

THE NEW MEXICO HORSEMEN'S ASSOCIATION
STATE BOARD MEETING
July 19, 2023

The NMHA State Board of Directors held a meeting on July 19, 2023, by Zoom conferencing and in Ruidoso at the office of Gary Mitchell. Paul Jensen, President called the meeting to order at 10:07 am, with the following in attendance:

Paul Jensen, President
Jose R. Gonzales Jr. Director
Larry Strain, Director
Tony Blea, Director
Susie Prather, Director

Jill Giles, Director
Steve Brown, Director
Pam Sena, Director
Tony Cappellucci, Director

Brenda Gabaldon, Terri Montoya, Jason Thompson, Mary Barber, David Lock, Donna McArthur, Maureen Fincher, Vanessa Alexander, Susan Vescovo, Joel Marr, Patrick Sanders, Dana Buechler, Simon Buechler, Harvey Baeza, Sandy McKenna, Tom McKenna, Bernadette Barrios, Rick Kloepfel, Leslie Fincher

Paul called the meeting or order at 10:07

Approval of the Agenda

Jill asked to move the approval of Bernadette Barrios for state board representative from SunRay up on the agenda so she can participate in the meeting. Pam said she also has someone who would like to replace Jay Rader on the board, Patrick Sanders. This does not have to be done in executive session. Tony Blea said that it is up to the committee who they want on the board, this has never been done like this before.

Bernadette and Patrick each gave a short bio about themselves.

Bernadette said she has been on the SunRay Park committee for 8 years as the Chairman. She has been in the racing business her whole life. I will be a good choice; I am not here for personal reasons. Racing keeps going down and I want to make a change. Racing is a dyeing breed and unity is contagious.

Patrick said he has been in the NM Bred program for 25 years. He wants to bring in a younger generation. Horsemen take care of Horsemen. We is willing to help anyone he can. He worked under Henry Dominguez. Race dates have gone down 50%. He has seen the uphill battles we have been through and will fight for everyone. He knows people think he is inexperienced but is willing to learn, we all learn every day. He will take on the challenge.

Jill made a motion to accept Jay Rader's resignation. Pam seconded. **Motion Passed.**

Jill said either one will be good. Her committee did vote for Bernadette, including Patrick. She will go with what her committee wanted but welcomes both SunRay needs all the help they can get. Pam asked Jill to keep everyone up to date and she does. Pam read the bylaws that you need a 2/3 vote, there are 9 here so 6. Pam confirmed with Gary that if there is no one elected then it will go back to the committee when it is sitting. Steve felt they both have experience.

Patrick has horses and breeds horses. Paul said we need younger people who will go after more days. Tony felt they are both qualified and could do the job. Paul finds it very interesting; he doesn't recall anyone wanting to be on the board.

Bernadette and Paul were asked to leave the room. A paper vote was taken. There was not 2/3 of the vote. It will go back to the committee when the meet is running live at SunRay Park.

Jill suggested that they alternate month to month, so SunRay Park is represented. Pam knows they both want to help and should come to the meeting to stay informed.

Jill can have a proxy.

Paul said we need to look up proxy voting in the bylaws.

Jill made a motion to approve the agenda with the following changes:

Move Bernadette up to start of meeting.

Under new business Pam added the Breeders weekend, Harvey Baeza, and Rick Kloeppel.

Pam seconded the motion. **Motion passed.**

Approval of the Minutes

Jose made a motion to approve the minutes. Steve seconded. **Motion passed.**

Approval of the June Financials

Jill went over the June financials. We spent \$15,000 in June, this included the \$3000 that Larry paid for the website, so really only spent \$12,000. We have gone done on utilities. Supplies are normal. Everything looks inline.

Ruidoso has stopped paying our 5% to medical. Brenda called the track and was told that Izzy told them they didn't have to pay for it anymore, that the other tracks were holding it in a trust. Gary is sending them a letter.

Pam made a motion to approve the financials. Larry seconded. **Motion passed.**

PAC Report – Jason Thompson

Jason said it has been a very slow month. Interim committees are meeting, and they are monitoring those that affect racing and gaming. Election season starts in 2024, all House and Senate seats. They are already starting to campaign. He will focus on this starting in the fall, it will be very important to meet with candidates.

Candy has gotten call from vendors regarding Senator Munoz bill that nonprofits have 154 machines. Gaming control is not interested in that right now. Jason will check on that and get back to her. Knows that a concern and sure it will be addressed in interim committees, that's when Gaming Control will go before them.

