



**Delaware Thoroughbred Racing Commission
Minutes of Regular Meeting Held On
May 13, 2015**

The Delaware Thoroughbred Racing Commission held a regular meeting on Wednesday, May 13, 2015, at 9:05 a.m., in the Horseman's Office, 2nd Floor, at Delaware Park, 777 Delaware Park Blvd, Wilmington, DE 19804

The following Commission members were present:

W. Duncan Patterson, Jr., Chairman
Edward J. Stegemeier, Secretary/Commissioner
Henry J. Decker, Commissioner
Richard A. Levine, Esq., Commissioner

The following Commission members were absent

Debra M. Killeen, Commissioner

The following individuals also were present:

John F. Wayne, DTRC, Executive Director
Andrew Kerber, Deputy Attorney General, Commission Counsel
Kevin DeLucia, Delaware Park, Sr. Vice President & CFO, Racing-Administration
Nancy Myshko, Delaware Park, Sr. Vice President, HR/EVS/F&B/Mutuel/Sec.
John E. Mooney, Delaware Park, Executive Director of Racing
Beverly Fowler, Delaware Park, Test Barn Supervisor
Jeff Ganc, Delaware Park, Assistant Director, Security
Bessie Gruwell, DTHA Executive Director
Francis J. Swift, Jr., DTRC, Inspector
John T. Peters, D.V.M., DTRC, Chief Commission Veterinarian
G. Jack Houghton Jr., DTRC, Chief Steward
Fritz Burkhardt, DTRC, Steward
Dennis Lima, DTRC, Steward
Steven Bertrando, Owner
Thomas Cash, Special Agent, Federal Bureau of Investigation
Pam Rash, DTRC, Administrative Asst. (Recording Minutes)

1. WELCOME & CALL TO ORDER

At approximately 9:08 a.m., Chairman Duncan Patterson called the meeting to order.

1. APPROVAL OF MINUTES

Upon a motion duly made (Stegemeier) and seconded (Levine), minutes of April 16, 2015 were approved.

2. OLD BUSINESS

A. Approval of ARCI Stacking Rule incorporation into DTRC Regulations

DAG Andrew Kerber indicated the proposed amendment of the Stacking Rule was published in the Registrar of Regulations for comment and is being approved at this meeting. Mr. Wayne confirmed there were no comments received. The Rule as proposed was reviewed by DAG Kerber: Add to Rule 15.1.3.1.4 "Except as provided in DTRC 15.20" which says: "The Commission hereby adopts by reference the Association of Racing Commissioners International Non-Steroidal Anti-Inflammatory Drug Stacking rule (ARCI-011-020, Part E.(1)(C)), version 5.9 approved December 12, 2014."

Upon a motion duly made (Levine) and seconded (Stegemeier), the amendment was approved.

DAG Kerber indicated the changes will go to Registrar for June 1 and will be effective June 11, 2015.

B. Equine Drug Testing Contract (back-up Laboratory Services)

Per instructions from The Commissioners at the April meeting, Mr. Wayne contacted Industrial Laboratories regarding back-up laboratory services and was to follow-up upon his return from Tampa. He did contact them at the ARCI meeting but did not pursue further since Chairman Patterson and Mr. Strug from Dalare Associates apparently had a discussion at the Tampa International Airport while they were in the process of returning to Philadelphia. According to Mr. Strug via telephone, he advised Mr. Wayne that he and Chairman Patterson had worked out an agreement where he would accept the DTRC's proposal to work as a back-up laboratory with the offer of the retainer and the original RFP bid numbers. Upon Mr. Wayne's return to the office on Monday, April 27, he contacted Mr. Strug that this new information would have to be brought up before the Commission at their May meeting since they had decided to pass on his counter offer for back up services. Mr. Wayne advised Mr. Strug that he could not move forward until the Commission had an opportunity to review the matter and make a decision.

