

**NEW MEXICO HORSE RACING COMMISSION**  
**MINUTES OF THE REGULAR MEETING**

Date: August 19, 2021, at 9:00 a.m.

Place: NMRC Boardroom; 4900 Alameda Blvd., NE, Albuquerque, NM and Zoom Video Conference – Meeting ID: 819 0689 4928

Members Present: Chairman Sam Bregman, Vice-Chairman David “Hossie” Sanchez, Commissioner John Buffington and Commissioner Billy Smith.

NMRC Staff Participating: Executive Director Ismael Trejo, In-House Counsel Richard Bustamante and Paralegal Denise Chavez.

Also Present by Zoom: Assistant Attorney General Delilah Tenorio.

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
<b>Public Session 1:</b> <b>1. Call to Order and Roll Call</b>		Meeting called to order at 9:05 a.m. by Chairman Bregman. Roll call was taken by Denise Chavez. Executive Director Ismael Trejo, In-House Counsel Richard Bustamante and Paralegal, Denise Chavez were also present. Assistant Attorney General Delilah Tenorio was present via Zoom.	No Action Taken.
<b>2. Pledge of Allegiance</b>	1:43 – 1:58		Pledge of Allegiance was recited.
<b>3. Approval of Agenda</b>	2:03 – 2:40	Chairman Bregman asked if there were any changes to the Agenda. There were no changes.	Motion to adopt the Agenda made by Commissioner Smith. Commissioner Buffington seconded the motion. Motion

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			passed unanimously by roll call vote.
<b>4. Approval of Minutes:</b> July 22, 2021	2:42 – 3:16	Chairman Bregman asked if the minutes for the July 22, 2021, meeting were reviewed and if there were any changes. There were none.	Motion to approve the minutes from the Regular Commission Meeting on July 22, 2021, made by Commissioner Smith; Seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.
<b>5. Chairman's Reports</b>	3:18 – 5:55	<ul style="list-style-type: none"> <li>Chairman Bregman thanked NMRC staff and fellow Commissioners for all their hard work. He also thanked the Stewards who are currently working at two tracks.</li> <li>Chairman Bregman recognized Don Cook. He said opening weekend at the Downs at Albuquerque was great and Mr. Cook did a great job getting that meet up and running.</li> <li>Chairman Bregman also recognized Mr. Ethan Linder of Ruidoso Downs. Great job there as the purses continue to increase.</li> <li>Chairman Bregman thanked all involved in horseracing in NM. He encouraged everyone to attend the races.</li> </ul>	No Action Taken.
<b>6. Agency Director Reports:</b> <b>A. NMHBA Report</b>	6:01 – 8:13	Ms. Mary Barber presented the Race-A-Day Report for Ruidoso Downs through Sunday, August 8, 2021, stating they ran 125 NM Bred	No Action Taken.

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B. Jockey's Guild Report	8:17 – 9:33	<p>Races in 34 days. In overnight races, the NMHBA contributed \$465,500, which is \$14,750 less than in 2020. They averaged 3.68 NM Bred per day, +23 for three a day. Ms. Barber reported the Zia Festival went really well and she thanked Ruidoso Downs for its hospitality. She also announced the NM Bred sale is this weekend and encouraged everyone to show up.</p> <p>Executive Director Trejo spoke on behalf of John Beech. Mr. Beech reported everything is fantastic at Ruidoso Downs, and everyone is very happy with the increases in purses. He said everything was great at the Downs at Albuquerque opening weekend. Finally, he advised the tracks are safe, and the jockeys are very happy to be running.</p>	No Action Taken.
C. NMRC Executive Director Report	9:35 – 13:59	<ul style="list-style-type: none"> <li>Executive Director Trejo reported it has been an interesting couple of months. NM finally received approval for the hiring of three Stewards for the DAA at the very last minute. Executive Director Trejo introduced Mr. Dave Hooper (the Presiding Steward at DAA) who was present for the meeting.</li> <li>Director Trejo reported he is hoping to bring in some young talent as Stewards given Mr. Victor Escobar has moved with his family to Oklahoma and Steward Ron Walker will be retiring in December of this</li> </ul>	No Action Taken.

