



**Delaware Thoroughbred Racing Commission
Minutes of Regular Meeting Held
April 17, 2007**

The Delaware Thoroughbred Racing Commission held a meeting on April 17, 2007, at 10:00 AM in the second floor conference room of the Horsemen'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
Debbie Killeen, Commissioner
Edward J. Stegemeier, 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
Barbara J. Gadbois, Deputy Attorney General, Stewards' Counsel
John F. Wayne, DTRC, Executive Director
John T. Peters, D.V.M., DTRC, Supervising Commission Veterinarian
Kathy Picciano, D.V.M., Commission Veterinarian
Francis Swift, DTRC, Inspector
Jack Houghton, Jr., DTRC, Chief State Steward
Fritz Burkhardt, DTRC, Associate State Steward
Joe Rudisill, Delaware Park, Sr. VP of Compliance
Greg Petkiewicz, Delaware Park, Sr. VP of Race Track Operations
Ismael Trejo, Delaware Park, Racing Secretary
Ken Brown, Delaware Park, Track Superintendent
Joseph A. Strug, Dalare Associates, Laboratory Director
Bessie Gruwell, DTHA, Executive Director
Scott Peck, DTHA, President
Ramon L. Rodriguez, TRPB Agent
Larry Saumell, The Jockeys' Guild, East Coast Representative
Robert Colton, Delaware Jockeys' Association
Randy Rolfe, Owner
John Unick, MOC Insurance
Jack Ireland, The News Journal

1. **CALL TO ORDER & WELCOME**
Chairman Daney called the meeting to order at 10:00 AM and welcomed those in attendance.

2. **APPROVAL OF MINUTES**
Upon a motion duly made (Patterson) and seconded (Stegemeier) minutes of March 27, 2007 were approved as submitted.

3. **OLD BUSINESS**

Notation: The following items (3A-3D) are submitted as a courtesy by the Delaware Racing Association to the Delaware Thoroughbred Racing Commission for their general information.

A. Certified Weighing Instruments (scales) – Mettler-Toledo, Inc.

As requested by the commission, Mr. Greg Petkiewicz, senior vice president of race track operations, submitted for commission review a certificate of inspection, dated April 10, 2007, from Mettler-Toledo, Inc. (Columbus, Ohio) certifying weighing instruments (scales) at Delaware Park have been inspected, tested, and found to comply with the requirements of the National Institute of Standard and Technology (NIST) Handbook 44, "Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices."

B. Track Condition – Charles E. Coon & Sons, Inc.

As requested by the commission, Mr. Petkiewicz submitted for commission review a letter, dated April 11, 2007, from Mr. Greg Coon, of Charles E. Coon & Sons, Inc., Track Consultants, in which Mr. Coon's writes:

"During the winter, the training track had been affected by the flood waters of the White Clay Creek. The cushion was removed to allow us to examine the stonedust base. The washouts in the base were cleaned and repaired. The cushion was graded back across the track. New custom blended cushion material was added to replace what had been washed away by the floodwaters. It should be mentioned that the grade board and sod installed last year at the inside edge of the training track held up well. The damage from high water was evident only in the outside of the track."

"For the first time in years, the main track was open for horses throughout the winter. Once again, we elected to leave the "pad" beneath the racing cushion undisturbed. This pad keeps a horse from coming into contact with the stonedust base. Soil analysis of the cushion content indicates that the sand, silt, and clay are within acceptable parameters. This cushion, coupled with a stable pad should yield a safe racing surface."

"As always, we will continue to monitor track conditions throughout the race meet. Soil analysis and cushion depth measurements will be performed periodically in an effort to provide a consistent racing surface."

C. Bunkhouse Inspection (#464.001) – O'Donnell, Naccarato, and MacIntosh

As requested by the commission, Mr. Petkiewicz submitted for commission review a letter, dated April 10, 2007, from Mr. Michael E. Miller, project engineer, O'Donnell, Naccarato, and MacIntosh, Structural Engineers, in which Mr. Miller writes:

"Subsequent to our initial inspection to the bunkhouses on March 23, 2007 the following bunkhouses have been repaired and determine to be in fair to good condition and can be safely occupied:

- Bunkhouse #2 (two apartments)*
- Bunkhouse #3 (two apartments)*
- Bunkhouse #4 (two apartments)*
- Bunkhouse #5 (two apartments)*
- Bunkhouse #21 (two apartments)*
- Bunkhouse #46 (four apartments)*
- Bunkhouse #49 (four apartments)*

"We would point out that there is not access to the crawl space beneath the floor to inspect the condition of the floor joists."