Mr. Wayne advised that he received an email the morning of the 5-13-15 before the Commission meeting. Mr. Strug indicated he will accept the proposal from DAG Andrew Kerber and the pricing in their original RFP with Delaware Park being responsible for arranging and paying for shipment of samples to the lab and supplies sent to the track. Industrial Laboratories indicated they will honor their original RFP and there was no offer of a retainer made to Industrial Laboratories. Commissioners Stegemeier and Decker asked and Mr. Wayne confirmed that Mr. Strug has adjusted his original RFP so that the track would have to pay for shipping costs.

Mr. Wayne shared that several samples have been shipped to Truesdail Laboratories and Jack Houghton stated the samples have been returned within 7 days with no problems.

Upon a motion duly made (Decker) and seconded (Stegemeier), decision to secure confirmation from Industrial Laboratories that they will take our samples on a case-by-case basis was approved.

C. Econometrics Study

Review of the Econometrics Study was tabled to the June 17 meeting.

3. NEW BUSINESS

A. ARCI Meeting (April 20-23)

Chairman Patterson discussed the meeting that took place in Tampa.

- Cobalt

The Cobalt threshold levels are predicated on the health and welfare of the horse not performance enhancement. Levels for performance enhancing factors of Cobalt were not determined. Mary Scollay (Kentucky) shared pictures of horses injected with Cobalt which showed how deleterious the affects can be to the horse. Chairman Patterson felt the levels are fairly high.

	Out-of-Competition	In-Competition (Race)
50ng/ml	Horse unable to run until level is below 25ng/ml; fine for the trainer;	Loss of purse; minimum \$500 fine; 15 day suspension; horse unable to run until level is below 25ng/ml
25-50ng/ml	Horse unable to run until level is below 25ng/ml; warning	Horse unable to run until level is below 25ng/ml; warning

The ARCI Board approved, but is subject to Dr. Dionne Benson's final review (per email shared by Mr. Wayne) as she originated the proposal. It is expected to be updated May 13, 2015.

Chairman Patterson stated he does not want to delay this until next month because there are immaterial details that need to be worked out. Mr. Wayne commented that DTRC will be testing for Cobalt because it has been determined to be injurious to the horse. If the Cobalt levels are excessive, action will be taken from a horse abuse perspective.

DAG Andrew Kerber stated an emergency rule could be passed. Chairman Patterson indicated other race tracks, prior to implementation of the rule, passed it as a house rule. Commissioner Decker asked if a trainer was suspended for an overage of Cobalt at another track would that suspension be honored here. Chairman Patterson confirmed yes.

Bessie Gruwell asked if neighboring tracks are following through on this. Chairman Patterson stated that his understanding is yes. Mr. Wayne will contact Frank Zanzuccki, New Jersey; Mike Hopkins, Maryland, to confirm.

DAG Andrew Kerber confirmed that if a decision is made today to publish a proposed rule to incorporate the ARCI rule, he could submit to the Registrar of Regulations by May 15, it would be published on June 1, there would be a 30 day comment period and the Commission would approve at the July meeting. It would then be published on August 1 to be effective August 11. If need be, an emergency rule can be passed.

Upon a motion duly made (Decker) and seconded (Stegemeier), the general rule, subject to the final documentation being provided to DAG Kerber, was approved. Mr. Wayne will provide the proposed rule to DAG Kerber to begin the process.

- Gamma Aminobutyric Acid (GABA or Carolina Gold)

Chairman Patterson indicated no threshold levels were set as there were discrepancies with RMTC recommendations (100ng) and the HPBA (Dr. Tobin) studies (190ng). The group did not feel it was a problem because it is mitigated by third party administration of Salix and most of the abuse was when the veterinarians were administering GABA with the Salix. However, it is a problem that needs to be addressed and will be addressed later this year.

