

NEW MEXICO HORSE RACING COMMISSION
MINUTES OF THE REGULAR MEETING

Date: February 20, 2020 at 9:00 AM

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

Members Present: Chairwoman Beverly Bourguet, Commissioner Ken Corazza, Commissioner John Buffington and Commissioner Billy Smith.

Members Absent: David "Hossie" Sanchez

NMRC Staff Participating: Executive Director Ismael Trejo and Paralegal Denise Chavez.

Others Present/Participating: Assistant Attorney General Delilah Tenorio and Assistant Attorney General Valerie Joe

AGENDA ITEM	Recording #	DISCUSSION / CONCLUSIONS / RECOMMENDATIONS	ACTION TAKEN
Public Session: 1. Call to Order and Roll Call	0:44 – 1:06	Meeting called to order by Chairwoman Bourguet. Roll call was taken by Denise Chavez. Assistant Attorney General Delilah Tenorio was present.	No Action Taken.
2. Pledge of Allegiance	01:24 – 01:35		Pledge of Allegiance was recited.
3. Approval of Agenda	01:45 – 04:13	Chairwoman Bourguet asked if there were any changes to be made to the Agenda. Director Trejo made the following changes to the Agenda: Change to Item 7.(D)(2) should be Approval of 2020 Racing Officials; Also amended Items 6.(B) 1. Ruidoso Downs/House Bill 261 - NMHA, Executive Director, Richard Erhard corrected should be HB 271; 2. Visits to Sunland Park and 3. Downs at Albuquerque's Condition Book for 2020 Race Meet	Motion to adopt Agenda as amended by Commissioner Corazza. Commissioner Buffington second motion. Motion passed unanimously.

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4. Approval of Minutes: A. November 21, 2019	04:17 – 04:33	Chairwoman Bourguet requested a motion to approve the minutes of the January 16, 2020 Regular Meeting.	Motion to approve January 16, 2020 minutes by Commissioner Buffington; Second by Commissioner Smith. Motion passed unanimously.
5. Chairwoman's Report	04:35 – 10:12	<ul style="list-style-type: none"> • Highway named after Mike Smith in Dexter, New Mexico • All Commissioners were confirmed in Santa Fe, NM • Chairman Bourguet talked about the progress made at the two meetings on February 19, 2020 (Rules & Medication Committee Meeting – Commissioner Corazza commented that it was a good discussion for the industry and the Race Dates Committee Meeting – Commissioner Buffington was happy with the discussions had as a result of this meeting. It was a positive first step) • ORI Conference upcoming to be held at the DAA. Thank you to Don Cook for hosting this and Leasa Johnson for organizing the Conference. 	No Action Taken.
6. Agency Director Reports: A. NMHBA	10:27 – 26:11	Mary Barber, Executive Director of the New Mexico Horse Breeders Association, presented the Race a	No Action Taken.

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		<p>Day Report for Sunland Park through Tuesday, February 11, 2020 stating that they ran 120 NM Bred Races in 28 days. In overnight races, the NMHBA contributed \$340,500; in the five Thoroughbred races the NMHBA contributed \$250,000 and for their Quarter horse stake races they contributed \$215,000. This was \$151,000 more than in 2019. During the Sunland Park meet they averaged 4.29 NM Bred races per day and plus 36 for the required three a day.</p> <ul style="list-style-type: none"> • Discussion including Dustin Dix of Sunland Park to run more QH races in 2019-2020 season than 2018-2019 season. • Discussion on how to improve TB Stock • Commissioner Smith thinks that discussions needs to happen regarding split meets • Mary Barber reported that their annual meeting was held on January 30, 2020 – results were: Tom Goncharoff was re-elected as President; Mike Logan is 1st Vice-President; and Jay Taylor 2nd Vice-President. 	
B. NMHA Report	26:30 – 34:14	<p>Executive Director of NMHA, Richard Erhard made his presentation:</p> <ul style="list-style-type: none"> • Congratulation to the Commissioners and their confirmation for this Commission • He was sorry to report HB 271 did not pass, however, commended Jeff True for heading that bill 	No Action Taken.

