NE, Albuquerque, NM 87113

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 Marlo Aragon

<i>AGENDA ITEM</i>	<i>TRANSCRIPT PAGE NUMBER(S)</i>	<i>DISCUSSION / CONCLUSIONS / RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
Call to Order and Roll Call	00:17 to 00:26	Meeting called to order by Chairman Willis. Roll call was taken by NMRC Paralegal Tina Arce. Assistant Attorney General Marlo Aragon the NMRC General Counsel was present.	No Action Taken.
Approval of Agenda	00:34 to 00:51	Chairman Willis asked Executive Director Ismael Trejo if there were any changes to the Agenda. Executive Director Ismael Trejo asked for no changes.	Motion to approve by Vice-Chairman McCulloch; Second Commissioner Cosper. Motion carried without objections or abstentions.
Minutes- October 12, 2017	00:55 to 1:08	Chairman Willis requested a motion to approve the minutes of the October 12, 2017 Regular Commission Meeting.	Motion to approve by Vice-Chairman McCulloch; Second by Commissioner Cosper. Motion carried without objections or abstentions.
Chairman's Agenda	01:13 to 01:23	Chairman Willis stated there were no Committee meetings in the month of November.	No Action Taken
NMHBA Report Breeders Report	001.26 to	Anna Fay Davis, Executive Director of the New Mexico Horse	No Action Taken

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	04:17	<p>Breeders started with the race a day report as follows:</p> <p>Zia Park through Tuesday, November 7, 2017: 148 NM Bred Races in 36 days with 93 TB overnight; 33 QH overnight, 10 QH trials, 8 TB stakes, 4 QH stakes for an average of 4.11 % per day.</p> <p>New Mexico Breds in open overnight races: Downs at Albuquerque; in 22 days, 145 NM breds ran in open overnight; Out of these 145, 50 NM Breds came in 1st, 2nd and 3rd, 18 TB and 32 QH 34%, wire transferred \$46,832.00.</p>	
<p>NMHA Horsemen's Report</p>	04:19 to 018:51	<p>Pat Bingham, Executive Director of the NMHA started by congratulating Matt Crawford for the excellent job at Zia Park. The Board amended it's by laws for electronic voting from each track's committees starting at the Sunland Park meet. There is a problem with Worker's Compensation and there may be rate hikes next year, and the NMHA is looking to help lower those rates and will propose something to the Commission next year to take something out of the purses. NMHA would like all horses to be tested by hair, including thoroughbreds. Economic impact study has still not been presented to the NMHA, when they receive it they will share it with the Commission. There is a problem with horses that get moved to a different jurisdiction and are still on the 60 day time-out list. The NMHA is receiving complaints that the horses are not able to get off the list in other jurisdictions. The NMHA does not agree with the change in the Nomination Blanks for Sunland Park. Susan Vescovo commented that the NMHA does not want the owners to pay for any testing.</p>	No Action Taken

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NMRC Executive Director Report	018:52 to 034:23	Ismael Trejo, Executive Director for NMRC opened by reporting that he was in Iowa speaking before the Racing Council and others about New Mexico's experience with hair testing. Mr. Trejo will be traveling this month to Sunland and to Arizona to the Global Symposium on racing to give a speech. There were no findings on the NMRC FY 17 audit by the State Auditor. Chairman Willis asked Mr. Trejo about the testing fund and to explain to Ms. Vescovo where the funds are. Mr. Trejo explained that the funds are all dependant on pari-mutual handle. Commissioner Corazza would like the NMRC to meet with the NMHA regarding hair testing and protocols. There will be a meeting of all of the labs that Commissioner Blach will be attending. Chairman Willis asked Mr. Trejo if the NMRC is working on the problem with getting the horses off of the Steward's list. Mr. Trejo answered that he has been in contact with several jurisdictions. There was a discussion with the Commissioners and Mr. Trejo regarding getting the horses off of the Steward's list in other jurisdictions.	No Action Taken
Ratification of Approval of Dr. Taylor Replacing Dr. Anderson October 28-October 31	034:38 to 034:51	Chairman Willis called for the ratification of Dr. Taylor replacing Dr. Anderson from October 28, 2017 to October 31, 2017.	Motion to ratify approval by Commissioner Blach; Second by Vice-Chairman McCulloch. Motions carried with no objections and abstentions.
Approval of Sunland Park 2017-2018 Official Veterinarian	034:37 to 043:51	Chairman Willis called for approval of a Sunland Park 2017-2018 Official Veterinarian. Mr. Trejo commented that there was one bid for the Sunland Park Official Veterinarian. There was a question about Dr. Jones' RFP, whether it was a bid or a proposal. Rosa Silva was called into the meeting to explain the bid process before the Commission voted. Rosa Silva explained that Dr. Jones did not complete the RFP process and submit a valid RFP.	Motion to approve Dr. Taylor by Chairman Willis; Second by Commissioner Cosper. Motion carried with no objections and abstentions.


