



**Board of Trustees meeting  
Association Offices – Albuquerque, New Mexico**

**April 27, 2023**

**PRESENT**

**President Tom Goncharoff, 1st Vice President Norma Alvarez, and 2<sup>nd</sup> Vice President Nancy Summers and Trustees Denise Chambliss, Debra J. Laney, Mike Logan, and R. Patrick Sanders.**

**Trustees attending by Zoom were Brian Anderson, C. Warren Franklin (late arrival), Helen Nave, Susie Prather (late arrival), and Mark Brown.**

**ABSENT**

**None.**

**GUESTS**

**Joe Thompson, Yealonda Logan, and Debra Laney's Mother.**

**QUORUM**

**President Goncharoff acknowledged a quorum present.**

**MINUTE APPROVAL**

**Debra Laney made a motion to approve the minutes from the March 30, 2023, seconded by Norma Alvarez. Motion carried 9:0.**

**Norma Alvarez made a motion to approve the minutes from April 17, 2023, seconded by Brian Anderson. Motion carried 9:0.**

**STAKES CONTRIBUTION POLICY**

**Mike Logan went over the written stakes policy that was provided in the Trustees packets (copy incorporated into the record). We would like to send this out to the racetracks. This**

is the second writing of this policy because at the last meeting, we discussed simplifying it, however the stakes committee can always meet and discuss possible adjustments. This is a policy and not a rule.

Mike Logan made a motion to adopt the stakes policy as written, seconded by Debra Laney. Motion carried 11:0.

### **SUMMER PARTY APPRECIATION TIP**

Mary Barber reminded the Trustees that last year, we voted to give a tip to the people who worked at our summer party and to also give a tip to Crystal Sifuentes. Ruidoso Downs pays up to \$5,000 for the party and we have not had to contribute anything for the last few years. Last year we gave \$1,000 to the staff and \$500 to Crystal. This was really appreciated by these people and they did a great job.

Debra Laney made a motion to award the appreciation tips again this year, seconded by Nancy Summers. Motion carried 11:0.

### **STALLION AUCTION REFUND REQUESTS**

#### **ALFONSO BORREGO**

Mary Barber reported that Mr. Borrego purchased the breeding to Justin Phillip during the 2022 stallion auction for \$2,500.00. They were not able to get his mare in foal, so he took her to MJ Farms and bred her to Eye Am King. He had another broodmare that he was breeding to Shame On Charlie so they gave him that breeding in place of the one he purchased for Justin Phillip. The mare gave birth this year to a dead baby and in the contract, if the foal does not live for 24 hours, they will re-breed the mare. He had attempted to contact the farm and was unable to get in touch with anyone so he contacted our office. He was given the phone number for Jim Hernandez. Mr. Hernandez said that he would call his people at the farm and discuss it with them and then call Mr. Borrego back. He never called back and will no longer pick up when Mr. Borrego calls him.

The Trustees discussed this item at length and decided that Mary Barber needs to contact Jim Hernandez to get his side of the story before we take any action. She is also to verify if he will give Mr. Borrego a re-breed or not. We need to get more information before a decision can be made.

#### **JAVIER MONTOYA**

Mary Barber reported that Mr. Montoya has a similar situation in that he would like to be refunded the \$900.00 that he paid for the breeding to Neiman in our stallion auction. The farm advertised that shipped semen is available and when they shipped the semen to Mary Capp at Mountain States Equine, it was at a 40% motility but when it arrived the next day, the motility was only at 15% . Because of this the mare did not get in foal.

The Trustees discussed this item at length and had some questions. Was the semen shipped only one time? There is always the option of taking the mare to the farm. Was the semen frozen or cooled semen? Mary Barber needs to contact this farm to ask them for their perspective. We need to get more information before a decision can be made.

We can table these items and bring them back to the next meeting.

Mike Logan made a motion to table item 8b concerning Javier Montoya, seconded by Debra Laney. Motion carried 11:0.

Norma Alvarez made a motion to table item 8a concerning Alfonso Borrego, seconded by R. Partick Sanders. Motion carried 11:0.

### **LOBBYIST REPORT**

President Goncharoff thanked Joe Thompson for coming to the meeting and for all he and Raymond Sanchez got done during the legislative session.