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		<ul style="list-style-type: none"> • He reported meeting between the Horsemen Association Committee and track management of Sunland Park, Downs at Albuquerque and Ruidoso Downs – positive discussions regarding Conditions Books and Purse Structure. • 2020 Race Dates Committee Meeting held yesterday produced healthy discussions and the need for a 3-5 year strategic plan for certainty for all involved. • A follow-up “unofficial meeting” was had with Tom Goncharoff, Lonnie Barber and Brad Boehm mostly discussing marketing as the horse racing industry. Getting stake holders from California to come to New Mexico. 	
C. NMRC Executive Director’s Report	35:40 – 47:29	<p>Director Trejo presented the following:</p> <ul style="list-style-type: none"> • Congratulated the Commissioners on their confirmation. • ORI Conference is on Sunday, February 23, 2020 at 6:00 p.m. Thanked Don Cook and Paul Blanchard for hosting the conference. Also thanked SunRay, Zia and Sunland Park for sponsoring some of the events at the conference. • Dr. Waterman assisted with the statistics of recent drug violation results. Happy to report that even though the trend indicates a significant increase in testing, there is a decline in violations. The RC will vigorously 	No Action Taken

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		<p>work on getting the bad people out of the industry.</p> <ul style="list-style-type: none"> • Next week to Remington Park in Oklahoma City to give a presentation • Mention of Sunland Park and how well they are doing. • Discussion regarding the weekend's drug violation tests, need tracks' help, need to bar horses not just the owners and/or trainers. Commissioner Smith asked if we will ever get to the point of hair testing and penalize the trainer. For right now we will work on a case-by-case. We are headed in that direction 	


<p>2. Approval for 2020 Nomination Forms for Hobbs America Derby and Futurity</p>	<p>1:20:04 – 1:20:42</p>	<p>only); and 3) they will no longer take credit cards for payment. Horsemen and Breeders approved.</p> <p>Mr. Hopf requested approval for the 2020 Nomination Form for the Hobbs America Derby and 2020 Hobbs America Futurity. There were only 3 changes made: 1) the derby will run at 400 yards and the futurity will run at 350 yards; 2) the payment schedule (dates only); and 3) they will no longer take credit cards for payment. Horsemen and Breeders approved.</p> <ul style="list-style-type: none"> • Corazza expressed concern on the weight of the jockeys. Mr. Trejo explained that Mr. Hopf is not from this jurisdiction and is not sure that he was in the loop when the rule of the jockey minimum weights for QH were passed. Mr. Hopf was not aware of any changes • Mr. Hopf confirmed of the first \$200 nomination payment on the Hobbs America Derby nomination form was made. This is correct, same as last year and not a typo. 	<p>Smith. Motion passed unanimously.</p> <p>Motion made to approve Hobbs America Futurity Nomination form by Commissioner Buffington. Second by Commissioner Smith. Motion passed unanimously.</p>
<p>D. Approval for Ruidoso Downs 1. Approval of 2020 Condition Book</p>	<p>1:02:48 – 1:20:00</p>	<p>Mr. True asked for approval of initial 2020 Condition Book.</p> <ul style="list-style-type: none"> • Opening weekend will be Ruidoso Futurity and Derby Trials 	<p>Motion made to approve by Commissioner Buffington. Second</p>

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J. Public Comment	1:34:45 – 1:39:50	Leslie Fincher: <ul style="list-style-type: none"> Reason we run QH early is because most tracks (eastern tracks especially and simulcast) won't take QHs. Part of the reason why the selectiveness of running them early. The Downs, she thinks they run theirs last because of the two-hour difference plus the lighting situation isn't the greatest. Condition books are getting far too complicated. Keep it simple. Challenge races – Are the horsemen aware that all the money going to their purses are coming out of their purse account. What good is it having "good" purses when a person can't run their horse. 	No Action Taken.
Closed: Executive Session	1:39:55 - End	Roll call vote to go into Executive Session taken by Denise Chavez.	Chairwoman moved to go into Executive Session.
Open Session Resumes	Recording - (Part 2) 01:35 – 02:00	Chairwoman Bourguet announced the Commission was now in open session and affirmed that the Commission discussed only those matters specified in the motion to close the meeting in accordance with Section 10-15-1 (J). Roll Call was taken by Denise Chavez.	No Action Taken.


