



**Delaware Thoroughbred Racing Commission
Minutes of Public Hearing and Regular Meeting
October 18, 2011**

The Delaware Thoroughbred Racing Commission held a public hearing and regular meeting on Tuesday, October 18, 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
W. Duncan Patterson, Jr., Secretary/Commissioner
Debbie Killeen, Commissioner
Edward J. Stegemeier, Commissioner
Henry James Decker, Commissioner

The following individuals also were present:

Ed Kee, Delaware Secretary of Agriculture
Andrew Kerber, Esq., Deputy Attorney General, Commission Counsel
John F. Wayne, DTRC, Executive Director
Vincent Bailey, Wilcox & Fetzer, Court Reporter
Robert E. Colton, Delaware Jockeys Association, Director
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
Ron Moquett, Trainer, DTHA Board Member
Nancy Myshko, Delaware Park, Senior Vice President
Shelley Perkins, DTRC, Paralegal I (recording minutes)
John T. Peters, D.V.M., DTRC, Chief Veterinarian
Kathleen Picciano, D.V.M., DTRC, Associate Veterinarian
Francis J. Swift, Jr., DTRC, Inspector
Paul Trapani, Owner/Trainer, DTHA Board Member
Michael Vild, Esq., Delaware Park, Sr. Vice President of Racing/General

1. WELCOME AND CALL TO ORDER

At 10:00 a.m., Chairman Daney called the meeting to order and welcomed those in attendance.

2. APPROVAL OF MINUTES

The minutes of the September 20, 2011 meeting were reviewed and approved as submitted.

3. OLD BUSINESS

There was no old business brought up at the meeting.

4. PUBLIC HEARING

Mr. Kerber explained the procedure for handling a Stewards ruling that was referred to the Commission. The Stewards by rule found that it was proper for them to refer one aspect of the ruling regarding the alleged possession of an electrical device. The matter before the the Commission was ruling against SYLVESTER CARMOUCHE III. The hearing was opened by Mr. Kerber. Deputy Attorney General, Barbara Gadbois presented on behalf of the Stewards. Carmouche appeared without counsel. Mr. Kerber asked Mr. Carmouche that he understood that he could be represented by counsel, but declined to do so and was willing to proceed with the hearing. Ms. Gadbois made an opening statement and presented the case before the Commission. Verbatim testimony was taken by the court reporter.

Following testimony and evidence presented, the Commission ruled that they would not take any further disciplinary action in the matter involving SYLVESTER CARMOUCHE III. Mr. CARMOUCHE's ruling suspending him for one-year is affirmed. Following the hearing, Mr. CARMOUCHE was escorted from Delaware Park property as he was under an eviction order by management.

Following the public hearing, Mr. Daney excused himself from the meeting to take a conference and appointed Duncan Patterson to Chair the meeting until his return.

5. NEW BUSINESS

Update of Racing Medication and Testing Consortium, ARCI Drug Testing Standards and Practices Committee

Commissioner Patterson gave an update on both groups about opinions on both sides regarding Medication criteria during 2012. The proposed ban on race day medication by regulatory jurisdictions was discussed. Mr. Wayne added that there may be movement that during 2012 that only regulatory vets will administer Salix. Commissioner Patterson continued the discussion about regulatory vets doing Salix administration. Mr. Wayne suggested that the DTRC hire a veterinarian service like they have in place at Dover Downs and Harrington Raceway. Any costs of administration would be a deduction from the horsemen's account. This would eliminate the hiring of additional regulatory vets by the commission and having to stock sufficient supply of Salix and equipment. The Service would be responsible for staffing and supplies. There was a continuation of the discussion regarding this topic from various attendees. Dr. Peters volunteered that he was very familiar with the practice in place at Harrington and Dover Downs and endorsed by Executive Director Wayne related as a possible solution. Mr. Mooney reported that there would be additional expense to implement this program regarding security.

6. REPORT FROM EXECUTIVE DIRECTOR

A. Summary of Activities Report

Executive Director John F. Wayne reported the activities of the DTRC during the month of September, 2011. Licensing statistics through September 30, 2011 were:

Number of persons fingerprinted	99
Total amount of fingerprint fees collected	\$6,320.00
DTRC Licenses issued	5,311
Amount of fines collected	\$12,080.00
License fees collected	\$188,085.00

The 6 page report was provided to the Commissioners for their review.