Joe Thompson commented that he learned to walk softly and carry a big Raymond Sanchez because he was amazing. He gave really good advice and was fun to work with. He also said that our folks did great and Mary did great too. She didn't know that she would have to be an expert witness. When you try to start explaining our little bill, there was no way that Representative Lundstrom could have answered questions from the committees. Representative Ezzell, who is also great and actually has the best understanding of anyone in the legislature, was there helping but you still have questions that she could not have answered. It wasn't just changing from 5% to 12% and so there was more to it so thankfully Mary was there to explain it otherwise we may have gone down in flames that day. It was a good lesson for him too because he didn't understand it himself. He was very grateful for Raymond, Mary, and Ralph, and everyone else that was there helping. It was more complicated than he realized. He knows now that if we really want to do well, we need to have people there that understand what these bills will do like in SB 336 that started out being harmful. That bill had stuff in there that would hurt us so we really have to protect ourselves because not everyone is on our side. He realizes this now and can tell who is who and their intentions. Senator Padilla is a good guy but he does not understand this stuff either, so when watching things that were going on, Joe felt that they were kind of trying to take advantage of him and he was just trying to help out by getting everyone together. He was able to have some good conversations that were very positive but he will have to sharpen his pencil to do a good job for us and he is committed to doing that. As long as we keep Raymond around for another twenty years, we will be fine. He is really good.

President Goncharoff spoke about SB 336 and how it could have gone south on not only us but the horsemen. It was huge and had a great impact on all of us. Nancy Summers commented that the horsemen feel this is the biggest thing we could have done and they are very appreciative. It is 99% of what they wanted to get done. It was a game changer. President Goncharoff stated that this is the only state in the country that figured out how to

fund HISA and probably the Jockey's Insurance too. He thanked Joe Thompson and his team for everything they had done. Joe explained that he has some gals that work with him that are super organized. So much of it is just knowing when some of the bills will be heard. There is also a larger community of really good lobbyists like the Thompson Brothers that work together and share information to the degree that it is permissible.

Joe Thompson thinks that we really need to plan where we want to go next way in advance and was told that we have formed a legislative committee to work on these issues. We also rely on Ralph for his advice. Debra Laney explained that they are looking at the Horse Racing Act and will try to clean up the language. She has worked with Ralph to put something together. Joe Thompson explained that the next legislative session will only be for thirty days and normally the only bills that will be heard are budget items or bills that are messaged by the Governor. So, in order for us to do something next year, we would have a message and the way to get to that in is to have it fronted by a legislator that can get that on the list. Representative Ezzell is so awesome to work with and is one of the few sponsors who will show up two hours before the bill comes up and sit there the whole time and never leave, which is how you get your bills heard. The only thing is that she is a Republican and that can be limiting.

Norma Alvarez spoke about how she learned about the role of an analyst. We met Sarah Helms at AgFest and she told us that we could send our perspective to be included in the FIR. We typed it up and sent it to her and it was added to the FIR on our bill.

President Goncharoff wanted to credit our members and the horsemen's members that really came out and contacted people like Senator Padilla, Senator Burt, and other legislators. Joe Thompson explained that if you don't do that the right way, you can really rankle a member because they are tired and stressed out. If we do it in an organized way like we did with the letters that we put together and presented we can have a very impactful way of getting our voices heard, that is the way to do it. It takes a little more time on our part but in the end, it is a million times more persuasive. That is what we can do because we can be organized and have the interest from our members.

President Goncharoff thinks that it is incredible that our little stuff was even heard when you think about some of the major bills that were out there. He thanked Joe Thompson for all his work and for coming to our meeting.

#### **STALLION AUCTION DISCLAIMER**

President Goncharoff feels that this is a no brainer and that unfortunately we did not have this in place earlier. Mary Barber commented that she is going to contact our programmer to see if she cannot add this into the stallion auction site so that people have to agree to our terms before bidding.

Mary Barber read the stallion auction disclaimer that she had come up with (copy incorporated into the record). It was decided that the last sentence will be changed from All sales are final to All bids are final.

Mark Brown told how the farms could turn in their conditions and that would be included on that stallion. Any special terms that need to be met and what the mare care or shipping fees would be. Just like any other contract that would be filled out. Then when someone is bidding, they would know the terms in advance. Debra Laney thinks we need to have both the disclaimer and also the farms contract or a list of questions we could ask the farms to send out.