- Hair Testing

Chairman Patterson indicated the presentation on hair testing was fascinating. Drugs remain in hair for an extended period of time. Hair grows at 2cm/month creating retrospective history of drug use; i.e. 24cm of hair provides a one-year history of drug use. Analysis is difficult because it is labor intensive. It is an effective analysis for anabolic steroids, corticosteroids, clenbuterol and hormones. The sample is taken from the tail or mane vs. the coat.

- Flexible Horse Shoe

Chairman Patterson shared for attendee's inspection a new horse shoe that is supposed to be flexible. It was presented at the meeting. Some design issues were discussed.

- Proposal to be More Proactive on Medications

There is a proposal that will be brought up at the meeting in Deadwood about being more proactive on medications. Basically, if a drug is found in a horse's system (mostly in out-of-competition testing) in excessive quantities above what is considered normal veterinarian use, then they would be subject to disciplinary actions. The language will need to be revised and studied and looked at from a legal standpoint. This is an attempt to get ahead of the curve. This is the primary focus of the July meeting in Deadwood, South Dakota.

4. REPORT FROM DTRC EXECUTIVE DIRECTOR

Summary of Activities Report for April 30, 2015

Executive Director Wayne submitted his written report to the Commission for the period April 1 to April 30, 2015. Points of interest read into the record included:

	<u>April 2015</u>	<u>Year-To-Date</u>
Number of Persons Fingerprinted	13	43
Fingerprint Fees Collected	\$1,027	\$3,397
DTRC Licenses Issued	278	1,339
Fines & Appeal Fees Collected	\$2,000	\$2,000
License Fees Collected	\$9,165	\$32,465

Other Statistics During April

ARCI National Surveys answered	0
Contacts from Police Agencies	17
Contacts from Video Lottery Enforcement	4
Freedom of Information Act Request for Info	1
National Racing Compact Reviews	6
National Racing Compact Applications Rec'd	19
Contacts from Racing Industry Groups	14
Contacts from other Racing Commissions	33
Contacts from other Race Associations	10
Contacts from the General Public	1
Contacts from Horsemen	12
Media Contacts	17
Contacts from Racing Officials Accreditation Program (ROAP)	7

Mr. Wayne advised that the Annual Report was published and posted on line. He indicated he would be glad to have hard copies printed. Commissioner Stegemeier shared a copy of it to the group. Mr. Wayne thanked the Stewards, Delaware Park, the Licensing Office, horsemen and the Laboratory for their help in compiling statistics. Commissioner Stegemeier questioned whether it would be worth sending a copy of the Annual Report to the legislators. The Commissioners agreed that it would be good to do.

5. REPORT FROM DTRC CHIEF COMMISSION VETERINARIAN

Health Report

John T. Peters, D.V.M., Chief Commission Veterinarian made the following report:

Dr. Peters was pleased to announce there were no deaths since the last meeting. Everything is going very well. He reminded the horseman and would appreciate it being put on the overnight, a reminder about vaccinations. He stated it is a veterinarian's responsibility and there are good vaccines available that will protect the animal from diseases.

6. PUBLIC COMMENT

Delaware Park

John Mooney indicated that things are going smoothly. Yesterday was the first days of entries. Races are filled for Saturday. There are about 1,100 horses on the grounds which is an increase over the last 5 years.

Upon a motion duly made (Decker) and seconded (Stegemeier), the Delaware Park Racing Officials list was approved as presented.

Stewards

Jack Houghton indicated that things are going well. There are a lot of interviews to be conducted – trainers, jockeys, etc. There are several new jockeys and trainers. Chairman Patterson asked where the riders are coming from. Mr. Houghton indicated they were coming from Tampa, Suffix, one from Canada.

7. REPORT FROM DELAWARE THOROUGHBRED HORSEMEN'S ASSOCIATION

Delaware Certified Thoroughbred Program Report

DTHA Executive Director, Bessie Gruwell filed the following report:

The open house (trainers' meeting) was held on Saturday. There were approximately 42 trainers as well as assistant trainers and owners. She commended John Mooney on the backside being filled. There are a lot of new faces and a lot of those new faces were at the meeting. Jack Houghton and Dr. Peters talked about issues with medication. The meeting was well received.

