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## AMENDED - AGENDA

### August 16, 2023

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New Mexico Gaming Control Board  
Board and Staff

One-Day Regular Board Meeting (Bingo and Gaming)

Wednesday, August 16, 2023, 9:00 am

GCB Boardroom

\*\*\*Please Mute Your Devices and Turn Cameras Off\*\*\*

To access the OPEN SESSION Board Meeting via Microsoft Teams

Telephonically

Phone Number: 1-505-312-4308

Conference ID: 393 344 523#

Link to join meeting through a Web Browser or the MS Teams Application

[https://teams.microsoft.com/l/meetup-](https://teams.microsoft.com/l/meetup-join/19:meeting_NzE3ZjFIZTQtMDY0Ni00NGU3LTlIZjMtMmQ4MGNmOWZiYjc5@thread.v2/0?context=%7B%22Tid%22:%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22,%22Oid%22:%22c99f99fc-5a8a-47ab-8f6e-c7b4dc8de83e%22%7D)

[join/19:meeting\\_NzE3ZjFIZTQtMDY0Ni00NGU3LTlIZjMtMmQ4MGNmOWZiYjc5@thread.v2/0?context=%7B%22Tid%22:%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22,%22Oid%22:%22c99f99fc-5a8a-47ab-8f6e-c7b4dc8de83e%22%7D](https://teams.microsoft.com/l/meetup-join/19:meeting_NzE3ZjFIZTQtMDY0Ni00NGU3LTlIZjMtMmQ4MGNmOWZiYjc5@thread.v2/0?context=%7B%22Tid%22:%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22,%22Oid%22:%22c99f99fc-5a8a-47ab-8f6e-c7b4dc8de83e%22%7D)

Questions/trouble accessing meeting please email [Madeline.Aragon3@gcb.nm.gov](mailto:Madeline.Aragon3@gcb.nm.gov)

Note: All Items on agenda may not result in Board Action.

#### I. OPEN SESSION

A. Call to Order – 09:00 am

B. Pledge of Allegiance

C. Roll Call

D. Approval of Agenda

E. Approval of Minutes

1. Regular Board Minutes July 19, 2023

F. Public Comment – Public Comment is limited to 3 minutes per person. Please use the signup sheet.

#### II. CLOSED SESSION (Closed pursuant to Section 10-15-1 (H) NMSA 1978 “Open Meetings Act”)

##### A. Pending and Threatened Litigation

NM Horseman’s Association -vs- New Mexico Gaming Control Board

##### B. Pending Administrative and Enforcement Action

1) Settlement Agreement - Review and Consideration - Adam Garcia BM Lobo Club –

2) Petition for Revocation of Work Permit and Staff Permit - Andres Salazar -Cash Handler and Gaming Cashier-American Legion Post 13 (Albuquerque, NM)

##### C. Licensing

###### 1. New Application for Business and Non-Profit Key Persons

a) Patrick Durkin – Vice President of Marketing – Zia Park, LLC (Hobbs, NM)

b) James Hambor – Assistant Gaming Manager –American Legion Post 69 (Albuquerque, NM)

c) Ryan Martinez – Slot Attendant Supervisor - Sunray Gaming of NM, LLC (Farmington, NM)

- d) Tomacita Thomas – Surveillance Manager -Sunray Gaming of NM, LLC (Farmington, NM)
- e) Madison Wunderle – Gaming Accountant – Veterans of Foreign Wars Post 3317 (Williamsburg, NM)

## **2. Renewal Application for Business and Non-Profit Gaming Licenses**

- a) American Legion Post 49 (Albuquerque, NM)
- b) American Legion Post 69 (Albuquerque, NM)
- c) Benevolent Protective Order of Elks 1172 (Tucumcari, NM)
- d) Everi Games, Inc. (Las Vegas, NV)
- e) Everi Payments, Inc. (Las Vegas, NV)
- f) Fraternal Order of Eagles 3187 (Roswell, NM)
- g) Loyal Order of Moose 2088 (Deming, NM)

## **3. Renewal Application for Business and Non-Profit Key Person**

- a) Aaron Rosenthal – Senior Vice President Regional Operations – PENN Entertainment (Wyomissing, PA)
- b) Christopher Soriano – Vice President/Chief Compliance Officer – PENN Entertainment (Wyomissing, PA)

## **4. New Application for Bingo Operator Licenses**

- a) Fraternal Order of Eagles 4038 (Las Cruces, NM)

## **5. New Application for Staff Permit Managers and Accountants**

- a) William Hoff – Alternate Bingo Manager-Fraternal Order of Eagles 4101 (Alamogordo, NM)

## **D. Miscellaneous**

### **1. Title Change**

- a) Robert Jaramillo – **FROM:** Gaming Manager **TO:** Assistant Gaming Manager – American Legion Post 69 (Albuquerque, NM)
- b) David Stevens – **FROM:** Assistant Gaming Manager **TO:** Gaming Manager – American Legion Post 69 (Albuquerque, NM)
- c) Crystal Zaragoza – **FROM:** Assistant Gaming Manager **TO:** Gaming Manager - Loyal Order of Moose 2088 (Deming, NM)

### **2. Consideration and Review of Amendment to Allocation Agreement** (Angela)

- a) Amendment to Allocation Agreement between My Way Holdings, LLC and Casino and All American Ruidoso Downs, LLC

## **E. Audit & Compliance** (Steve)

### **1. The following seven non-profits compliance reviews were completed during July 2023:**

- a) American Legion Post 13 (Albuquerque)
- b) American Legion Post 69 (Albuquerque)
- c) American Legion Post 72 (Albuquerque)
- d) American Legion Post 99 (Albuquerque)
- e) Fraternal order of Eagles 2811 (Santa Fe)
- f) Loyal Order of Moose 1517 (Albuquerque)
- g) Veterans of Foreign Wars 5890 (Rio Rancho)

### **2. The following two racetracks compliance review were completed in May 2022** (Rainer)

- a) SunRay Park 2<sup>nd</sup> last six months of 2022 Compliance Review

b) Zia Park 2<sup>nd</sup> last six months of 2022 Compliance Review

**F. Self-Exclusion Matters** (Terry)

1. Consideration of removal from self- exclusion: EXC: 856 and EXC: 857

**G. Tribal Gaming** (Van)

1. New Mexico Gaming Tribes - Compact Compliance Summary

**H. Personnel Matters**

1. Selection of Acting Executive Director

**III. OPEN SESSION cont. - Please note that items may be taken out of sequence at the discretion of the Chair.**

**A. Pending Administrative and Enforcement Action**

- 1) Settlement Agreement Review and Consideration - Adam Garcia BM Lobo Club
- 2) Petition for Revocation of Work Permit and Staff Permit - Andres Salazar -Cash Handler and Gaming Cashier-American Legion Post 13 (Albuquerque, NM)

**B. Licensing**

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**E. Miscellaneous Presentations, Approvals, Policy & Rule Making**

- 1. Review and Discussion of FY25 Appropriation Request

**F. Personnel Matters**

- 1. Selection of Acting Executive Director

**G. Board Chair’s Announcements**

- 1. September Board Meeting is scheduled for Wednesday September 20, 2023.

**VI. Adjournment**



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Patrick Garrett, Chairman

AUGUST 9<sup>TH</sup>, 2023

Date