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Approval of Sunland Park Stewards for 2017-2018	044:00 to 048:58	Chairman Willis called for approval of the Sunland Park Stewards for 2017-2018 meet.	Motion to approve by Vice-Chairman McCulloch; Second by Commissioner Blach. Motions carried with no objections.
Approval of First Half of 2018 NMRC Regular Commission Meeting Dates	045:00 to 051:00	Chairman Willis called for approval of the First Half of 2018 NMRC Regular Commission Meeting Dates. There was a question as to what time the meetings should start, it was decided to keep the start time of 8:30am except for when there is travel.	Motion to approve as presented Chairman Willis; Second by Vice-Chairman McCulloch. Motion carried with no objections and abstentions.
Approval of SunRay Park Stake Schedule Stall Application NM Breeders Nomination Form Four Corners Nomination Form Gaming and Breakage	051:08 to 054:04	Lonnie Barber, of SunRay Park requested approval of their Stake Schedule, Stall application, NM Breeder's Nomination Form, Four Corners Nomination Form and Gaming and Breakage.	Motion to approve Stakes by Vice-Chairman McCulloch; Second by Commissioner Blach. Motion to approve Stall App Commissioner Blach; Second Vice-Chairman McCulloch. Motion to approve Nomination Blanks Vice-Chairman McCulloch; Second Commissioner Cosper. Motion to approve Gaming and Breakage Commissioner Blach; Second Commissioner Cosper. Motions carried with no objections and abstentions.
Approval of Sunland Park 2017-2018 Officials Ratification of Change to Nomination Blanks and Condition Book	054:12 to 01:03:46	Dustin Dix, of Sunland Park requested approval of their 2017-2018 Officials and to ratify a change to their Nomination blanks and Condition book. Sunland Park is asking for a \$100 fee for testing all of their entrants on all of their trials for hair testing and any additional money would go to the equine testing fund. If any horsemen have any issue with this and do not want to run in the trials, they will get a refund. Sunland Park will notify the horsemen on their website and on their overnights of this \$100 fee.	Motion to approve Officials Vice-Chairman McCulloch; Second by Commissioner Blach. Motion to ratify approval of change in Nom blanks and Condition book by Vice-Chairman McCulloch; Second Commissioner Cosper. Motions carried with no objections and abstentions.

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Approval for Downs at Albuquerque Third Quarter 2017 Simulcast Expense Adjustment	01:03:48 to 01:05:37	Don Cook, of the Downs at Albuquerque requested approval of their Third Quarter 2017 Simulcast Expense Adjustment as submitted.	Motion to approve by Vice-Chairman McCulloch; Second by Commissioner Blach. Motion carried with no objections and abstentions.
Approval for Ruidoso Downs Ratification of Change to Nomination Blanks for Ruidoso, Rainbow and All American Futurities	01:08:56 to 01:20:01	Jeff True, of Ruidoso Downs requested ratification of change to Nomination Blanks for Ruidoso, Rainbow and All American Futurities. Mr. True explained that there will be a lot of upgrades at Ruidoso Downs, starting with the roof.	Motion to ratify approval by Vice-Chairman McCulloch; Second by Commissioner Cosper. Motion carried with no objections and abstentions.
Public Comment	01:20:07 to 01:26:20	Susan Vescovo commented that it would be a good idea to test horses on the Steward's list randomly. Ms. Vescovo asked a question regarding how they perform the hair testing. Don Cook answered that Texas A&M tests in a crystal form. There was a discussion regarding hair testing. Commissioner Corazza updated the Commission regarding Clenbuterol. The Board of Pharmacy upgraded Clenbuterol to a Class 3 controlled substance.	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))	01:26:22 to 01:27:56	Chairman Willis called for a motion to go into Closed Executive Session to discuss items 7A, 7B, 7C, 7D. Roll call was taken with all present. Executive Director Trejo was asked to remain in Executive Session.	Motion to go into Executive Session by Chairman Willis; Second by Commissioner Cosper. Motion carried without objections or abstentions.
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))	<u>Track 2</u> 00:00 to 00:26	Chairman Willis called to come out of closed session with the only matters discussed being 7A, 7B, 7C, 7D.	Motion to come out of Closed Session by Chairman Willis.

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In the Matter of Armando Orozco Settlement Agreement	00:28 to 001:49	Marlo Aragon, General counsel to the NMRC stated that the Commission would like to accept the settlement agreement. The agreement requires a \$8,000 fine, 1 year suspension, loss of purse for the race, take the trainer's test, and respondent shall come before Commission before he receives his license. Susan Vescovo asked what drug this settlement agreement was for, and it was for Zilpaterol.	Motion to approve by Commissioner Cosper; Second by Vice-Chairman McCulloch. Motion carried without objections or abstentions.
In the Matter of Guadalupe Chavez Settlement Agreement	01:24 to 03:39	Marlo Aragon, General counsel to the NMRC stated that the Commission would like to accept the settlement agreement. The agreement requires a \$15,000 fine, 3 year suspension, loss of purse for both races, take the trainer's test and pass, and respondent shall come before the Commission before he receives his license.	Motion to approve by Vice-Chairman McCulloch; Second by Commissioner Cosper. Motion carried without objections or abstentions.
In the Matter of Matt Crawford Secondary Application	03:39 to 04:17	Marlo Aragon, General counsel to the NMRC stated that the Commission would like to accept the Secondary Application.	Motion to approve by Vice-Chairman McCulloch; Second by Commissioner Blach. Motion carried without objections or abstentions.
In the Matter of SunRay Park Licensing	04:18 to 04:50	Marlo Aragon, General counsel to the NMRC stated that the Commission would like to accept SunRay Park's report on their audit.	Motion to approve by Vice-Chairman McCulloch; Second by Commissioner Cosper. Motion carried without objections or abstentions.
Adjournment	04:54 to 04:56	Chairman Willis called for a motion to adjourn.	Motion to adjourn by Commissioner Corazza; Second by Vice-Chairman McCulloch. Motion carried.


Chairman Ray Willis

Date


Executive Director Ismael Trejo

Date