Jill feels we need to get away from the commission, we can't work with them. We need to go where the tracks are, we need these communities on board. How do we get it out to them? She has heard it is too late, we are already losing race days. Candy said that it is set in statue on how many days they must run. When the NMRC cuts days and the tracks run less days, they are in violation of state statue. We need to go the appropriation committee so the legislature can learn. Susan V. said the Bill was written to say 17 days we were running over 200 days. We need to clarify that was supposed to be just for the State Fair. Jose and Rick are on that. Rick said when he wrote the Bill Santa Fe was running. The Bill was tabled until the next year. The Horsemen were adamant for the 17 days, he didn't want to put in 17 days that's why it is that way. Pam asked why can't rewrite it. Rick said you can amend the bill with new language of what the

original consent was. He knew a hard number was going to affect us. Susan said the NMRC was going to require SunRay Park to run 60 days and Zia would also run 60 days. Pam asked when we needed to start working on this. Jose said he has been pushing this we need to get the ball rolling.

Jason said that this Legislative year is a budget/finance year. It is different than last year's structure. 30 days will have some constraints and restrictions unless the Governor issues a Bill to be sent down. Jason does not see the Governor doing that. Not sure it would have a fiscal impact. It is not impossible but would be very difficult. Pam realizes that but let's try and then be ready for 2025. She asked Candy if she could draft it. Jill said we don't want to wait until the last minute.

Harvey said why did the Commission approve the days because that is what the tracks wanted. Susan said that is what Izzy wanted. Pam said let's get a drafter and a committee to work on it. Cand said don't even put in the State Fair and 17 days. Rick said the simulcast bill is what has the 17 days. Jill said let's make a plan. Paul we will work on. Larry said we need to fix the gaps.

Mary Barber said the tracks need to run all year round. Susan said there was a lag between meets before the change had to be 3 days a week for Ruidoso. Now Rick Baugh said the meet starts when we enter. Now we have the gaps. Contradiction between Racing Commission and Gaming Control. Bernadette said that SunRay Park entered 30 days out and Zia Park enters 2 weeks out. Susan said the statue needs to be defined. Joel said the history shows we ran every week, that was the intent.

Sandy McKenna said we should picket in front of the casinos. Susan said the laws are too vague. Jose wants to make sure we are educating people. Candy said that she has carried bills in the past but then half the people go one way and half another and that's the problem. Paul said we all have to come together. Jose said we have proved we can do it. Jason said we had a great grass root effort, need to call your representatives. We direct access to them, invite them to your local committee meetings, to the track educate them. The more the better before the session starts. The more solidarity the better, breeders, track owners, horse owners, trainers etc. Jason said to call him whenever we need him. Steve said time is of the essence with racing in New Mexico. Do we have anything in the process? Paul said we need to get talking points out to everyone and have them call their representatives. He asked Pam and Susie to work on bullet points on the rules that are being violated. You can start before the next meeting getting this done. Rick and Susan could work with them. We can send out the bullet list once it is done. Paul said regarding race dates and gaps if illegal can include have to check with Gary.

Regarding a legal summary from the supreme court just stop putting things out.

Bernadette asked since Ruidoso is taking purse money from Zia Park does that change them from running 3 days a week to 4 days. No, it is based on their taxes. Joel said that sharing purse money is an illegal action. The tax bill we did during COVID said that purse sharing with another track was a onetime action. Susan said this can't happen. Larry feels they took us out of the equation. Joel said it's not their money. Steve wants people to know they did this.

President's Report Dr. Paul Jenson

Paul said the roundtable covered most of the things he was going to talk about. A lot of our actions are still on hold because of the lawsuits. The Board has been informed. It is ok to share with your committees. He thinks an information campaign will be great. He is committed. Our hands are tied because of legal stuff.

Report From Track Committees

Sunland Park

Jose said it has been very quiet. Paul said he tried to get rid of the purse money lawsuit, tried to have the tracks removed. The commission instructed the tracks not to let it drop. Even though we accomplished our purpose with SB 336. Steve, so the NMRC is not letting tracks drop it. Steve asked Candy what's cooking? She said the judges are not responding. Larry asked where we were with Ruidoso. Paul said that the Judge is not signing, he has two orders and has not signed either one. Larry asked how to approach this with Zia Park. Paul said it will be discussed in the executive session.

SunRay Park

Jill was told the casino is not doing too bad but simulcast isn't so great. Jill copied a post on the Breeder's Facebook page onto the SunRay page. Both she and Bernadette received calls from Lonnie and Steve to take it down or there would be lawsuits. The post said to contact the Racing commission and had their phone numbers and email addresses. Bernadette said their mission statement says they are the SunRay Park bulletin board. She said they were very nasty. The bookkeeper has mailed out all checks from SRP.

Ruidoso Downs

Pam told the board that Rick Baugh will no longer have memorial races. There is no free seating, and you also must pay to stand at the rail. There is a free-standing area past the finish line. HISA did an inspection of the track and did a soil sample. Jill said they filled half the potholes on the back side. There have been a lot of complaints that the vets are scratching too many horses. They will start running 12 races on the weekends.