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		<p>year. Losing these two Stewards is a tough hit to the New Mexico racing industry.</p> <ul style="list-style-type: none"> <li>• Director Trejo reported the inspection at the Downs at Albuquerque went well. The barns are in decent shape and the track surface is also in great shape.</li> <li>• Opening night at the Downs at Albuquerque went well. The crowd on opening night was posted as just under 6,000.</li> <li>• Ruidoso Downs continues to increase its pari-mutuel growth in comparison to 2019. As of this week, handle is up 94% off track and 16% on track for an overall increase of 63%.</li> <li>• HISA was the discussion point earlier this week at Saratoga. The biggest takeaway from this discussion, as reported by some in attendance, was that “the new program will not be cheap, and the Blue Bloods want us all out of the game so they can monopolize it.”</li> </ul>	
7. Public Comments:	14:02 – 14:39	Ms. Denise Chavez received zero (0) Public Comments. There was one person physically present in the meeting (Ms. Leslie Fincher) and she declined the opportunity to make a public comment.	No Action Taken.

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<b>Executive Session: entered at 9:23 AM</b>	14:40 – end	Chairman Bregman called for a motion to enter into Executive Session to discuss the items listed on the Agenda, pursuant to Sections 10-15-1H(1), H(3) and H(7) of the Open Meetings Act authorizing closed sessions for matters related to issuance, suspensions, renewal or revocation of a license; deliberations on adjudicatory proceedings and pending or threatened litigation.	Commissioner Smith moved to enter into Executive Session. Commissioner Buffington seconded the motion. Motion passed unanimously by roll call vote.
<b>Back into Open Session: 10:19 AM</b>			
<b>8. Licensing/Pending Litigation/Appeals/Hearing Officer's Reports/Employment Contracts</b>	<b>2<sup>nd</sup> Recording 0:21 – 0:49</b>		
A. NMHA (Pending Litigation)	0:50 – 1:04	In-House Counsel Bustamante reported this matter was an update provided by him to the Commission. No action was taken.	No Action Taken.
B. Gerry Sigman (Licensing)	1:05 – 1:31	In-House Counsel Bustamante reported the background check for Ms. Gerry Sigman, of Ruidoso Downs, was reported to the Commission by Gaming Control staff and Ms. Sigman passed her background check. Therefore, Ms. Sigman has completed her application for a secondary license with the NMRC.	No Action Taken.
C. Ethan Linder (Licensing)	1:32 – 1:56	In-House Counsel Bustamante reported the background check for Mr. Ethan Linder, of Ruidoso Downs, was reported to the Commission by Gaming Control staff, and Mr. Linder passed his background check. Therefore, Mr. Linder has	No Action Taken.

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		completed his application for a secondary license with the NMRC.	
<b>9. Unfinished/New Business and/or Action Items</b>			
<b>A. Approval of 2021 Stewards for Zia Park</b>	2:02 – 2:46	Executive Director Trejo requested approval of the 2021 Stewards for Zia Park. Those Stewards are: Mr. Ron Walker, Presiding Steward, Mr. Reese “Rug” Howard and Mr. Reuben Rivera.	Motion to approve the 2021 Stewards for Zia Park made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.
<b>B. Ratification of Approval of 2021 Stewards for the Downs at Albuquerque</b>	2:52 – 3:33	Executive Director Trejo requested ratification of the approval of 2021 Stewards for the Downs at Albuquerque.	Motion to ratify the approval of the 2021 Stewards for the Downs at Albuquerque made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.
<b>C. Approval of FY23 NMRC Appropriation Budget</b>	3:34 – 8:55	NMRC CFO, Ms. Amber Trujillo presented the Preliminary FY23 NMRC Appropriation Budget.	Motion to approve the preliminary FY23 NMRC Appropriation