Ms. Gruwell shared copies of the DTHA Delaware Thoroughbred Horsemen's Journal that was handed out at the open house.

There were 5 more yearlings since the April Meeting. There was a gain of \$258.48 in interest which makes the starting balance for bonuses this year \$1,049,985.

Ms. Gruwell stated they were having problems with their new computer system and were not able to get the report as presented in the past. The report she provided is the monthly balance sheet.

Commissioner Stegemeier asked Ms. Gruwell what her concerns were for this meet. Ms. Gruwell expressed the concern for entries, but felt that with 1,100 horses on the ground that will take care of that. They will be running against Maryland in August (approximately 15-18 days), so not sure what kind of affect that will have. Chairman Patterson asked Mr. Mooney if he would adjust his schedule. Mr. Mooney said no, and that he would adjust it in 2016 if a neighboring track closes, etc.

8. PUBLIC COMMENT (Continued)

Whipping Policy

Steven Bertrando asked if there was a policy on whipping and if so what the policy is. Jack Houghton stated there was no rule as the supposedly more humane riding crop is used. The Stewards have called people in and have fined people for excessive use of the whip, but there is not a specific rule. Dennis Lima indicated that in Tampa they work the same way. They monitor usage and feel if it is being over used they call the rider in. Chairman Patterson asked if he felt there should be a policy. Mr. Lima felt it was a touchy subject and very controversial. Jack Houghton referred to a comment online by Calvin Borel where he stated the horses do not respond to the new whips as they did to the old whips and that is why it is used more. John Mooney indicated that most riders make the same comments. Bessie Gruwell felt if they want to stop using the whips they should stop using them on the 2 year olds in training sale where they are whipping them. Mr. Mooney stated that is why they are trying to do away with the breeze show.

9. EXECUTIVE SESSION

Upon a motion duly made (Stegemeier) and seconded (Decker), the meeting was adjourned and moved to Executive Session to discuss personnel issues at approximately 9:55 a.m.

10. ADJOURNMENT

The meeting returned to public session at 11:31 a.m. and upon a motion duly made (Levine) and seconded (Decker), the meeting was adjourned.

Delaware Certified Special Acct -Monthly Balance - 2015

		Transactions		Balance
Ending Balance - 2014	\$	99,275.84	\$	99,275.84
2015 Jan Interest	\$	17.39	\$	99,293.23
Feb Interest	\$	175.09	\$	99,468.32
2015 Annual Bonus - 2/11/15	\$	1,000,000.00	\$	1,099,468.32
Admin 5%	\$	(50,000.00)	\$	1,049,468.32
March Interest	\$	258.42	\$	1,049,726.74
April Interest	\$	258.48	\$	1,049,985.22
Available Funds - 5/13/2015	\$	1,049,985.22		



Delaware
Thoroughbred
Horsemen's
Association

Delaware Thoroughbred Horsemen's Journal

Volume 1, Issue 1

April - May 2015

IMPORTANT REMINDERS WHILE ON DELAWARE PARK PROPERTY.....

- ◆ Manure, straw and shavings/sawdust **MUST BE PUSHED FORWARD** and completely inside the container.
- ◆ No smoking in any barn, shed row or bunkhouse.
- ◆ Due to federal EPA regulations, all horses must be bathed on the designated wash pads with biodegradable soap only.
- ◆ Keep the stable area clean by placing trash and manure in their designated disposal container.
- ◆ No dogs allowed. All cats must be spayed/neutered and vaccinated.
- ◆ Do not park on the grass in front of barns or bunkhouses.
- ◆ Chickens and Roosters are not permitted in the stable area.

