



**Delaware Thoroughbred Racing Commission
Minutes of Meeting Held On
October 13, 2016**

The Delaware Thoroughbred Racing Commission held a meeting on Thursday, October 13, 2016, at 10:05 a.m., in the Horsemen's Office, at Delaware Park, 777 Delaware Park Blvd, Wilmington, DE 19804

The following Commission members were present:

W. Duncan Patterson, Jr., Chairman
Edward Stegemeier, Secretary/Commissioner
Richard Levine Esq., Commissioner
Debra Killeen, Commissioner

The following individuals also were present:

John F. Wayne, DTRC, Executive Director
Andrew G. Kerber, Esq., Deputy Attorney General, Commission Counsel
Oliver Cleary, Deputy Attorney General, Stewards Counsel
Kevin DeLucia, Sr. Vice President & CFO, Racing-Administration, Delaware Park
Chris Sobocinski, Delaware Park, Racing Information Coordinator
John Mooney, Delaware Park, Executive Director of Racing
Bessie Gruwell, DTHA, Executive Director
G. Jack Houghton Jr., DTRC, Chief State Steward
James Lages, DTRC, Steward
Frederick Burkhardt, DTRC, Steward
Reese Howard, DTRC, Safety Steward
Francis Swift, DTRC, Inspector
Michael Delaney, DTRC, Inspector
Susan Botts, V.M.D, Acting Chief Commission Veterinarian
Robert Colton, Delaware Jockeys Association, Representative
Beverly Fowler, Delaware Park, Test Barn Supervisor
Mark Burns, Delaware Park, Security
Pete Lizarzaburu, Exercise Rider
Keli Rizer-Peterson, Trainer
R. Bradford, Trainer
Molly Church, DTRC, Administrative Asst. (recording minutes)

1. WELCOME & CALL TO ORDER

At approximately 10:31 a.m., Chairman Patterson called the meeting to order.

2. APPROVAL OF MINUTES (SEPTEMBER 14, 2016)

Upon a motion duly made (Killeen) and seconded (Stegemeier) the minutes for September 14, 2016 were approved.

3. REPORT FROM DTRC ACTING CHIEF COMMISSION VETERINARIAN

A. Health Report and Information

Dr. Susan Botts reported that equine fatalities were minimal for the month of September. Three horses were euthanized for other reasons. These reasons included acute laminitis, a slab fracture, and one which had suffered injury six weeks prior and was sent to surgery to remove bone chips and a tendon sheath infection. Dr. Botts also advised that horses should be vaccinated for West Nile Virus before fall.

4. DECISION AND ORDERS TO BE SIGNED BY COMMISSION

A. Ms. Carol Cedeno-Appeal of Stewards Ruling 63-2016

7 Days Suspension (Careless Riding)

DTRC Rule Number(s): 3.3, 3.4, 3.4.1.17.1, 14.15, and 14.16

Mr. Kerber presented the written order for the appeal of Carol Cedeno to the Commissioners. In the last meeting, they had affirmed the stewards ruling #63-2016 but said the suspension should start September 25, 2016 and end October 1, 2016. The vote was 4-1 with Commissioner Stegemeier voting no. Chairman Patterson confirmed with Mr. Jack Houghton that Ms. Cedeno had already served those days.

B. Mr. Michael Lerman-Appeal of Stewards Ruling 22-2016

\$1,000 Fine (Failure to Conduct Business in a Proper Manner)

DTRC Rule Number(s): 3.4, 3.1.4.1.15, and 11.14.15

Mr. Kerber presented the written order for the appeal of Michael Lerman to the Commissioners. It was a vote of 3-1 with Commissioner Patterson not being involved in the hearing and Commissioner Levine voting no. Mr. Lerman submitted a motion for re-argument that Mr. Kerber recommended be denied. Mr. Kerber advised in the signing of the Order, there should be a motion from the Commission to that effect.

Both of the Decision and Orders were signed by the Commissioners, with the exception of Commissioner Decker who was not present at the meeting. *Copies of the Decision and Orders were forwarded electronically to Mr. Decker for review and signature. Those documents were returned to the Commission via fax with Mr. Decker's signature affixed thereto.*

5. OLD BUSINESS

A. Proposed Rule Change (14.19.1 and 14.20) Multiple Disqualifications and Dead Heats (further discussion)

Mr. Kerber revisited a question that the Commissioners previously had about the word "penalty" in rule change 14.20B. Mr. Houghton clarified that the word "penalty" in rule change 14.20B is correct as stated because if one of the horses gets a positive test, he is disqualified from all purse monies, and the other horse is still a winner. Both horses cannot be disqualified in a dead heat. Commissioner Stegemeier made a motion to approve the rewrite of Rule 14.19.1 and 14.20; the motion seconded by Commissioner Killeen. The vote was unanimous among the Commissioners.