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		Other discussion about HISA and the effect this is going to have on the NMRC budget was had by the Commission.	Budget made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.
<b>D. Approvals for Sunland Park</b>		Mr. Dustin Dix thanked Executive Director Trejo for approving some of the items brought to the Commission's attention. The Nomination Blanks and Stall Application are on Sunland Park's website and ready for the horsemen to utilize. He also thanked the NMHBA for working with Sunland staff to get the stakes schedule and condition book together.	
1. Ratification of Approval of 2021-2022 Purse Schedule	9:00 – 12:07	Mr. Dix also requested ratification of approval of the 2021-2022 Purse Schedule. This is the last purse schedule Sunland Park had in 2019.	Motion to ratify the approval of the 2021-2022 Purse Schedule made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.
2. Ratification of Approval of the 2021-2022 Stakes Schedule	12:08 – 12:56	Mr. Dix requested ratification of approval of the 2021-2022 Stakes Schedule as submitted.	Motion to ratify the approval of the 2021-2022 Stakes Schedule made by

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3. Ratification of Approval of 2021-2022 Condition Book (Book #1)	12:57 – 13:53	Mr. Dix requested ratification of approval of the 2021-2022 Condition Book (Book #1). This is for the first 12 days of racing.	Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.  Motion to ratify the approval of the 2021-2022 Condition Book (Book #1) made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.
4. Ratification of Approval of 2022 Shue Fly Nomination Blanks 5. Ratification of Approval of 2022 West Texas Derby & Futurity Nomination Blanks 6. Ratification of Approval of 2022 West Texas Maturity Nomination Blanks 7. Ratification of Approval of 2022 New Mexican Spring Futurity Nomination Blanks	13:54 – 15:53	Mr. Dix requested ratification of approval of the 2022 Shue Fly Nomination Blanks. Chairman Bregman suggested all the 2022 Nomination Blanks presented by Sunland Park in Agenda Items 4-7 be approved in one motion. Mr. Dix and the Commissioners agreed.	Motion to ratify the approval of the 2022 Nomination Blanks as submitted for Sunland Park in Items 4-7 on the Agenda made by Commissioner Smith. Motion was seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.

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8. Approval of 2021-2022 Gaming & Breakage	15:54 – 16:46	Mr. Dix requested approval of the 2021-2022 Gaming & Breakage as submitted by NMHBA.	Motion to approve 2021-2022 Gaming & Breakage for Sunland Park made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.
<b>E. Approvals for Ruidoso Downs</b>			
1. Ratification of Approval of Variances on July 3 and 25, 2021	16:59 – 19:14	Mr. Ethan Linder requested ratification of approval of the variances on July 3 and 25, 2021. These variances were requested due to weather conditions (rain).	Motion to ratify the approval of the variances on July 3, 2021, and July 25, 2021, made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.
2. Ratification of Approval to Amend 2021 Purse Schedule	19:15 – 20:54	Mr. Linder requested ratification of approval to amend 2021 Purse Schedule for a 25% purse increase, as submitted.	Motion to ratify the approval to amend the 2021 Purse Schedule made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion

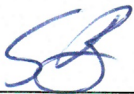
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3. Ratification of Approval to Run Up to 12 Races Beginning July 24, 2021, through the Remainder of the Race Meet	20:57 – 22:14	Mr. Linder requested ratification of approval to run up to 12 races beginning July 24, 2021, through the remainder of the race meet for Ruidoso Downs. Ruidoso was very successful at entry box in addition to the purse increases, and Mr. Linder asked if possible, whether Executive Director Trejo would allow the increase of race cards up to 12 races. Since that initial verbal approval, Ruidoso Downs has been able to run nearly 12 races every day when possible, in addition to the purse increases.	passed unanimously by roll call vote.  Motion to ratify the approval to run up to 12 races beginning July 24, 2021, through the remainder of the race meet made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.
4. Ratification of Approval of the Amended 2021 Post Times & Wagering Format for a 11 and 12 Race Card	22:15 – 23:05	Mr. Linder requested ratification of approval of the amended 2021 post times & wagering format for a 11 and 12 race card with adjusted post times, being able to run 11 or 12 races a day.	Motion to ratify the approval of the amended 2021 post times & wagering format for an 11 and 12 race card made by Commissioner S. Motion Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.

