

NEW MEXICO HORSE RACING COMMISSION
MINUTES OF THE REGULAR MEETING

Date: April 20, 2023, at 9:00 a.m.

Place: NMRC Boardroom; 4900 Alameda Blvd., NE, Albuquerque, NM and Zoom Video Conference – Meeting ID: 818 8056 1116

Members Present: 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 Law Clerk Denise Chavez.

Also Present: Deputy Attorney General Joseph Dworak

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
Public Session 1: I. Call to Order and Roll Call	0:00:05 – 0:00:39	Meeting called to order at 9:02 a.m. by Vice-Chairman Sanchez. Roll call was taken by Denise Chavez. Executive Director Ismael Trejo, In-House Counsel Richard Bustamante, Law Clerk Denise Chavez, and Assistant Attorney General Joseph Dworak were also present.	No Action Taken.
II. Pledge of Allegiance	0:00:41 – 0:00:56		Pledge of Allegiance was recited.
III. Approval of Agenda	0:01:05 – 0:01:26	Vice-Chairman Sanchez asked if there were any changes to the agenda today. There were no changes.	Motion to approve the agenda made by Commissioner Smith. Commissioner Buffington second the motion. Motion passed unanimously.
IV. Approval of Minutes: March 23, 2023	0:01:30 – 0:01:54		

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		Vice-Chairman Sanchez asked if the minutes for the March 26, 2023 meeting were reviewed and if there were any changes. There were no changes.	Motion to approve the minutes from March 23, 2023 meeting made by Commissioner Smith; Second by Commissioner Buffington. Motion passed unanimously.
V. Commissioners' Reports		<ul style="list-style-type: none"> No comments. 	No Action Taken.
VI. Agency Director Reports: A. NMRC Report	0:02:08 – 0:11:16	<ul style="list-style-type: none"> Executive Director Trejo reported that closing weekend at Sunland Park was great. The weather was beautiful. The handle on Sunland Derby day was not as great as pre-pandemic numbers, due to a number of reasons. However, kudos for great customer service that weekend. Executive Director Trejo discussed opening weekend at SunRay Park a couple of weeks ago. With the new management team at SunRay, they are going through growing pains, but they are doing the best they can. The parimutuel handle without the export signal is causing SunRay to not have eclipsed the \$80k barrier mark yet. He is hoping that next year SunRay will export. Executive Director Trejo reported meeting with HISA/HIWU this week to discuss 	No Action Taken.

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		<p>staffing capabilities of the agency. He believes that the racetracks will have to jump on and assist with this. There will be a meeting with HISA/HIWU and the racetracks following this meeting today.</p> <ul style="list-style-type: none"> • Executive Director Trejo reported that Dr. Mary Scollay, Chief of Science for HISA/HIWU will be present at Ruidoso Downs at 10:30 on May 18, 2023 at the sales pavilion to answer any questions that licensees may have regarding the new anti-doping program or any other questions. • Executive Director Trejo reported that the date for the inspection of the Ruidoso Downs Racetrack is still to be determined but will be coming up soon. We look forward to seeing all the new construction going on at Ruidoso Downs. • Vice-Chairman Sanchez asked Executive Director to introduce the new attorney sitting next to him. Executive Director Trejo introduced Deputy Attorney General Joe Dworak. Mr. Dworak introduced himself to the Commissioners and reported the Attorney General's office is in the process of hiring new attorneys, one of whom will begin working the first of next month and will be assigned to NMRC. He said there used to be multiple attorneys assigned to boards such as the NMRC, so 	No Action Taken.

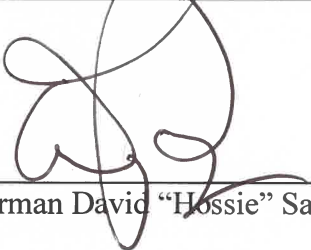

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B. NMHBA Report	<p>0:11:20 – 0:13:55</p> <p>0:13:57 – 0:14:55</p>	<p>that will be the case again with this new attorney.</p> <p>Mary Barber presented the Race-A-Day Report for Sunland Park through Sunday, April 2, 2023, stating it ran 224 NM Bred Races in 55 days. In overnight races, the NMHBA contributed \$2,321,500.00 which was \$77,000.00 less than in 2022. It averaged 4.08 NM Bred per day, +59 for three a day.</p> <p>Commissioner Smith said he didn't have any questions for Ms. Barber, but asked Executive Director Trejo, since Ms. Barber mentioned HISA, if there is going to be a problem with HISA from the time they test to the time they release purses. Executive Director Trejo reported the most recent stay has disrupted the normal flow of purse releases. He said once the stay is lifted in 30 days, the flow will return back to normal. The NMRC really wants to get those purses released but cannot until it is told to release the funds. Executive Director Trejo said, "ironically, it's the litigation brought on by the horsemen's lawsuit on a national level that has caused this delay. So, unfortunately, they are hurting their own horsemen."</p>	No Action Taken.
Executive Session: entered at 9:21 AM	0:15:08 – end	Vice-Chairman Sanchez called for a motion to enter into executive session. Commissioner Buffington moved for the Commission to enter into executive session to discuss the items listed in the agenda, pursuant to Sections 10-15-1H(1),	Motion to enter into Executive Session made by Commissioner Buffington.