7. REPORT FROM CHIEF COMMISSION VETERINARIAN

A. Veterinary Health Statistical Report

Dr. John T. Peters, Chief Commission Veterinarian presented the monthly injury statistical report for the period through September, 2011. Dr. Peters explained the injuries and ailments that made the report.

Commissioner Decker asked about the trend of racing injuries. Dr. Peters explained The data further indicating that there were a greater number of fatalities this year and could be higher percentage due to the lesser amount of horses racing. Dr. Peters added in his opinion the fatalities are not attributed to any one factor. The quality of animal may less than in previous years, but that in some cases, owner/trainers could have saved some of the horses, but chose not to.

8. REPORT FROM DELAWARE THOROUGHBRED HORSEMEN'S ASSOCIATION

D. Delaware Certified Thoroughbred Program (DCTP)

Executive Director, Bessie Gruwell submitted the DCTP report with the following updates:

Number of Starters372
Number of Starts1045
Winners 125
2nd Place finishers148
Third place finishers... 133
20% DCTP Earnings & Certifier Awards - \$578,858.86 each respectively
Total Annual Awards as of 10-1-11: \$1,157,717.72

Total DCTP Applications to date: 2,736
2011 DCTP Horses of Racing Age: 2.501
Two year olds – 453
Three year olds – 476
Four year olds – 373
Older horses – 1,199

Ms. Gruwell had some questions regarding the racing surface and indicated that she had a meeting with John Mooney about the racing surface.

Commissioner Patterson asked about the Delaware Certified Stakes that were run and that he was dismayed that the handle was down. Ms. Gruwell indicated that Keeneland is now running.

Mr. Mooney added that it is a typical trend when October comes that racing at Delaware Park is affected. With the opening of Keeneland (Lexington, Kentucky) and their magnificent turf course, Belmont, Woodbine and other venues holding their championship races, a lot of good horses and big name trainers opt to ship out early. Good horses and full fields attract horse bettors/players.

9. PUBLIC COMMENT

Acting Chair, Patterson asked Mr. Mooney to continue his discussion and comments in regards to the racing surface. Mr. Mooney stated that he was well aware that injuries have been above the average. Delaware Park has used Joe King and Associates out of New York, a highly regarded track consultant company. Joe King came to Delaware Park personally and spent the day with himself and Ken Brown, Track Superintendent. Mr. King took samples of the track surface for analysis and was present while the track surface received some heavy rain. Test samples were taken while the track was sloppy, good, and then fast. The resulting analysis was reported that samples came back with a "high-rating." Mr. Mooney continued that they are looking at different ways to handle the racing surface and equipment that could be used. Mr. King suggested and they expected that they will add quite a bit of silt which they lost during the hurricane Irene. They are going to have two breaks each day to condition the track and add moisture. Mr. King also suggested that they raise the silt content by 3.5% above what it currently is. They have been examining the hoof prints and that surface has very good resiliency. After the meet closes, they are going to scrape the cushion from the surface and examine the limestone base. They will add approximately 600 tons of material to improve resiliency. We will not know how effective this will be until next summer. Overall, Mr. King gave the racing surface a very high rating. Mr. Mooney reminded everyone that they do nuclear testing every year and send samples at least once per month to Mr. King for examination. Mr. Mooney concluded that there are some trainers

that complain while others compliment the racing surface.

Commissioner Decker asked what the condition of the training track was. Mr. Mooney reported that it sustained extensive damage and washouts during the hurricane. He hopes to have the training track back in action by next year.

Commissioner Stegemeier asked Bessie Gruwell about winter stabling and their numbers. Ms. Gruwell thought that there was over 250 stall requests for horses. Mr. Mooney confirmed this number, but added that the Racing Association was not looking to incur any expenses on maintaining the stable area during the off season.

10. EXECUTIVE SESSION

12:03 p.m. A motion was made by Commissioner Decker to go into executive session which was seconded by Commissioner Killeen.

11 ADJOURN

Meeting was adjourned at 12:30 p.m.