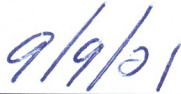
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5. Ratification of Approval to Amend 2021 Post Times on July 25, 2021	23:08 – 23:58	Mr. Linder requested ratification of the approval to amend the 2021 Post Times on July 25, 2021. This was the Rainbow Juvenile Futurity, and Ruidoso Downs asked to amend post time to allow for more entries.	Motion to ratify the approval to amend the 2021 Post Times on July 25, 2021, made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.
6. Ratification of Approval to Amend 2021 Stakes Schedule	24:00 – 25:05	Mr. Linder requested ratification of approval to amend the 2021 Stakes Schedule for Ruidoso Downs. Concerning the 870 Championship and the Jess Burner Stakes, requesting to run this race on August 28, 2021, instead of August 1.	Motion to ratify the approval to amend the 2021 Stakes Schedule for Ruidoso Downs made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.
7. Approval of Cancellation of Race Day September 3, 2021	25:07 – 26:52	Mr. Linder sought approval to cancel the September 3, 2021, race day. In prior years Ruidoso Downs has barely been able to meet requirements on this day. Requests were made to run additional races on Saturday and Sunday to make up for cancelled day.	Motion to approve cancelling September 3, 2021, race day made by Commissioner Sanchez. Motion seconded by

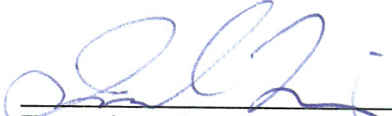
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8. Approval of 2022 All American Derby & Futurity Nomination Blanks	26:54 – 28:42	Mr. Linder requested approval of the 2022 All American Derby & Futurity Nomination Blanks. Only change is if the horse ranks 4 <sup>th</sup> , the horse will still qualify for the finals.	Commissioner Buffington. Motion passed unanimously by roll call vote.  Motion to approve the 2022 Nomination Blanks as submitted for Ruidoso Downs in Items 8-16 on the Agenda made by Commissioner Smith. Motion was seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.
9. Approval of 2022 Mountain Top TB Futurity Nomination Blanks 10. Approval of 2022 Mountain Top QH Derby & Futurity Nomination Blanks 11. Approval of 2022 Rainbow Derby & Futurity Nomination Blanks 12. Approval of 2022 Rio Grande Senor & Senorita Nomination Blanks 13. Approval of 2022 Ruidoso QH Derby & Futurity Nomination Blanks	28:45 – 31:49	Mr. Linder requested approval of the 2022 Mountain Top TB Futurity Nomination Blanks. Chairman Bregman suggested all the 2022 Nomination Blanks presented by Ruidoso Downs in Agenda Items 8-16 be approved in one motion. Mr. Linder and the Commissioners agreed.  Mountain Top was changed as far as timing to allow more time to enter.	Motion to approve the 2022 Nomination Blanks as submitted for Ruidoso Downs in Items 9-16 on the Agenda made by Commissioner Smith. Motion was seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.

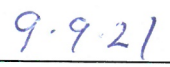
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<p>14. Approval of 2022 Ruidoso Maiden Stakes Nomination Blanks</p> <p>15. Approval of 2022 Zia Derby &amp; Futurity Nomination Blanks</p> <p>16. Approval of 2023 All American Triple Crown Nomination Blanks</p> <p><b>F. Approvals for Downs at Albuquerque</b></p> <p>1. Ratification of Approval to Amend 2021 Purse Schedule</p> <p>2. Approval of Amended 2021 Racing Officials</p>	<p>32:17 – 33:16</p> <p>33:55 – 34:45</p>	<p>Mr. Don Cook requested ratification of the approval to Amend the 2021 Purse Schedule for The Downs at Albuquerque. 10% increase across the board, excluding trials and stakes races.</p> <p>Mr. Cook requested approval of the amended 2021 Racing Officials and changing the Gate Crew List.</p>	<p>Motion to ratify the approval to amend the 2021 Purse Schedule made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.</p> <p>Motion to approve the amended 2021 Racing Officials for the Downs at Albuquerque made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion</p>

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			passed unanimously by roll call vote.
<b>10. Adjournment at 10:52 a.m.</b>	34:48 - end		

  
 Chairman Sam Bregman

  
 Date

  
 Executive Director Ismael Trejo

  
 Date