Brian Anderson explained that it is difficult to even get a farm to donate to breeding and it could be hard to get a copy of the contract or to fill out a list of questions.

Mike Logan explained that this is a very busy time of year for the office and maybe we should start this earlier. Debra Laney will send Mary Barber an example of a list of questions another state sends out for their auction. Mary Barber wants to start the process earlier by calling the stallion owners/managers for the donations and also to answer these questions. The auction itself could still be at the same time but we would have everything set up earlier. The stallion issue of the magazine items have to be sent off to Speedhorse no later than November 5<sup>th</sup> so we would have to get this done before that.

Denise Chambliss made a motion to approve the stallion auction disclaimer policy with the amendment of changing the words from all sales to all bids, seconded by Norma Alvarez. Motion carried 11:0.

Debra Laney would like to see this on the next agenda and have the deadline dates at our next meeting.

President Goncharoff would like to have Nancy Summers take over the Thoroughbreds since Verner Query used to make all the calls and Brian Anderson did a great job on the Quarter Horses.

The Trustees broke for lunch.

#### **LEGISLATIVE COMMITTEE UPDATE**

Debra Laney is working on updating the Horse Racing Act and she has been working with Ralph Vincent to clarify some of the language. He had already done some work on this.

The pages of the statute with possible changes were included in the Trustee packets (copy incorporated into the record). Each proposed change was explained by Debra Laney and discussed at length by the Trustees.

Helen Nave pointed out that one item was left out that they had discussed. Debra Laney will add the language about that a racetrack shall be open for training 30 days before a live meet starts. Debra Laney will get this item to Mary Barber to add in.

## MARKETING COMMITTEE UPDATE

Norma Alvarez reported that we did receive the bill for the Cowboy Channel in the amount of \$19,550.00 which is what we agreed to. We will be included in seven different shows. President Goncharoff thinks we should let our members know that our ad is featured during these races. They are the Ruidoso Futurity, Rainbow Futurity, All American Futurity, All American Derby, The entire day of Albuquerque that includes the NM State Fair QH Futurity, and the Texas Classic Futurity. In addition to the live race, our commercial will be shown during replays shown.

Nancy Summers asked about how we get the word out to the Thoroughbred people and Norma Alvarez explained that we are going to be advertising with the Paulick Report and we also talk about the big Thoroughbred races at Sunland Park in our commercial. There was some discussion about getting the word out. The Breeders Oaks only had seven horses in it this year. With the Paulick Report we will get a banner ad and will also be allowed so many press releases. It is very reasonably priced.

Norma Alvarez also reported that we had a meeting with Crystal Sifuentes and her people at Ruidoso Downs about the Dinner Party during Zia Festival. We went over the menu that had been agreed upon. There will be lasagna and for the second entre there will be beef medallions. Zia Festival is on July 22<sup>nd</sup>. Mary Barber has also talked to Walt Wiggins of the horse sale company about our Town Hall Discussion on the morning of July 22<sup>nd</sup> so that is taken care of. Things are coming along.

The promotional items have been ordered and Mary Barber received an email from the company that they were ordered from and that they have already been shipped. They had been kind enough to send Mary Barber three samples of different pens to choose from.

## FINANCE COMMITTEE UPDATE

Denise Chambliss has been reviewing several items that Mary Barber had sent her to look over in order to get acquainted with our finances and also the purse and award funds that we are in charge of.

The audit was discussed and Denise offered to help out with that if needed. Moss Adams has already started asking for a lot of items. Mary Barber thinks that the audit should officially start in mid-May.

U.S. Bank will be coming to our office for a meeting with Denise and Mary so that we can add Denise to all the bank accounts and to remove Mac Murray. They have changed their policy and we cannot just go to a branch to get this done anymore. They are getting all the paperwork together for our 29 bank accounts and will contact Mary Barber when they are ready to get together.

Denise Chambliss is an accountant so it is very helpful to have someone with her expertise to be on the Board.

## **STAKES COMMITTEE UPDATE**

Mike Logan stated that Nancy Summers is the other member of this committee. She has a lot of experience and he thinks she is a great person to be on this committee. He asked Nancy Summers to go over some things that went on at SunRay Park with their stakes races.