Before moving on to New Business, Chairman Patterson expressed his disappointment with the Horsemen's Association's decision to vote against Betfair Exchange Wagering Program. Chairman Patterson believes the decision was very short-sighted. Ms. Bessie Gruwell explained how the board was uncomfortable with how Betfair may cause problems with jockeys and they needed more information before approving the exchange

wagering program. Commissioner Killeen suggested to Ms. Gruwell that perhaps the DTHA could include Betfair representatives in the next meeting so they could answer any questions about any concerns. Ms. Gruwell clarified that Betfair approval is definitely not “off the table” yet.

6. NEW BUSINESS

- A. Report from DTRC Executive Director
 - 1. Summary of Activities for September, 2016 and Information

Summary of Activities Report for September, 2016

	<u>September 2016</u>	<u>Year-To-Date</u>
Number of Persons Fingerprinted	4	89
Fingerprint Fees Collected	\$298	\$6,715
DTRC Licenses Issued	407	5,293
Fines & Appeal Fees Collected	\$2,700	\$13,565
License Fees Collected	\$16,550	\$154,370

Other Statistics During August

ARCI National Surveys answered	11
Contacts from Police Agencies	12
Contacts from Video Lottery Enforcement	2
Freedom of Information Act Request for Info	0
National Racing Compact Reviews	1
National Racing Compact Applications Rec'd	22
Contacts from Racing Industry Groups	13
Contacts from other Racing Commissions	15
Contacts from other Race Associations	13
Contacts from the General Public	9
Contacts from Horsemen	33
Media Contacts	4
Contacts from Racing Officials Accreditation Program (ROAP)	11

After reviewing these statistics with the Commission, Mr. John Wayne discussed the success of the Jockeys’ visit to Nemours A.I. duPont Children’s Hospital during the first week of September in conjunction with other jockey colonies across North America in an effort to bring attention of childhood illnesses. Gifts were supplied by Delaware Park and the Jockey’s Guild. Mr. Wayne commended the jockeys and valets and helpers that were in attendance to bring some cheer into the hospital.

7. REPORT FRO DELAWARE THOROUGHBRED HORSEMEN’S ASSOCIATION

- A. Delaware Certified Thoroughbred Program Report

DTHA Executive Director Ms. Bessie Gruwell

DTHA Executive Director Ms. Bessie Gruwell explained that the September report did not reflect the new influx of Delaware Certified horses since the Timonium Sales. There are 88 total applications listed for the year. In September 2016, there were 195 Starters, 560 Starts, 62 firsts, 75 seconds, and 87 thirds, paying out a total of \$615,881.24. The program had four stakes on Owner’s Day. On certifier bonuses, they paid out \$53,250. Ms. Gruwell discussed the PDJF/Family Fun

Day, and the activities that took place. Scott Peck was elected president of DTHA. There are also new members in the DTHA office, Keith Nations and Louis Albertrani.

Before moving to executive session, Chairman Patterson asked Mr. John Mooney about the rise in entries lately. Mr. Mooney answered that he thinks the rise in entries is due to the fact that a lot of the 2 year old horses are now ready to race and there were also trainers coming from Canterbury to race.

8. EXECUTIVE SESSION

Upon a motion duly made (Patterson) and seconded (Killeen), the meeting was adjourned and moved to Executive Session at approximately 11:10 a.m. Upon a motion duly made (Patterson) and seconded (Killeen), the Executive Session was adjourned at 11:55 AM and moved to a public session at approximately 11:56 AM.

9. ADJOURNMENT

At this time Commissioner Levine moved to authorize Mr. John Wayne and Mr. Francis Swift to temporarily assist, and to be compensated, for working with the American Quarter Horse Association Integrity Team, and that it complies with Delaware Law. Their leave would take place from October 27 through the 31st, 2016. Commissioner Stegemeier seconded the motion. The vote was unanimous. Upon a motion duly made (Patterson) and seconded (Stegemeier) the meeting was adjourned.