VIOLATORS WILL BE REPORTED TO THE STEWARDS AND MAY BE FINED AND/OR SUSPENDED.

Dates to Remember

OPEN HOUSE - (Trainers, Asst. Trainers and Owners) **May 9th** Horsemen's Office 11:00 a.m. **LUNCH** provided by Blue Seal Feed and **DOOR PRIZES:** Hay, feed, equine specialty products and more. Must be present to win

OPENING DAY - **May 16th** Delaware Park post time 1:15 p.m.

FAMILY FUN DAY - **May 30th, July 25th** and **August 22nd** Delaware Park in The Grove 12:30 p.m.

Volunteers needed call the horsemen's office (302) 994-2521 ext. 7284

SPECIAL FATHER'S DAY CELEBRATION, SATURDAY **June 20th** Delaware Park in The Grove 1:15 p.m.

RETIREMENT SIGN UP - **June 16th & 25th** 10:00 a.m. - 2:00 p.m. Horsemen's Office

DHAF GOLF TOURNAMENT - **September 11th** at White Clay Creek Country Club. *Volunteers, Golfers and Sponsors needed contact Lynda (302) 994-2521 ext. 7289*

OWNER'S DAY (Invite Only) - **September 12th** Delaware Park in The Grove

Important Phone Numbers

Main Line: (302) 994-2521

Outside Delaware: (800) 441-6587

Horsemen's Office - 7284

Horsemen's Assistance- 7289

DCTP - 6532

Racing Secretary Jed Doro	7277	Entries	7218	Paddock Judge	7218	Stewards (PM)	7247
Asst. Racing Secretary	7226	Equibase	7385	Racing Commission	8970	Steward's Secretary	7247
Clerk of Scales	7193 & 7265	First Aid	7267	Security	7450	Tack Shop	7281
Clockers	7242 & 7243	Horse ID	7189	Stable Gate	7253 & 7353	Tape Video Replay	7333
Horsemen's Bookkeeper	7262	Jockey's Room	7264	State Vet	7474	Track Photographer	7376
Stakes Coordinator	7225	Lasix Barn	7286	Starting Gate	7398	Track Superintendent	7293
Stall Office	7282	Licensing	7258	Stewards (AM)	7244, 7245, & 7246		



Delaware Thoroughbred Horsemen's Association

777 Delaware Park Blvd.
Wilmington, DE 19804

Phone: 302-994-2521 ext. 7284
Fax: 302-994-3392
E-mail: info@dttha.com

Like us on Facebook at
"Friends of Delaware
Horse Racing"



Follow us on twitter
@DTHA_Gruwell



Published for the members of the Delaware Thoroughbred Horsemen's Association

Lasix Schedule

Race	Post	Barn Deadline	Med-By
1	1:15	9:45	10:15
2	1:42	10:15	10:45
3	2:09	10:45	11:15
4	2:36	11:15	11:45
5	3:03	11:45	12:15
6	3:30	12:15	12:45
7	3:57	12:45	1:15
8	4:24	1:15	1:45
9	4:51	1:45	2:15
10	5:18	2:15	2:45
11	5:45	2:45	3:15

Mowing Schedule

Wednesday:

Barns 1, 15 & 16

Thursday:

Barns 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 21,

Friday:

Barns 17, 18, 19, 20, 29,30,31, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and 51.

Please be sure to pick up around your barn on the day you are scheduled for mowing.

DTHA Office Hours

Monday - 8:00 a.m. - 2:00 p.m.

Tuesday - 8:00 a.m. - 2:00 p.m.

Wednesday - 8:00 a.m. - 2:00 p.m.

Thursday - 8:00 a.m. - 2:00 p.m.

Friday - 8:00 a.m. - 2:00 p.m.

Saturday - 8:00 a.m. - 2:00 p.m.

Sunday - CLOSED

Please come join us for the next DTTHA Board meeting on Wednesday, May 20th at 5:00 p.m. in the Horsemen's Office