Jill said they lowered the cost of a seat in the restaurant to \$10. Jose, you can't even watch your horses run. You can no longer share your seats with anyone, even if you own them. Owners can't take their kids to the paddock.

The public should know that the integrity fees paid for half of the remodel. Jill said that there are four toilets in the women's restroom, only one has a seat and there are no doors. Pam asked if you had called to complain. Dana said no one has bitched more than us. Candy said to make sure the "new committee" numbers are posted and ask if they are HIPA compliant. Larry was told they would check on it, but no one got back to us.

Candy said the first week there were 9 scratches. Keep calling be persistent. Rick will do his own thing even if it breaks the law. Trotter is a bully.

Candy said that the issue with the jockey club has been taken care of. They do not have to pay rent.

Simon said they will set the gates Friday, Saturday, and Sunday for TBs. Bernadette said you can't bring horses from outside. The Downs charges 8.50 a day and \$100 to go to the gate. She has 3 horses ready to get gated but can't come to Ruidoso. If Ruidoso makes rules for those that aren't here, we won't be able to enter, they make it so hard to be in racing. The tracks are united, we need to show them they need horseracing, we are stronger than they are.

The Downs @ Albuquerque

Tony said that he and Pam have been talking with Jose A. Jose has a good relationship with Don. He has let him calm down after the issue with the horse. Regarding the grooms, the fire

marshal is ok right now they found no violations. They only come around during the state fair. Bernadette said when she worked security they focused on cooking plates, BBQ grills and wanted beds off the floor. In all her years back there only saw 2 fires. Tony said we need to make it look like no one is back there. Don't overload the outlets. Manage your grooms. Put more responsibility on the grooms, don't post their stuff.

There is a vet there every day, emergencies only. Pam talked to Jose and said the fire marshal will be back before the state fair starts. Jill talked to Jose last night and he said Don has cooled down. Grooms in the tack rooms are still on the table. But he does plan on shutting down after the meet ends in October.

Pam asked about the simulcast contract. Tony said to leave it alone you can't make Don sign. Pam was told that WL Mooring will sign the contract. Tony said we just need to use HBPA more to shut down the signal. Pam said we tried. She has talked with Eric Hamelback, she will let him know about our meeting. We need to send him a press release. He can't tell other tracks to shut the signal, but they can do it on their own. We need to fight back.

Zia Park

Larry went to the track on Friday. He met with the new lady, Lauren. She is budgeting for advertising. She wants to let more people know the racetrack is there. They are painting right now and will have new TVs. She is really gung ho. She doesn't know much about racing takes lots of notes. She lives in Louisiana.

New Business/Discussion Items

Split tests

Jill feels we need to stop them. They put all the work on us, even what's wrong. We are doing their work. Jill read the NMAC rule 15.2.6.10. The hair tests that were sent to the laboratory thought they were approved to take them. Then we got a letter from the NMRC saying it was not an approved laboratory. The Commission is always the one holding it up. She feels like the owner or trainer need to take the split or they could designate the girls on their behalf. We let the NMRC set up the times, call the labs and collect the money. Paul said we are the representative it was used in the lawsuit. Even though they unrecognized us. We will discuss this with Gary in executive session.

Comments, concerns, questions

Jill thinks this is a great idea, be we aren't answering them. Susie said is anonymous. Jill feels we still need to answer them. She told Jose that was a great idea. He said he just wanted to get people involved. Jose said maybe post the questions to the website and answer the ones we can. Thought it would help with communication.

Larry asked who is auditing the slot money. We don't know.

Jill wants to bring the split test back next month and the comments every month.

Zia Weekend – Pam Sena

Mary Barber said the Breeders will be hosting a town hall at 10am on Saturday. Ralph Vincent will give a presentation. Everyone is invited to attend. There will be a party that evening at 7pm with awards at 8. Joel asked Mary about the \$50,000 TB Breed stake races and the amount the

Breeders are adding. He thinks these races should be \$100,000. Mary said they are trying to get back to a 50/50 policy. Their new policy for breed races will only match what the track puts in. Larry asked why the TBs money is less than QHs. The breeds are running for the same. They did add \$2000 more to the breed trials. The QHs run for \$10,000 and the TBs run for \$8,000. Joel urged the Breeders to write a letter to Rick and let him know that this is wrong. Mary said they did and that is why they have the new police. They had the same problem with SRP. Will match but not fund the breed races.