Bessie's DCTP Report Sept 2016
Yearly Stats and Amounts

2016	DCTP Applications	Weanlings	Yearlings	Total
	Jan - Mar	1	20	21
	Apr - Jun	2	24	26
	July - Sept	11	30	41
	Oct - Dec	0	0	0
	Total Applications	14	74	88
2015	DCTP Applications	Weanlings	Yearlings	Totals
	Jan - Mar	0	15	15
	Apr - Jun	0	28	28
	Jul - Sept	14	40	54
	Oct - Dec	33	65	98
	Total Applications	47	148	195
2014	DCTP Applications	Weanlings	Yearlings	Totals
	Jan - Mar	0	27	27
	Apr - Jun	4	39	43
	Jul - Sept	19	49	68
	Oct - Dec	30	58	88
	Total Applications	53	173	226
2013	DCTP Applications	Weanlings	Yearlings	Totals
	Jan - Mar	2	15	17
	Apr - Jun	1	35	36
	July - Sept	8	32	40
	Oct - Dec	50	84	134
	Total Applications	61	166	227

Total Applications to date 3841
Total 2 Yr olds for 2016 - 201

Bessie's DCTP Report Sept 2016
Yearly Stats and Amounts

2015	Certifier Amount	Owner Amount	Total for Month
May	\$ 40,420.00	\$ 40,420.00	\$ 80,840.00
June	\$ 106,880.00	\$ 106,880.00	\$ 213,760.00
July	\$ 76,345.00	\$ 76,345.00	\$ 152,690.00
August	\$ 92,220.00	\$ 92,220.00	\$ 184,440.00
Sept	\$ 131,407.50	\$ 78,157.50	\$ 209,565.00
Oct	\$ 49,727.50	\$ 49,727.50	\$ 99,455.00
Dec (DQ ruling)	\$ 2,500.00	\$ 2,500.00	\$ 5,000.00
	\$ 499,500.00	\$ 446,250.00	\$ 945,750.00

2016	Certifier Amount	Owner Amount	Total for Month
May	\$ 30,335.00	\$ 30,335.00	\$ 60,670.00
June	\$ 63,418.75	\$ 63,418.75	\$ 126,837.50
July	\$ 63,130.00	\$ 63,130.00	\$ 126,260.00
August	\$ 76,995.00	\$ 76,995.00	\$ 153,990.00
Sept	\$ 100,686.87	47436.87	\$ 148,123.74
Oct			
		Total	\$ 615,881.24

Delaware Certified Special Acct -Monthly Balance - 2016

Transactions	Balance
December 2015 - Balance	\$ 105,474.67
January interest \$ 22.31	\$ 105,496.98
February - DCTP A \$ 1,000,000.00	\$ 1,105,496.98
February - DCTP A \$ (50,000.00)	\$ 1,055,496.98
February interest \$ 180.09	\$ 1,055,677.07
March Interest \$ 267.88	\$ 1,055,944.95
April Interest \$ 267.94	\$ 1,056,212.89
May interest \$ 259.37	\$ 1,056,472.26
May Bonus \$ (60,670.00)	\$ 995,802.26
June Bonus \$ (126,837.50)	\$ 868,964.76
June Interest \$ 259.43	\$ 869,224.19
July Bonus \$ (126,260.00)	\$ 743,094.19
July Interest \$ 252.75	\$ 743,346.94
August Bonus \$ (153,990.00)	\$ 589,356.94
August Interest \$ 217.58	\$ 589,574.52
Sept Bonus \$ (148,123.74)	\$ 441,450.78
Sept Interest \$ 185.94	\$ 441,636.72

Total Applications to date 3841

Total 2 Yr olds for 2016 - 201

Bessie's DCTP Report August 2016

Yearly Stats and Amounts

Year	# of Starters	# of Starts	1st	2nd	3rd	25% Cert	25% Owner	Totals
Sept								
2016	195	560	62	75	87	\$ 334,565.62	\$ 281,315.62	\$ 615,881.24
2015	240	709	97	106	115	\$ 446,250.00	\$ 499,500.00	\$ 945,750.00
2014	271	779	105	105	112	\$ 478,120.75	\$ 531,371.57	\$ 1,009,492.32
2013	270	713	97	99	102	\$ 416,504.00	\$ 470,722.00	\$ 887,226.00
2012	318	943	138	140	146	\$ 437,340.00	\$ 409,503.00	\$ 846,843.00
2011	414	1331	166	189	181	\$ 715,099.86	\$ 773,251.86	\$ 1,488,351.72
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	\$ 1,096,192.50
2008	210	690	94	82	109	\$ 367,963.60	\$ 433,265.20	\$ 801,228.80
2007	271	608	90	87	102	\$ 331,809.00	\$ 355,609.00	\$ 687,418.00
2006	139	476	68	61	72	\$ 201,286.80	\$ 214,936.80	\$ 416,223.60
2005	99	366	52	49	53	\$ 179,690.00	\$ 193,340.00	\$ 373,030.00
2004	56	134	20	19	19	\$ 44,947.00	\$ 44,947.00	\$ 89,894.00
2003	9	17	7	3	2	\$ 13,505.00	\$ 13,505.00	\$ 27,010.00
								\$ 10,768,376.18