



**STATE OF DELAWARE
DEPARTMENT OF AGRICULTURE
DELAWARE HARNESS RACING COMMISSION
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**Delaware Harness Racing Commission
Minutes of Regular Meeting
March 8, 2011**

The Delaware Harness Racing Commission held a regular meeting on Tuesday, March 8, 2011, at 10:15 a.m., in the Chesapeake Room at the Rollins Conference Center, located on the grounds of Dover Downs, 1131 N. DuPont Highway, Dover, Delaware 19903.

The following Commission members were present:

Beth Steele, Chairman
Robert Brown, Vice Chairman
George P. Staats, Commissioner
Larry Talley, Commissioner
Patt Wagner, Commissioner

The following individuals also were present:

Ed Kee, Delaware Secretary of Agriculture
Andrew Kerber, Esq., Deputy Attorney General, Commission Counsel
Hugh Gallagher, DHRC, Administrator
Charles Lockhart, VP of Horse Racing, D. Downs
John Hensley, Sr. Dir., Horse Racing, D. Downs
Salvatore DiMario, Executive Director, DSOA
Scott Egger, Presiding Judge
Allen Cook,
Karen Craft, Facilities Manager, HRI
Judy Davis-Wilson, Executive Director, DSBF

1. **WELCOME & CALL TO ORDER**

At 10:30 a.m., Chairman Steele called the meeting to order and welcomed those in attendance.

2. **APPROVAL OF MINUTES**

No minutes offered for approval. Minutes of January 4, 2011 were approved at the February 8, 2011 meeting.

3. **OLD BUSINESS**

A. **Sign Decision & Order – Callahan / Waite**

Commission Counsel Kerber submitted and the Commission signed the Callahan / Waite decision and order upholding the judge's order.

B. **Public Hearing set for April 2011 – Proposed Rule Changes**

Commission Counsel Kerber reminded the Commission that the public hearing for the steroid rule change is set for April 2011. At this time no written comments have been received.

C. **Pro Hoc Vice & Continuance – In the matter of Tom Jackson (horse positive)**

Commission Counsel Kerber reported that a pro hoc vice motion (in addition to a request for continuance) was submitted by Delaware attorney, John Garey, for attorney, Bart M. Beier, to appear for Mr. Tom Jackson. Mr. Kerber recommended approval.

Upon a motion duly made (Brown) and seconded (Commission) the pro hoc vice motion is approved as submitted and the request for continuance is granted.

4. **NEW BUSINESS**

A. **Annual Report**

DHRC Administrator, Hugh Gallagher, distributed the 2010 Annual Report for Commission review. Mr. Gallagher noted that one correction must be made before wider distribution.

Mr. Gallagher thanked Donna Krol for the excellent job she did in putting the report together.

B. **HARRINGTON RACEWAY – April 2011**

Finish racing at Dover Downs on April 14, 2011.

During the April 2011 DHRC meeting the Commission will approve Harrington licensees for Harrington meet, and general conditions for 2011.

A concern of Judge, Scott Egger is the condition stating, "horses **must** warm-up at least one time vs. **may** warm-up at least one time."

5. **REPORTS**

A. **Veterinarian Report**

Dr. Renzetti is excused and submitted typed report: Two deaths on the track during reporting period.

Hugh Gallagher noted in one death there was a failed attempt to get urine and/or blood before the horse was euthanized. In the second death blood was taken. Mr. Gallagher will speak with the veterinarians to be sure protocol is followed.

6. **PUBLIC COMMENT**

None offered.

7. **EXECUTIVE SESSION**

At 10:45 a.m., upon a motion duly made (Talley) and seconded (Brown) the Commission was moved into executive session to discuss ongoing litigation.

8. **ADJOURN**

At 11:51 a.m., the Commission was adjourned.

The Commission will meet next, and a public hearing held for proposed rule changes, on Tuesday, April 12, 2011, at 10:15 a.m., in the Chesapeake Room at the Rollins Conference Center, Dover Downs.