Harvey Baeza – Pam Sena

Pam introduced Harvey Baeza he would like to address the board. Mr. Baeza said he was here to collect \$825. He sent a split test to TX A&M as he was told they were an approved lab. Come to find out they were not approved but accepted the test. His owner said to tell the horsemen they owe us. In a nice way you do owe it to us, that money needs to be returned to the owners. We get no answers in this state, trainers can't speak out afraid of repercussions. They say nothing happens to the trainer, that's not true. We need to keep group together. No race days what do we do? I can't even run here. It is a losing cause, we are whipped. Can't run a business, it is a lost cause. I applaud you for trying but the legislature doesn't care.

Rick Kloepfel – Pam Sena

Rick said he was asked by Jose and Joel to attend. He has talked to the committees for years. You need to be in the front not the back. You did good but once the Bill was passed you never spoke up again. Tried to get things added to you Bill. He tried to help with ADW, but no one listened. Tracks are owned by outside entities, and we lose. Reduced days hurt the communities, restaurants, hotels etc. You need to talk to your Senators and Representatives. Our game is for the future. That is what we don't have now. We have lost opportunities. Jr. has tried and I will help. Rick said we need to let Legislators know they are in violation. Stop funding them. Larry said he told them in Hobbs to follow the law. Rick said he will work with Pam and Jr.

By Law Change

Pam brought up that the bylaws need to read that only the Executive Director, President or a sitting Board Member can sign the simulcast contract. Gary told her that was perfect. Jill maybe even 2 signatures. Paul said always the President and the Attorney. Susan said to add after the consensus vote of the board members. Pam will rewrite and table until the next meeting.

Social Media Update

Susie said social media is going good. Please share, like and give her suggestions. Paul said it looks good.

Public Comment

Round Table Discussion

Tom McKenna gave a short presentation. He sees no reason why we should not use the HBPA. He has contacted Rick about some of the issues he has. He thinks we should picket the sale at Ruidoso, that will get their attention. He also thinks we should put up billboards to promote racing in New Mexico. He would also like to see a copy of the Lease that Paul Blanchard has between the Downs at Albuquerque and the State Fair. He also feels that the Racing Commission should be doing more to stop match racing at illegal tracks. This brings in more

disease, drugs, and the Cartel. We need to get the word out. He also thinks that the NMHA needs to split the board between TBs and QHs. The QHs have plenty of representation, he doesn't like what he is seeing. No track committee should appoint the board. Sandy said we don't think any of you are bad. He said we need someone who can call the Governor.

Jill said Well I'm screwed I'm the only QH person. Paul thanked Tom.

Sandy McKenna said the business side won't be a business in a year. You need to rearrange the association, you have no income, this won't work. Pam and I wrote a letter for donations.

Owners pay the bills. We owners need to send in the \$5.00 and the \$2.00. It can be their choice.

Candy asked why we have no articles in the NHBPA magazine. Pam said we used to. Brenda said we don't pay for the magazine.

Rick said to make an impact we should put an ad in the roping magazine. That is Trotters group.

You have to be a millionaire to come to Ruidoso. Used to be everyone came, it was a family spot. They are killing it now. We need to tell Ruidoso and the Village of Ruidoso; a letter needs to go out. It is our last line of defense. Go tell people. We used to get generations of people, not they can't afford it. Get management with negative press. They are killing racing and the tradition.

Candy said we need to contact the Secretary of Tourism. Who supports this state; 1. Gas and oil, 2. Agricultural, and 3. Racing.

Leslie Fincher asked how we get rid of the racing commission. They have been in violation since they were appointed. They are in violation of the open meeting, and it is not right. We need to get Federal investigators. People are leaving the state. We need a say, it's just not their way. The nomination fees are ripping you off. Need to enforce the law. Shut them down.

Vanessa Alexander said it was nice to hear some fight in you. She gave an account of what happened to the mare that broke her leg at the Downs. She received a call for help. There was not a veterinarian on sight. She was told they were trying to find one, but feels they lied to her. She said you can't pick and choose which laws to follow. She got a vet within an hour. She has proved fraud. If you come after me, I have what I need on the board. You are being played. She has texts and phone call recordings. Paul said this meeting is not the session for this argument.

The board adjourned into executive session 12:45

Back in session 2:28

In executive session it was decided that Terri will help the subcommittees with any information they need. Steve and Jill will work on the committee to start collecting dues. They discussed 1% from owners and possibly a flat fee from trainers. Terri and Brenda will get the information out to members regarding donations and dues. Gary will get his part done in a week and we will get it out in 30 days.

Paul Jenson – President

Susie Prather – Vice President

Steve Brown – Treasurer

Pam will be a signer in place of Jay. Tony Cappellucci is already a signer.
The board has approved making 2 payments to NHBPA.
The board has approved to pay the Lobbyist, Jason Thompson.

Jill and Steve will fill Terri and Brenda in on the Dues and Fees

Adjourned 2:33

DRAFT