



**Delaware Thoroughbred Racing Commission
Minutes of Regular Meeting
April 19, 2011**

The Delaware Thoroughbred Racing Commission held a regular meeting on Tuesday, March 15, 2011, at 10:00 a.m., in the second floor conference room of the Horsemen's Office, located on the grounds of Delaware Park, 777 Delaware Park Boulevard, Wilmington, Delaware 19804.

The following Commission members were present:

Bernard J. Daney, Chairman
Henry James Decker, Commissioner
Debbie Killeen, Commissioner
Edward J. Stegemeier, Commissioner

The following Commission members were excused:

W. Duncan Patterson, Jr., Secretary/Commissioner
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The following individuals also were present:

Ed Kee, Secretary of Agriculture
Andrew Kerber, Esq., Deputy Attorney General, Commission Counsel
John F. Wayne, DTRC, Executive Director
Fritz Burkhardt, DTRC, Associate State Steward
Robert E. Colton, Delaware Jockeys Association, Director
Andrew Gentile, Delaware Park, Chief Operating Officer
Bessie Gruwell, DTHA Executive Director
G. Jack Houghton, Jr., DTRC, Chief State Steward
Madeline Locke, Owner/Trainer, DTHA President
John E. Mooney, Delaware Park, Executive Director of Racing
Shelley Perkins, DTRC, Paralegal I (recording minutes)
John T. Peters, D.V.M., DTRC, Chief Veterinarian
Kathleen Picciano, D.V.M., DTRC, Associate Veterinarian
Joseph Rudisill, Delaware Park, Senior Vice President of Compliance
Joseph Strug, Dalare Associates, Inc., Laboratory Director
Paul Trapani, Owner/Trainer, DTHA Board Member

1. **WELCOME & CALL TO ORDER**

Chairman Daney called the meeting to order at 10:02 a.m., and welcomed those in attendance.

2. **APPROVAL OF MINUTES**

Upon a motion duly made (Killeen) and seconded (Stegemeier) minutes of March 15, 2011 were approved as submitted.

3. **OLD BUSINESS**

A. **Delaware Racing Association (DRA) 2010 Capital Budget Update**

Chief Operating Officer, Mr. Andrew Gentile, fielded questions from the commission, as detailed below.

Q. Is Delaware Park under any obligation to spend a specific amount or a specific percentage on the backside?

A. Yes, we are obligated under contract with the horsemen to spend a certain percentage, and to-date we are overpaid on improvements.

Q. What are some of the highlights?

A. Already completed four barn roofs, bought new Mack truck for the watering truck, scheduled to start another wash stall, and presently reviewing asphalt repair plans on the backside to alleviate some issues related to ruts and drainage.

Q. What is the item listed as bladder over the grandstand?

A. This is a proposed new rubber roof over the New Castle Room.

Q. How are the kitchen (DelCap/Park Pizza) renovations going?

A. It took through the end of February 2011 for the outside vendor to engineer the duct work and because the kitchen remodel needed to start in January 2011 to be completed in time for racing season the project is now delayed until winter of 2012.

Q. What is the situation with surveillance cameras?

A. The new surveillance system is already benefiting security in that the digital system allows quick review and in fact last week one arrest was made before the alleged thief even left the property.

B. **Delaware Park Security**

Senior Vice President of Compliance, Mr. Joe Rudisill, briefed the commission on safety and security issues, including added surveillance in the form of walking patrols and adding additional patrol vehicles to the patron and parking areas.

4. **NEW BUSINESS**

A. **Discussion to propose rule to allow Commission to review disciplinary matters directly**

Commission Counsel, Andrew Kerber, Esq., stated that he and Stewards' Counsel, Barbara Gadbois, Esq., were developing a set of rules that would be presented at next months' commission meeting.

B. **2011 Racing Officials**

Upon a motion duly made (Decker) and seconded (Stegemeier) the list of racing officials supplied by Mr. John Mooney was accepted for the 2011 racing season.

C. **Engineer's Report (Stable Area)**

Upon a motion duly made (Decker) and seconded (Stegemeier) the 30-page engineering assessment of horse stables made by the MacIntosh Engineering firm which stated that the stables were structurally adequate for occupation and approved for use was accepted as submitted.

D. **Addendum to previously furnished Engineer's report**

Upon a motion duly made (Decker) and seconded (Stegemeier) the elevator and escalator inspection report made by the New Castle County Department of Land Use was accepted as submitted.

