

NEW MEXICO HORSE RACING COMMISSION
MINUTES OF THE REGULAR MEETING

Date: July 21, 2022, at 9:00 a.m.

Place: Hall of Fame Room at Ruidoso Downs Racetrack and Casino; 26225 US-70, Ruidoso Downs, NM and Zoom Video Conference

Members Present: Chairman Sam Bregman, Vice-Chairman David “Hossie” Sanchez (via Zoom), Commissioner John Buffington, Commissioner Billy Smith, and Commissioner Margaret Branch.

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

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
Public Session 1: 1. Call to Order and Roll Call	0:05 – 0:44	Meeting called to order at 9:00 a.m. by Chairman Bregman. Roll call was taken by Denise Chavez. Vice-Chairman Hossie Sanchez was present virtually by Zoom. A quorum was present. Executive Director Ismael Trejo, In-House Counsel Richard Bustamante, and NMRC Law Clerk, Denise Chavez were also present.	No Action Taken.
2. Pledge of Allegiance	0:45 – 1:06		Pledge of Allegiance was recited.
3. Approval of Agenda	1:56 – 2:35	Chairman Bregman asked if there were any changes to the Agenda. No changes made to Agenda.	Motion to approve the Agenda as made by Commissioner Smith. Commissioner Buffington seconded the motion. Motion passed unanimously.

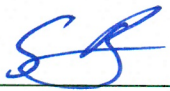
AGENDA ITEM	RECORDING #	DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS	ACTION TAKEN
		<ul style="list-style-type: none"> Chairman Bregman pointed out that this has been a busy month for the NM Racing Commission in terms of litigation. There was just an order from the District Court ordering the NMHA to turn over money that was not theirs to pay purses. This recent decision emphasizes the importance of the NMRC unrecognizing the NMHA as the official horsemen's group. The past few months as the NMHA was illegally withholding funds to pay the horsemen that win and should be getting paid. Chairman Bregman discussed HISA now that it is in effect since July 1, 2022. He reminded everyone that this is a continuing work in progress. Chairman Bregman finally thanked his fellow Commissioners for their love of horse racing and all their hard work they do for the industry in New Mexico. 	
6. Agency Director Reports: A. NMRC Report	7:32 – 12:00	<ul style="list-style-type: none"> Executive Director Trejo welcomed everyone who attended the meeting and thanked Rick Baugh, Ethan Linder and Staff for having us for this meeting. Executive Director Trejo pointed out that we have seen all the hard work that has recently gone on at the racetrack. Well done! Executive Director Trejo pointed out that the NMRC received a pile of papers from 	No Action Taken.

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
		<p>HISA for horses that have not been registered. Executive Director Trejo asked everyone to take care of business so that you are able to run your horses.</p> <ul style="list-style-type: none"> • Executive Director Trejo reported that the agency has been busy. The Out Of Competition testing is being done. The Agency goal is to test 1000 this calendar year. Executive Director Trejo pointed out that we feel that OOC program continues to have a positive effect on post-race tests. Hair tests also are part of the positive effects of the program. • Executive Director Trejo reported that the inspection at the DAA went well. He pointed out that there are still a few items that need attention but expects it to be ready for opening day. • Commissioner Smith asked Executive Director Trejo about all the paperwork received from HISA. He asked if any of the people that were cited in that pile have a problem, they should contact HISA, the NMRC has nothing to do with any of those received, correct? Executive Director Trejo confirmed that NMRC is simply the “middle man” for these citations and any issues and/or inquiries should go to HISA. 	No Action Taken.

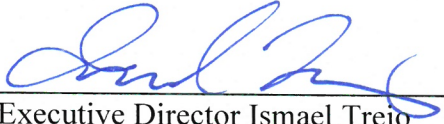
<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
B. NMHBA	12:06 – 20:30	<p>Mary Barber was not present today, so NMHBA's President, Thomas Goncharoff, presented today. Mr. Goncharoff did not go through the reports that Ms. Barber usually presents but he had a couple of announcements to make. The NMHBA were able to come up with a little bit more money to raise the purses. The Jamboree Party is on August 6. Invitations were just sent and all the Commissioners are invited to attend. This is the night that awards are given out for the championship races.</p> <p>Commissioner Smith spoke to Mr. Goncharoff about the problem with the horse population in New Mexico and asked the NMHBA to think about how they will handle this issue.</p>	
7. Public Comments:	20:35 – 22:00	<p>Chairman Bregman asked there was anyone in the audience that would like to make any comments, there were none.</p> <p>Chairman Bregman asked and confirmed with Ms. Chavez if there was anybody virtually who would like to make a public comment. There were none.</p>	No Action Taken.
8. Unfinished/New Business and/or Action Items	22:17 – 33:54	Mr. Linder introduced the Ruidoso Downs team. Mr. Linder commented on the negative/false information that came out recently regarding the horses being "wheeled" off the track. Mr. Linder	

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
<p>3. Ratification of Approval to Amend 2022 Wagering Format</p> <p>B. Approvals for Zia Park</p> <p>1. Approval to Amend 2022 Stakes Schedule</p>	34:00 – 35:24	<p>Mr. Rick Baugh requested ratification of approval to Amend 2022 Wagering Format on July 15, 2022 for Zia QH Futurity Trials</p> <p>Mr. Baugh reported as of last Sunday (7/17/22) total on-track handle was approximately half a million dollars. Ruidoso Downs' interstate handle was approximately \$114k, on-track was \$1.2 million dollars for a total handle of \$1.7 million dollars.</p> <p>Chris McErlean requested approval to amend 2022 Stakes Schedule for Zia Park. There was an error found – the James Issac Hobbs Stakes was listed twice and should have only been on October 9.</p>	<p>Motion to ratify the approval to amend 2022 wagering format on 7/15/22 made by Commissioner Smith. Motion Seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.</p> <p>Motion to approve to amend 2022 Stakes Schedule made by Commissioner Smith. Motion Seconded by Commissioner Buffington. Motion passed 4-0 by roll call vote.</p>
Executive Session: entered at 9:35 AM	35:25 – end	Chairman Bregman called for a motion to enter into executive session to discuss the items listed in 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.

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
Back into Open Session: 10:30 AM 9. Licensing/Pending Litigation/Appeals/Hearing Officer's Reports/Employment Contracts	2nd Recording		
A. NMHA (Pending Litigation)		This matter was a status update. No action was taken.	No Action Taken.
B. Coronado Partners v. NMRC (Pending Litigation)		This matter was a status update. No action was taken.	No Action Taken.
C. Amestoy v. NMRC (Pending Litigation)		This matter was a status update. No action was taken.	No Action Taken.
D. Alexander v. NMRC (Pending Litigation)		This matter was a status update. No action was taken.	No Action Taken.
E. Bolen v. NMRC (Pending Litigation)		This matter was a status update. No action was taken.	No Action Taken.
11. Adjournment at 10:35 AM			


 Chairman Sam Bregman

10/4/22
 Date


 Executive Director Ismael Trejo

10-4-22
 Date