Nancy Summers reported that the C.O. Ken Kendrick was cancelled. This is a two year old Thoroughbred race and it did not get enough nominations to fill the race. It may be better to run this race at the end of the meet in the future. Because this race was cancelled, it was decided to use those funds which totaled \$100,000, to have a second division of the Jack Cole Stakes since it had 19 nominations. Later in the meet the Jimmy Drake Stakes had 22 nominations and to be fair, it was decided to have two divisions of that race as well. The Jimmy Drake Stakes is a Quarter Horse race. Everyone was happy about this and Nancy stated that she did not hear one negative comment about this.

Debra Laney asked about where the funds came from for the second division of the Jimmy Drake Stakes and Nancy Summers explained that SunRay Park came up with the extra \$40,000 for their share and we came up with the extra \$60,000 for our share.

Mike Logan reported that we recently went over the stakes schedule at Zia Park with Chris McErlean. We were able to add more money to those stakes races. We increased most of the races by \$25,000 so they are at \$150,000 and the contributions on those are 50/50. We were able to talk them into adding a little more on the Fall Classic so that it would be equal to most of the New Mexico Cup races. Chris McErlean informed us that their overnights would be between \$325,000 to \$350,000 per day. He also told us that they were going to open their barn area the last week of September. Part of the negotiations with Ruidoso Downs was that Ruidoso will keep their barn area open three weeks after closing day. There will be \$1.6 million for TB and \$990,000 for Quarter Horses. That is a difference of \$610,000. He thinks we need to work to get these a little closer.

A long discussion followed about the division of funds between Thoroughbreds and Quarter Horses. Nancy Summers feels that the Thoroughbreds are actually running for less than the Quarter Horses. Debra Laney said that the Thoroughbreds are getting more per capita.

Discussion about the open stakes at Zia Park followed. Mike Logan told how the winners of the New Mexico Bred three year old races will be invited to the open horse invitationals. That is a first.

Zia Park wanted to run the NM Classic Derby and NM Classic Oaks at a mile. They had met a week earlier with Todd Fincher, who is on the Zia Park Committee, to discuss the stakes and it was decided to shorten these races to six furlongs. Todd seemed to think they would get better participation at that shorter distance.

## **PURSE SHARING**

Debra Laney discussed the Race A Day report that Mary Barber had supplied her for Sunland Park. This report shows that there is a disparity between the funds for Thoroughbreds vs Quarter Horses. The funds in the report are just the funds we supplied. President Goncharoff talked about the 60% TB / 40% QH agreement that was made years ago. This was just an agreement and is not a rule. Mike Logan pointed out that Sunland Park was running more like 70% for TBs vs 30% for QHs. It seems to depend on what racetrack you are talking about. Denise Chambliss pointed out that Ruidoso Downs is the opposite and run more Quarter Horse than Thoroughbred.

Another item Debra wanted to discuss is the average field size that Mary reports includes the 870 races and she thinks that maybe we could keep those separate. Nancy Summers said that at SunRay Park, the 870 races are Quarter Horses preferred so you can't run your Thoroughbreds in those races. Mike Logan reminded everyone that at Sunland Park they run two days of Thoroughbreds and two days of Quarter Horses so they aren't going to want the Thoroughbreds in those races.

Debra Laney also feels that we need to look at the breakdown of the class categories for the awards. She would also like to see the funds broken out for each place in each category as well.

## **TOBA AWARDS**

Mary Barber explained that she usually does this but thought she would like to include the Trustees in the additional categories that they are asking about on the form that is provided in the Trustee packets. We know that Robert & DelRae Driggers are our states breeders of the year but we can also nominate up to three more breeders from New Mexico to be considered for the national breeder awards. Only the Driggers will be honored at the award ceremony but the others will be considered by their awards committee for the national breeder of the year or small breeder of the year awards.

President Goncharoff would like to send a letter to the Driggers encouraging them to go to this event. After discussion, it was decided that he would write the letter and Mary Barber would put it on stationery and mail it off.

There are a couple of categories that we do not have a horse that is eligible. We do have some breeders that we could do additional nominations for. A list of our top breeders was included in the Trustee packets. The next top Thoroughbred breeders we have by money earned are R.D. Hubbard, Mike C. Abraham, J. Kirk & Judy Robison, Michael Weatherly, and Fred Alexander.