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8. Licensing/Pending Litigation/Appeals/Hearing officer Reports/Employment Contracts: A. In the Matter of Dallas Jay Barton	02:00 -02:28	AAG Tenorio stated that the Commission would like to entertain a motion to table the adoption of the Hearing Officer's Report so that General Counsel may have an opportunity to review the Hearing Officer's Report and transcript.	All voted. Motion passed unanimously.
B. In the Matter of Joel Valeriano & Owner Javier Rodriguez (update and presentment of Board Order) C. In the Matter of Isidro Rodriguez (Race Appeal)	02:30 – 03:30 03:34 – 03:55	Assistant Attorney General Tenorio stated Commission would like to entertain a motion to adopt the Hearing Officer's Report and include that the Commission has reviewed and considered the mitigating circumstances presented by the Hearing Officer and concludes that those circumstances raised do NOT warrant a change in the fine amount and penalty recommended by the Hearing Officer. AAG Tenorio is requesting a motion so that the Commission would like entertain a motion to uphold the recommendation of the Race Review Committee to keep the race order the same.	So Moved. Commissioner Corazza seconded motion. Motion passed unanimously. So Moved by Chairwoman Bourguet. Second by Commissioner Buffington. Motion passed unanimously.

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D. In the Matter of Bertha Irigoyen (Race Appeal)	03:37 -04:17	AAG Tenorio is requesting a motion so that the Commission would like entertain a motion to uphold the recommendation of the Race Review Committee to keep the race order the same.	So Moved by Chairwoman Bourguet. Second by Commissioner Smith. Motion passed unanimously.
E. In the Matter of Fred Danley (Race Appeal – October 26, 2019)	04:20 -04:42	AAG Tenorio is requesting a motion so that the Commission would like entertain a motion to uphold the recommendation of the Race Review Committee to keep the race order the same.	So Moved by Chairwoman Bourguet. Second by Commissioner Smith. Motion passed unanimously.
F. In the Matter of Fred Danley (Race Appeal – December 8, 2019)	04:44 – 05:04	AAG Tenorio is requesting a motion so that the Commission would like entertain a motion to uphold the recommendation of the Race Review Committee to keep the race order the same.	So Moved by Chairwoman Bourguet. Second by Commissioner Smith. Motion passed unanimously.
G. Esteban Martinez (Licensing)	05:06 – 05:26	AAG Tenorio noted that Esteban Martinez was a no show and asked for the Commission for a motion to close this matter because Mr. Martinez did not appear.	So Moved by Chairwoman Bourguet. Second by Commissioner Smith. Motion passed unanimously.

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H. Jose Luis Enriquez (Licensing)	05:30 – 05:52	AAG Tenorio requested a motion to table this matter until the next Commission meeting so that Mr. Enriquez can have an interpreter present.	So Moved by Chairwoman Bourguet. Second by Commissioner Smith. Motion passed unanimously.
I. Zia (Update)	05:55 – 06:24	AAG Tenorio requested a motion to direct General Counsel and Executive Director Trejo to draft a letter to the NMHA and Zia Park directing them to discuss issues related to the Horsemen and Track Management.	So Moved by Chairwoman Bourguet. Second by Commissioner Smith. Motion passed unanimously.
9. Adjournment	09:21 – 09:23	Chairwoman Bourguet called for a motion to adjourn. The meeting adjourned at 12:33 PM.	Motion was made to adjourn meeting by Commissioner Corazza. Second by Commissioner Sanchez. Motion passed unanimously.


 Chairman Sam Bregman

4/8/21
 Date


 Executive Director Ismael Trejo

4-8-21
 Date