



**Delaware Thoroughbred Racing Commission
Minutes of Public Hearing and Meeting Held
February 27, 2007**

The Delaware Thoroughbred Racing Commission held a public hearing and meeting on February 27, 2007, at 10:00 AM, in the second floor conference room of the Horseman's Office at 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
Edward J. Stegemeier, Commissioner
Debbie Killeen, Commissioner

The following Commission members were excused:

H. James Decker, Commissioner

The following individuals also were present:

Kimberly A. Wilson, Esq., Deputy Attorney General, Commission Counsel
John F. Wayne, DTRC, Executive Director
Francis J. Swift, DTRC, Inspector
Shelley Perkins, DTRC, Paralegal (<i>recording minutes</i>)
John T. Peters, D.V.M., DTRC Supervising Commission Veterinarian
Joseph Strug, Dalare Associates, Laboratory Director
Chris Camac, Delaware Park, Assistant Racing Secretary
Greg Petkiewicz, Delaware Park, Sr. VP Racing*
Ismael Trejo, Delaware Park, Racing Secretary*
Margie Stallings, Delaware Park, Claims Clerk
Joseph Rudisill, Delaware Park, Sr. VP*
Bessie Gruwell, DTHA, Executive Director
Robert Colton, Delaware Jockeys Association, President
Frederick Burkhardt, DTRC, Associate Steward
Larry Saumell, The Jockeys' Guild, Regional Manager
William I. Fasy, Delaware Park, Chief Operating Officer
Heriberto Rivera, Jr., The Jockeys' Guild, Regional Manager
Terry Barbano Burke, RMR-CRR, Wilcox & Fetzer, Court Reporter

*2007 Delaware Park organizational chart

1. **WELCOME AND CALL TO ORDER**

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

Chairman Daney paused for a moment of silence to remember and mourn the passing of Mr. Robert L. Everett, who served as a commissioner with the Delaware Harness Racing Commission, Ms. Alison Hershbell, a jockey who began her career at Delaware Park, and Mr. Gregory Copsetta, Assistant Director of the New Jersey Racing Commission.

2. **APPROVAL OF MINUTES**

Upon a motion duly made (Patterson) and seconded (Stegemeier) minutes of January 10, 2007, were approved as submitted.

3. **OLD BUSINESS**

A. **2007 Delaware Park License**

Executive Director, John F. Wayne, presented for signature Delaware Park's amended license for 2007. Chairman Daney, Secretary/Commissioner Patterson, Commissioner Stegemeier, and Commissioner Killeen signed the license.

The license will be held until the March 27, 2007 meeting, for Commissioner Decker's signature.

4. **NEW BUSINESS**

A. **2007 Delaware Park Organization Chart**

The commission was provided copies of Delaware Park's 2007 organization chart.

B. **Newly Appointed Racing Secretary, Mr. Ismael Trejo**

Chairman Daney welcomed Delaware Park's newly appointed Racing Secretary, Mr. Ismael "Izzy" Trejo.

5. **REPORT FROM EXECUTIVE DIRECTOR**

A. **Stewards' Roundtable**

A special thank you was extended by Mr. Wayne to Mr. Frederick "Fritz" Burkhardt, DTRC, Associate Steward, on another successful Stewards' Roundtable held February 5, 2007, at the White Clay Country Club on the grounds of Delaware Park. The meetings have been well coordinated and the subject matter, pertinent. The attendees have commented that they consider these meetings very important to the coordination and consistency of rule interpretation in the Mid Atlantic region. The minutes from this meeting were provided to the Commissioners in their folders.

5. **REPORT FROM EXECUTIVE DIRECTOR** (continued)

B. **Joint Finance Committee Hearing**

The Department of Agriculture had their hearing before the Joint Finance Committee in Dover on February 8, 2007. An overview of the Department's activities including the DTRC was presented by Cabinet Secretary, Michael T. Scuse. Mr. Wayne prepared a statistical review of the DTRC's activities during calendar year 2006. Copies of that report were provided to members of the Joint Finance Committee. Chairman Daney attended the hearing at Legislative Hall along with Mr. Wayne. There were no questions posed specifically to the Commission. A copy of the report that was provided to the JFC was previously provided to the Commissioners. Another copy was enclosed in their meeting folders.

In reference to the Statistical report, Mr. Wayne noted that licensing numbers increased dramatically during 2006. Mr. Wayne attributed that to good work on behalf of the DTRC inspector in ensuring that personnel in the stable area were properly licensed. Kudos were also extended to Mr. Joseph Rudisill and his staff for their good work on the gates in making sure personnel had their credentials upon entry to the stable area.

C. **Steroid and Medication Inquiry Memorandum (02/15/2007)**

Memorandum report, prepared by Mr. Wayne, presented to the Commission and discussed at length regarding the findings of the Super-Lab at HFL in Cambridgeshire, England.

In addition, Mr. Wayne reported that the topic of Anabolic and Non-Steroidal Anti-Inflammatory medications would be one of the topics of discussion at the ARCI Region 8 meeting, which is scheduled for February 28, 2007 at Philadelphia Park.

Mr. Wayne added that Dr. Scot Waterman, of the NTRA Medication Testing Consortium would be making a recommendation to the industry at the ARCI meeting in Jackson Hole, Wyoming in April. It is anticipated that the recommendation from the RMTC will be to ban all Anabolic Steroids for use in racing by January 1, 2008.

6. **REPORT FROM COMMISSION VETERINARIAN**

Dr. John Peters addressed the Commission regarding Equine Herpes Virus in the Mid Atlantic region (Maryland, Virginia, and West Virginia). Philadelphia Park is currently banning horses coming into their stable area from all Mid Atlantic locations pending equine medical clearance.

Dr. Peters recommended that all horses be vaccinated to minimize health risks.

7. **PUBLIC HEARING PROCEEDINGS**

Commission Counsel, Kimberly A. Wilson, Esq., presented the order of proceedings for public hearings involving rule making. Consideration of proposed amendments to the DTRC Rules & Regulations is before the Commission. Chairman Daney opened the record and verbatim minutes were recorded.

Rule 6.0: To better describe license structure and requirements.

Rule 11.1.1: To require eligibility at the time of entry and the starting of a race.

Rule 15: To clarify policy and procedure surrounding the use, testing, and penalty for prohibited substances and impermissible levels of acceptable substances.

8. **REPORT FROM DELAWARE THOROUGHBRED HORSEMEN'S ASSOCIATION**

Executive Director, Bessie Gruwell commented that things are going well with winter stabling and that the horsemen are very pleased with the results. Ms. Gruwell indicated that the barns and stable area are in great shape. The Delaware Certified Thoroughbred Program award dinner will be held on April 27, 2007. Chairman Daney noted that most of the Commissioners would be attending the ARCI meeting during that time and would not be able to attend.

9. **COMMENTS FROM WILLIAM I. FASY**

Mr. Fasy reported that he and the horsemen were discussing a survey that they would like the Commission to conduct. This independent survey would be to poll horsemen regarding their viewpoints on synthetic racing surfaces. Some of the winter related problems that Turfway Park in Florence, Kentucky was experiencing were discussed.

10. **ADJOURN**

Upon a motion duly made Chairman Daney adjourned the meeting at 11:05 AM.