After discussion, it was decided to just list the next three top money earners.



## OPEN DISCUSSION

Mark Brown wanted to make sure everyone was aware that in 2024, 2025, and 2026, The Downs At Albuquerque has secured the AQHA Challenge races. Mary Barber added that she thinks that the extra funds Albuquerque is putting on the New Mexico State Fair QH Futurity came from the funds they were no longer spending on the AQHA Challenge and she was a little concerned about that. Mark Brown thinks that they have more funds to spend now so we probably won't have a problem.

Mike Logan would like to discuss that a lot of Trustees are coming by Zoom. There are seven people in attendance and the rest are on Zoom. On the meeting notice it has that the meetings are in person. We get very little participation from the people on Zoom. Our By-Laws state that you can only have three absences in a year. Mary Barber asked in her email when she sent out the meeting notice and items if anyone would not be able to make the meeting and no one replied that they would not be coming in person. Mike Logan thinks that everyone needs to make an effort to come in person so that we can be more productive. President Goncharoff agrees that there is no substitute to being in person. In the future, please let Mary know if you have a conflict and maybe we can see if there is a better time for the meeting so that everyone can make it. Nancy Summers thinks that coming by Zoom is better than not coming at all and Warren Franklin agreed. Mary Barber stated that if you come by Zoom, it is not an absence. Nancy Summers thinks it is good to continue to have this option in case that is the only way you can make it. President Goncharoff agreed but stated that we need to not make it a habit and try to be here in person if at all possible. He told Patrick Sanders that he needed to be able to come in person and he is here even though he lives far away and is getting married in two days. He was asked what he spent on his airline ticket and he replied \$518.00. Warren Franklin stated that he had come to every meeting he possibly could but he thought it was not his place to ask for a meeting date to be changed just for him. Zoom is the way to participate and if he will always contribute to the discussion if he really has an opinion about something.

Debra Laney said something has been bothering her and that is that we had to have an emergency meeting because someone said that Ruidoso Downs is going to charge the Thoroughbred people \$150.00. Who said that? Nancy Summers said that it was Jr. Gonzalez. She doesn't know where he got that information and it spread like wildfire. Debra Laney supports the horsemen who have boots on the ground but not the horsemen's association. There was a lot of discussion about what has been going on with the lawsuits. Nancy Summers feels that Paul Jenson is a great President and he is working hard to get things resolved. There was more discussion about President Jenson's letter. Debra Laney just wants to clear the air and say that she does not want that kind of thing affecting the breeders. She does not like the idea of the letter we wrote to the horsemen being put in front of a judge.

Debra Laney is also concerned about a gentleman that was on the Zoom meeting that the horsemen had named Shawn (?) from Louisiana. He was commenting that he was a former attorney and former President of the HPBA and was willing to help with any legal

advice. He asked to go into the closed session with the horsemen's board. She googled this guys name and he was in prison for 28 months because he defrauded the HPBA, he rigged the election, he extorted \$105,000 from the HPBA. He is now involved in some cases involving slamming in Louisiana where people slam into tractor trailers and they create lawsuits. He has been disbarred because of the things he did to the HPBA. President Goncharoff sent the two articles about this guy to Paul Jenson. Debra Laney also sent the articles to the New Mexico Racing Commission.

Mary Barber reported that we are still looking for a new employee since Linda has decided not to come back. Luckily it is a slow time and Amber is able to take on most of the job in addition to being the Registrar. We have set up some interviews with people who have submitted their resumes through ZipRecruiter. Some 200 people have submitted their resumes but they are people who have to show that they have applied for jobs in order to get their unemployment. We do have a girl set up to come interview that has some knowledge of horse breeding and racing.

The next meeting is on Thursday, June 29<sup>th</sup> and Warren Franklin alerted Mary Barber that Thursdays is a very difficult day for him to make meetings. Mary Barber will see if she can get that changed since all the meetings at the office are scheduled for Thursdays.

Nancy Summers made a motion to adjourn the meeting, seconded by Denise Chambliss. Motion carried 11:0.

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Tom Goncharoff  
President

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Mary M. Barber  
Attest