

AGENDA

New Mexico Gaming Control Board Board and Staff

One-Day Regular Board Meeting (Bingo and Gaming)

Wednesday, September 22, 2021, 9:00 am - 12:00 pm

GCB - Boardroom

*****Please Mute Your Devices*****

To access meeting via Microsoft Teams

Telephonically

Phone Number: 1-505-312-4308

Conference ID: 828 413 070#

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%3ameeting_ZWUxODJmZjEtODg5Mi00NzgxLWI2Y2EtOTI4MzVkNWlxZmFj%40thread.v2/0?context=%7b%22id%22%3a%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22%2c%22oid%22%3a%22c99f99fc-5a8a-47ab-8f6e-c7b4dc8de83e%22%7d)

[join/19%3ameeting_ZWUxODJmZjEtODg5Mi00NzgxLWI2Y2EtOTI4MzVkNWlxZmFj%40thread.v2/0?context=%7b%22id%22%3a%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22%2c%22oid%22%3a%22c99f99fc-5a8a-47ab-8f6e-c7b4dc8de83e%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZWUxODJmZjEtODg5Mi00NzgxLWI2Y2EtOTI4MzVkNWlxZmFj%40thread.v2/0?context=%7b%22id%22%3a%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22%2c%22oid%22%3a%22c99f99fc-5a8a-47ab-8f6e-c7b4dc8de83e%22%7d)

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

- I. **Call to Order - 09:00 am**
 - A. Roll Call
- II. **CLOSED SESSION (Closed pursuant to Section 10-15-1 (H) NMSA 1978, "Open Meetings Act")**
 - A. **Pending Administrative and Enforcement Actions**
 1. Consideration of Recommendation to Issue Administrative Complaint for Citations to The Downs of Albuquerque, Frank Neborsky - General Manager and Vickie Duran - Compliance Manager
 - B. **Licensing**
 1. **New Application for Business and Non-Profit Gaming Licenses**
No Business
 2. **New Application for Business and Non-Profit Key Persons**
No Business
 3. **Renewal Application for Business and Non-Profit Gaming Licenses**
 - a. Zia Park, LLC (Hobbs, NM)

4. **Renewal Application for Business and Non-Profit Key Persons**

- a. Elizabeth Jones - Director, Vice-President, Secretary, Assistant Treasurer & Co-Trustee of Trusts of 4 Siblings (D.J. Fulton, S.M. Fulton, L.F. Tischer & V.L. Fulton) - My Way Holdings - Sunland Park, (Sunland Park, NM) - My Way Management (Sunland Park, NM)

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

- a. Lawrence Castellano - Bingo Accountant - Knight of Columbus 3314 (Española, NM)
- b. Raymond Cobos - Alternate Bingo Manager - Columbus Club of Deming (Deming, NM)
- c. Finnie Garcia - Alternate Bingo Manager / Caller/Cash Handler - Knights of Columbus 3314 (Española, NM)
- d. Peter Garcia - Bingo Manager - Knights of Columbus 3314 (Española, NM)

6. **New Applications for Bingo Business License**

No Business

C. **Miscellaneous**

a. **Title Change**

- i. Reconsider - Carol Nygaard - **From:** Gaming Accountant **To:** Assistant Gaming Account - Loyal Order of Moose Lodge 2016 (Alamogordo, NM)

b. **Variance**

- i. Consideration and Review of Variance Requests submitted by NM Gaming LLC and RC Gaming LLC re Proposed Requirement of Non-Profit Gaming Operators to Pay Fees Under Distributors' Agreements from Gaming Operating Accounts

c. **Key Person Additional Entity**

No Business

d. **Finding of Suitability Corporate or Investor**

No Business

D. **Audit & Compliance**

1. Presentation of Non-Profit Gaming Compliance Review Summaries for August 2021
 - a. American Legion Post #44 (Elephant Butte, NM)
 - b. American Legion Post #49 (Albuquerque, NM)

- c. Benevolent Order of Elks #865 (Raton, NM)
- d. Benevolent Order of Elks #1440 (Gallup, NM)
- e. Loyal Order of Moose #1680 (Belen, NM)
- f. Veterans of Foreign Wars #1793 (Raton, NM)

E. Self-Exclusion Matters

- 1. Consideration of removal from self exclusion: EXC 919 and EXC 920
- 2. Consideration of removal from self exclusion: EXC 1791 and EXC1792

F. Miscellaneous Presentations, Approvals, Policy & Rule Making

No Business

G. Tribal Gaming

No Business

H. Pending and Threatened Litigation

No Business

I. Limited Personnel Matters

- i. Personnel Matters - Executive Director
- ii. Personnel Matters - Chairman

III. Recess

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

A. Call to Order - 10:30 am

- 1. Roll Call

B. Approval of Agenda

C. Approval of Minutes

- a. Minutes of One-Day Regular Board Meeting - August 18, 2021
- b. Minutes of One-Day Special Board Meeting - August 31, 2021

D. Pending Administrative and Enforcement Actions

- 1. Consideration of Recommendation to Issue Administrative Complaint for Citations to The Downs of Albuquerque, Frank Neborsky - General Manager and Vickie Duran - Compliance Manager EAD21000001

E. Licensing

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

a. Zia Park, LLC (Hobbs, NM)

2. Renewal Application for Business and Non-Profit Key Persons

a. Elizabeth Jones - Director, Vice-President, Secretary, Assistant Treasurer & Co-Trustee of Trusts of 4 Siblings (D.J. Fulton, S.M. Fulton, L.F. Tischer & V.L. Fulton) - My Way Holdings - Sunland Park, (Sunland Park, NM) - My Way Management (Sunland Park, NM)

3. New Application for Staff Permit Managers and Accountants

a. Lawrence Castellano - Bingo Accountant - Knight of Columbus 3314 (Española, NM)

b. Raymond Cobos - Alternate Bingo Manager - Columbus Club of Deming (Deming, NM)

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F. Miscellaneous

a. Title Change

i. Reconsider - Carol Nygaard - **From:** Gaming Accountant **To:** Assistant Gaming Account - Loyal Order of Moose Lodge 2016 (Alamogordo, NM)

b. Variance

i. Consideration and Review - All American Ruidoso Downs Variance Request - Slot Technicians Be Allowed to Carry Bill Validator/Acceptor Door Key (BVA)

ii. Consideration Sunland Park's 2021-22 Race Meet - Review and Approval of Race Dates as Assigned by the NMRC - Pursuant to Section 60-2E-27F of the Gaming Control Act

iii. Consideration and Review of Sunray Gaming of NM- 3rd Variance Request For Extension of Time to Submit Audited Financial Statement Waiver Request - NMAC 15.1.8.14

iv. Consideration and Review of Variance Requests submitted by NM Gaming LLC and RC Gaming LLC re Proposed Requirement of Non-Profit Gaming Operators to Pay Fees Under Distributors' Agreements from Gaming Operating Accounts

G. Self-Exclusion Matters

1. Consideration of removal from self exclusion: EXC 919 and EXC 920

2. Consideration of removal from self exclusion: EXC 1791 and EXC1792

H. Presentations, Approvals, Policy & Rule Making

i. Approval of Inventory and Disposal Committee Members

I. Public Comments

J. Board Chair's Announcements

1. October Board Meeting is scheduled for Wednesday, October 20, 2021

V. Adjournment

A handwritten signature in blue ink, appearing to read "Jeremy J. Romero". The signature is fluid and cursive, with a large initial "J" and "R".

Jeremy J. Romero, Chairman