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<p>B. Approvals for SunRay Park</p> <p>1. Request for Ratification of Approval to Amend 2023 Racing Officials</p>	0:04:25 – 0:05:06	Steve Fedunak of SunRay Park requested ratification of approval to amend 2023 Racing Officials as submitted.	<p>Buffington. Motion seconded by Commissioner Smith. Motion passed unanimously.</p> <p>Motion to ratify the approval to amend 2023 Officials made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.</p>
<p>C. Approvals for Sunland Park</p> <p>1. Request for Ratification of Approval to Amend Stakes Schedule on April 2, 2023</p>	0:05:17 – 0:05:47	Dustin Dix of Sunland Park requested ratification of approval to amend Sunland Park's Stakes Schedule on April 2, 2023. This was to NOT allow Lasix for the \$150k Sunland Park Handicap.	<p>Motion to ratify the approval to amend Sunland Park's Stakes Schedule on April 2, 2023 made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.</p>
<p>2. Request for Ratification of Approval to Amend 2022/23 Racing Officials</p>	0:05:50 – 0:06:15	Dustin Dix requested ratification of approval to amend Sunland Park's 2022/23 Racing Officials for Michelle Salazar to be the outrider for the remainder of the meet (March 18 – April 2).	<p>Motion to ratify the approval to amend 2022/23 Racing Officials made by</p>

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<p>3. Request for Ratification of Approval to Amend 2022/23 Post Times & Wagering Format</p>	<p>0:06:17 – 0:07:44</p>	<p>Dustin Dix requested ratification of approval to amend 2022/23 post times and wagering format for Sunland Park. The post times and wagering format were amended on Sunland Derby Day for the national tv coverage.</p>	<p>Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.</p>
	<p>0:07:51 – 0:09:00</p>	<p>Mr. Dix reported on Sunland Derby Day, Sunland had 4 open stakes: Sunland Derby, Sunland Oaks, Harry Henson, and the Bill Thomas. All 4 were won by local connections. This is great for the State of New Mexico. Mr. Dix wished Mr. Marr and Mr. Fincher good luck for the Kentucky Derby. Update for the meet: handle-wise, the on-track handle was down 1.04%. Off-track Sunland Park was down 15%. Overall Sunland Park was down 13%. On a race-by-race average Sunland Park was up on-track and down about 13% off-track because they ran 2 less races this year.</p>	<p>Motion to ratify the approval to amend 2022/23 post times and wagering format made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.</p>
<p>D. Approvals for Ruidoso Downs</p> <p>1. Request for Approval of 2023 Racing Officials</p>	<p>0:09:07 – 0:10:43</p>	<p>Rick Baugh of Ruidoso Downs requested approval of 2023 Racing Officials as submitted.</p>	<p>Motion to approve the 2023 Racing Officials made by Commissioner Smith. Motion seconded by Commissioner</p>

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E. Approvals for Zia Park	0:10:55 – 0:13:15	Chris McErlean of Zia Park introduced Lauren Barrows whom is the new Vice-President and General Manager for Zia Park. Ms. Barrows introduced herself to the Commissioners and discussed her first 3 weeks of observations in Hobbs, NM. Ms. Barrows has been in the gaming industry for about 25 years. She worked at Indiana Grand. She is really excited working with Penn and working in NM. She was welcomed by the Commissioners.	Buffington. Motion passed unanimously. No Action taken.
1. Request for Approval of 2023 Stakes Schedule	0:13:16 – 0:15:14	Chris of Zia Park requested approval of 2023 Stakes Schedule as submitted. Changes to the Stakes Schedule were: November 26, 27 and 28 were normally NM Classics, now they are being split in two days (one day all TBs and the other QHs). \$3.3 million dollar purses over those three-day stakes days. With regard to NM Stakes Days, with the help of NMHBA, these purses have been raised as well.	Motion to approve the 2023 Stakes Schedule made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.
2. Request for Approval of 2023 Nomination Blanks for NM Classic Derby & Futurity	0:15:15 – 0:16:00	Chris requested approval of 2023 Nomination Blanks for NM Classic Derby and Futurity. The added money was raised slightly, however, everything else is “status quo.” These will be raced on November 26, all QHs day.	Motion to approve 2023 Nomination Blanks for NM Classic Derby and Futurity made by Commissioner Smith. Motion seconded by

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F. Hearing Officer's Reports 1. IMO: Manuel Orozco	0:16:15 – 0:17:04	After review of the entire record and consideration of the NM Racing Commission appointed Hearing Officer's Report Findings of Fact, Conclusions of Law and Recommendation, the NM Racing Commission deliberated in open session.	<p>Commissioner Buffington. Motion passed unanimously.</p> <p>Motion to adopt the the Hearing Officer's Report Findings of Fact, Conclusions of Law and Recommendation made by Commissioner Buffington. Motion seconded by Commissioner Smith. Motion passed unanimously.</p>
IX. Adjournment at 12:23 PM	0:17:08 - end		


 Vice-Chairman David "Hossie" Sanchez
 
 Date


 Executive Director Ismael Trejo
 
 Date