D. Horse Stable Follow-Up Inspection (#464.001) – O’Donnell, Naccarato, and MacIntosh

As requested by the commission, Mr. Petkiewicz submitted for commission review a letter, dated April 10, 2007, from Mr. Michael E. Miller, project engineer, O’Donnell, Naccarato, and MacIntosh, Structural Engineers, in which Mr. Miller writes:

“Pursuant to your request, we visited the stable areas at the Delaware Park facility on Tuesday, April 10, 2007. The purpose of our visit was to visually observe the completed repairs highlighted in our letter of February 9, 2007.”

“All the items in our report, with the exception of a few areas, have been inspected and repairs have been performed to our satisfaction. The unfinished areas were not completed due to the stables being occupied. The uncompleted areas are highlighted in the attached sheets and can be completed in the fall of 2007, once the race season has been completed.”

4. NEW BUSINESS

A. Personnel Approval for Clerk of Scales

Racing Secretary, Mr. Ismael Trejo, came before the commission asking their approval of Mr. Thomas Morgan to the position of clerk of scales.

DTRC Executive Director, Mr. John F. Wayne, advised the commission that a background check (including TRPB databases) on the subject revealed no derogatory findings with one exception. One ruling, filed in 1996, without prejudice, for administrative reasons. (Relinquished grooms license for another track-related position)

Upon a motion duly made (Killeen) and seconded (Patterson) the commission grants Mr. Trejo’s request and approves Mr. Thomas Morgan for the clerk of scales position. (Effective immediately)

5. REPORT FROM EXECUTIVE DIRECTOR, JOHN F. WAYNE

A. Summary of Activity Report

As is customary, a combined report for March/April will be released in May 2007.

B. Press Release

As directed by the commission on March 27, 2007, Mr. Wayne released to the media Delaware Thoroughbred Commission Toughens Stance on Racing Integrity, Horse Health Issues and Jockey Safety. National and local media published the release, including The Blood Horse, Thoroughbred Times, The Blood Horse, and The News Journal.

B. Immigrant Worker Program

H2V workers sponsored by the DTHA are expected to arrive at Delaware Park on April 21, 2007. Bessie Gruwell spoke with Mr. Wayne who arranged for the licensing office to be open on a normal closed day to accommodate the new arriving workers for licensing.

6. REPORT FROM SUPERVISING COMMISSION VETERINARIAN, JOHN T. PETERS, D.V.M.

A. Improvements to Vet’s Office

Dr. Peters thanked Mr. Petkiewicz and Mr. Wayne for work completed toward improving the Veterinarian’s Office.

7. REPORT FROM DELAWARE THOROUGHBRED HORSEMEN’S ASSOCIATION (DTHA)

A. Media Coverage

22 minute DVD aired on public television regarding the Delaware Certified Thoroughbred Program.

C. DTHA Newsletter

Ms. Gruwell published in DTHA recent newsletter the DTRC’s March 28, 2007 press release. (trainer transfer and EPO blood doping)

D. Landmark 1,000 horses

Delaware Certified reached a landmark number of registrants and reported their 1,000th horse.

E. Annual Awards Dinner

The second Annual Awards Dinner for Delaware Certified will be held on April 27, 2007, in the main ballroom of White Clay Creek Country Club.

8. **PUBLIC COMMENT**

A. **Safety Reins**

Mr. Daney recognized Mr. Larry Saumell and a discussion was held subject to safety reins, and ASTM Norfolk VA – safety testing.

B. **Rule Change**

Mr. Daney recognized Mr. Robert Colton and a discussion was held subject to DTRC rules and regulations addressing whips (riding crops).

Upon a motion duly made (Killeen) and seconded (Stegemeier) the matter is tabled until May 23, 2007.

9. **ADJOURN**

Upon a motion duly made, and seconded, the meeting was adjourned.