E. **Scale Certification**

Scale certification was held over for the next commission meeting.

F. **Certificate of Liability Insurance**

Upon a motion duly made (Decker) and seconded (Stegemeier) the certificate of liability insurance issued by Lowe-Tillson Insurance & Associates, Inc. of Rockville, Maryland was accepted as submitted for the period April 1, 2011 through April 1, 2012.

5. **REPORT FROM EXECUTIVE DIRECTOR**

A. **Summary of Activities Report**

Executive Director Wayne reported activities during the period March 1 – 31, 2011.

License Office Activity:

Persons fingerprinted = 12

Fingerprinting fees collected = \$948.00

DTRC licenses issued = 1,373

License fees collected = \$26,235.00

Delaware Certified Thoroughbred Program (DCTP) Farm Verifications

There are 82 farms where horses can be stabled and made eligible for certification awards. During 2010, \$1,483,835.00 was distributed based on 364 starters racing 1,150 times.

During the period of March 1 – 31, 2011, the DTRC Executive Director verified 41 farms entered in the program. To date, a total of 50 farms out of the 82 registered have been verified. 1 farm location is under review.

Returning Personnel

DTRC Stewards (Mr. Houghton and Mr. Burkhardt) and Veterinarians (Dr. Peters, Dr. Picciano, and Dr. Teichner) returned to work on March 28, 2011. They are scheduled to work through November 18, 2011. Associate Steward, Mr. Dennis Lima has been granted permission to report late due to a conflict in schedule with Tampa Bay Downs. His fill-in during his absence will be ROAP accredited Steward, Mr. Carlos Barrera.

Equioxx

The DTRC Executive Director had talked with Dr. Peters concerning the use of Equioxx in other jurisdictions. Equioxx is a Class 4 medication and will result in a positive drug test. Our tolerance is zero. Horsemen were warned about positives being called in other jurisdictions for use of this medication which is a non-steroidal anti-inflammatory. Equioxx is classified as a class 4 medication and has recently surfaced since permissive levels of Phenylbutazone and Oxyphenbutazone have decreased.

6. **REPORT FROM CHIEF COMMISSION VETERINARIAN**

A. **Winter Training Activities**

Three deaths this winter, 1 laminitis, 1 medial condylar fracture, and 1 EPM recently in Barn 2 sent to New Bolton and confirmed EPM.

Issued 35 bleeder certificates, 15 shock wave treatments, 27 work offs and blood for horses on vets lists, several hundred health certificates turned into Dr. Heather Hirst.

Special note of thanks for helping Dr. Peters during the winter period offered to John Mooney, Alice Marcacci, Margie Stallings, and Jed Doro. And, a congratulatory note to Ken Brown for keeping the track in shape.

Equioxx

Equioxx is a non-steroidal to help the horse in place of Bute and we recommend that horsemen not use it. Equioxx is a Class 4 medication and will result in a positive drug test. Our tolerance is zero.

7. **REPORT FROM DELAWARE THOROUGHBRED HORSEMEN'S ASSOCIATION (DTHA)**

A. **Delaware Certified Thoroughbred Program (DCTP) Report**

Report held over until next commission meeting.

B. **DTHA Marketing**

DTHA is involved in marketing and promotions – family fun day – giddy up & go racing club – membership cards – trading cards for jockeys and horses – pony rides - flyers out to schools – YMCA/YWCA – radio spots – press releases – diva day – HRTV promotions. On the radio and Facebook for box seat giveaway promotions, backstretch tour promotions, and Terrace lunches.

8. PUBLIC COMMENT

Chairman Daney called on the following attendees for comment.

Mr. Mooney – Track will be ready to go and all stalls are assigned. Approximately 17 new trainers coming from southern California, from Texas, from Florida, from Kentucky, and from Arkansas.

Mr. Colton – Recommendations made at the Safety meeting that this commission direct the Stewards to be sure riders are using approved equipment for vests and helmets. Commission will take under advisement and Mr. Mooney is asked to consult with Mr. Vild as to insurance ramifications.

9. EXECUTIVE SESSION

At approximately 11:30 a.m., upon a motion duly made (Decker) and seconded (Killeen) the commission was moved into executive session to review personnel and matters relating to an on-going investigation.

At approximately 12:15 p.m., the commission was returned to public session.

10. ADJOURN

At approximately 12:20 p.m., the meeting was adjourned. The commission will meet next at 10:00 a.m., on Tuesday, May 17, 2011.