DELAWARE CERTIFIED THOROUGHBRED PROGRAM

Saturday, October 01, 2011

2009	DCTP Applications	Foals	Yearlings	Totals
	Jan - Mar	0	20	20
	Apr - Jun	10	66	76
	Jul - Sept	21	122	143
	Oct - Dec	53	191	244
	Total Applications	84	399	483

2010	DCTP Applications	Foals	Yearlings	Totals
	Jan - Mar	0	15	15
	Apr - Jun	5	78	83
	Jul - Sept	25	110	135
	Oct - Dec	46	167	213
	Total Applications	76	370	446

2011	DCTP Applications	Foals	Yearlings	Totals
	Jan - Mar	0	32	32
	Apr - Jun	4	56	60
	Jul - Sept	4	61	65
	Oct - Dec	0	0	0
	Total Applications	8	149	157

Total DCTP Applications to date: 2736

2011 DCTP Horses of Racing Age: 2501

453 (2 yr. olds), 476 (3 yr. olds), 373 (4 yr. olds), 1199 (older horses),

Year	# of Starters	# of Starts	1st	2nd	3rd	20% DCTP Earnings	20% Certifier Awards	Total Annual Awards
<u>thru Sept 30</u>								
2011	372	1045	125	148	133	\$ 578,858.86	\$578,858.86	\$ 1,157,717.72
2010	364	1150	142	180	146	\$ 705,631.25	\$778,203.75	\$ 1,483,835.00
2009	287	922	105	120	121	\$ 511,810.00	\$584,382.50	\$1,096,193
2008	210	690	94	82	109	\$ 367,963.60	\$433,265.20	\$801,229
2007	271	608	90	87	102	\$331,809	\$355,609	\$687,418
2006	139	476	68	61	72	\$201,286.80	\$214,936.80	\$416,224
2005	99	366	52	49	53	\$179,690.00	\$193,340.00	\$373,030
2004*	56	134	20	19	19	\$44,947.00	\$44,947.00	\$89,894
2003*	9	17	7	3	2	\$13,505.00	\$13,505.00	\$27,010

Total DCTP

- * DCTP owners and certifiers received 10% each bonuses in 2003 & 2004
- * DCTP owners and certifiers received 15% each bonuses in 2005 thru May 2008
- * DCTP owners and certifiers received 20% each bonuses beginning June 1, 2008
- * DCTP owners and certifiers received 25% each bonuses beginning April 25, 2009
- * DCTP owners and certifiers received 20% each bonuses beginning April 30, 2011



RECEIVED
10/18/11 JWB

10/18/11
MTG.

Current Delaware Farms enrolled: 82



To: Newsroom Directors and Assignment Editors

For Immediate Release: Contact Anne Fitzgerald
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“HAVRE de GRACE” and owner, Rick Porter honored at Delaware Park Delaware Certified Thoroughbred Program has produced another winner



HAVRE de GRACE winning the OBEAH STAKES at Delaware Park with Jockey, Gabriel Saez

On October 15, 2011, Rick Porter’s outstanding filly, “HAVRE de GRACE” was honored with a proclamation from Governor Jack Markell noting October 15th as “HAVRE de GRACE” day in Delaware. The Delaware Park based filly has had resounding success with grade one wins in the Woodward and Beldame Stakes. “HAVRE de GRACE” is a product of the Delaware Certified Thoroughbred Program (DCTP) having spent its required enrollment period at Candy Land Farm in Middletown, Delaware, one of more than 70 such farms spread throughout Delaware.

Delaware Secretary of Agriculture, Ed Kee, presented the proclamation to Rick Porter in the Delaware Park paddock. Kee forwarded best wishes from Governor Markell to Rick Porter, trainer, J. Larry Jones, and jockey, Ramon Dominguez for the upcoming Breeder’s Cup Classic in which “HAVRE de GRACE” is expected to be entered. A win in the Breeder’s Cup Classic will give “HAVRE de GRACE” an excellent chance of being named Horse of the Year.

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Following the presentation, Rick Porter signed photographs of “HAVRE de GRACE” that were provided courtesy of Delaware Park and the Delaware Thoroughbred Certified Program (DTCP) to visiting fans.

The day was capped with four DTCP Stakes offering purse money in the amount of \$75,000.00 in each event, respectively.

For more information about HAVRE de Grace, contact John Wayne, Executive Director of the Delaware Thoroughbred Racing Commission at (302) 994-2521 ext 8970 (voice mail). For more information about the Delaware Certified Thoroughbred Program, contact Bessie Gruwell at (302) 994-2521 Ext. 7284.



Ed Kee, Secretary of Agriculture and Rick Porter, owner.

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