

1. DATE OF PROPOSED ACTION: April 15, 2014

3. DEPARTMENT: Laramie County Commissioners

APPLICANT: Dynasty Dev. Mgmng.d/b/a Wyoming Downs **AGENT:** Mark Voss

4. DESCRIPTION: Consideration of a resolution approving Dynasty Development Management, LLC, d/b/a Wyoming Downs as an appropriate entity in which to conduct pari-mutuel horse racing and operate a simulcast pari-mutuel wagering on live and historical events in Laramie County.

Amount \$	From	To
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5. DOCUMENTATION: 1 Original

Clerks Use Only:

Commissioner

Signatures

Ash

Co Attny _____

Hasenauer

Assist Co Attny _____

Holmes

Grants Manager _____

Humphrey

Outside Agency _____

Thompson _____

Action _____

Postponed/Tabled

RESOLUTION _____

**PARI-MUTUEL HORSE RACING
LARAMIE COUNTY, WYOMING**

WHEREAS, the Board of Laramie County Commissioners has been approached by Dynasty Development Management, LLC, d/b/a Wyoming Downs operator of Wyoming Downs, a pari-mutuel horse racing facility located at 10180 State Hwy 89 North, Evanston, Wyoming, to operate simulcast pari-mutuel wagering on live and historical events from a satellite facility located at the Cheyenne Plaza, 3617 E. Lincolnway, Cheyenne, Wyoming 82001; and

WHEREAS, the citizens of Laramie County elected to allow pari-mutuel events on or about 1968 in accordance with W.S. §11-25-110; and

WHEREAS, W.S. §11-25-105(a) requires the Laramie County Commissioners to approve any corporation or association who seeks to conduct pari-mutuel horse racing within Laramie County;

THEREFORE, BE IT RESOLVED that Dynasty Development Management, LLC, d/b/a Wyoming Downs is hereby specifically approved as an appropriate entity in which to conduct pari-mutuel horse racing and operate simulcast pari-mutuel wagering on live and historical events within Laramie County.

IT IS FURTHER SPECIFICALLY RESOLVED that permission to engage in such racing and wagering will not exceed three years from the date a pari-mutuel permit is issued by the Wyoming Pari-Mutuel Commission.

PRESENTED, READ AND ADOPTED this _____ day of April, 2014.

Chairman, Laramie County Commissioners

ATTEST:

Debra K. Lathrop, Laramie County Clerk

Reviewed and approved as to form:



Mark Voss, Laramie County Attorney



Wyoming Offices
Wyoming Downs LLC
1932 Harrison Drive
Evanston, WY 82930
T 307.783.7529 (PLAY)
www.wydowns.com

Physical Race Track
Wyoming Downs
10180 Hwy 89 North
Evanston, WY 82930
T 307.789.7223 (RACE)

March 17, 2014

Mark Voss, District Attorney
Laramie County
310 W 19th St # 320
Cheyenne, WY
(307) 633-4370

RE: April 1, 2014 County Commission Meeting_Request for inclusion on agenda
Request for Resolution to conduct pari-mutuel simulcasting events in Laramie County_Cheyenne

Dear Mr. Voss:

Wyoming Downs LLC respectfully submits information for your review in advance for consideration of to approve a resolution from Laramie County allowing us to conduct pari-mutuel events as required by §W.S.11-25-110 at Cheyenne Plaza, 3617 E. Lincoln Way, Cheyenne, WY 82001. Wyoming Downs holds Resolution 130820-07 under Dynasty Development Management LLC **[EXHIBIT A]**. Our new entity name is now Wyoming Downs LLC. It will be a second location in Laramie County. A draft of the proposed resolution is included **[ATTACHED]**.

My entity is Wyoming Downs LLC. It was purchased by myself in 2012 and I am the sole 100% manager of the Wyoming Limited Liability Company. Wyoming Downs Racetrack is located in Evanston and is the only privately owned racetrack in Wyoming **[EXHIBIT B]**. Live horse racing was conducted at Wyoming Downs in September 2013 and has been approved for 16 days of live racing in 2014 in Evanston. **[EXHIBIT C]**. Wyoming Downs is authorized by the State of Wyoming to conduct events for the conduct of horse racing which includes racing, simulcasting, roping and a variety of horse events. We have a long history of conducting pari-mutuel business in Wyoming and have always conducted business in accordance with the rules and regulations of the Wyoming Parimutuel Commission. Wyoming Downs is required to be licensed annually by the WPC.

In order to submit an application to conduct pari-mutuel simulcasting in Laramie County to the Wyoming Parimutuel Commission, Wyoming Downs must provide a resolution from Laramie County permitting us to do business in the County. Pari-mutuel events are permitted by Wyoming Statute and were originally enacted in 1968. Pari-mutuel activity first started in Laramie County in 1969 **[EXHIBIT D]**. A resolution for live racing, simulcasting and historical events has already been granted by **[EXHIBIT E]** Uinta, Albany, Laramie County, Natrona County and Sheridan County Commissioners. A percentages of the total amount wagered go to the State, Horsemen and City/County. **A 1% commission of the total amount wagered would be split 50/50 with Laramie County and the City of Cheyenne.** The State of Wyoming Treasurer audits and distributes the funds.

[EXHIBIT F] As far as the plan for Laramie County, a lease has been secured for a location in Cheyenne at the Cheyenne Plaza located at 3617 E. Lincoln Way, Cheyenne, WY 82001. It would host the as the off track wagering (OTB) location which would offer pari-mutuel simulcasting and historical race events on

various racetracks. Wyoming Downs would ensure that compliance with all county and city agency requirements are met. The leased area will feature televised races and the historic race terminals. The Wyoming Pari-mutuel Commission has approved United Tote and Amtote International as the totalizator vendor who is worldwide and the leader in the industry.

All Wyoming Downs LLC staff require back ground checks and fingerprinting by the Wyoming Parimutuel Commmission as it's a strictly regulated industry by the State of Wyoming. We are governed by the State of Wyoming Pari-mutuel Commission which is appointed by the Governor. Wyoming Downs is required to file a \$100,000 bond with the WPC in addition to paying \$400 per day non refundable fee to the WPC for simulcast and historical events.

Enrolled Act 46 - Historical events was authorized by the 2013 Wyoming legislature. The bill was signed by Governor Mead which is enclosed **[EXHIBIT G]**. The historical event terminal is also a tote terminal and operates wagering in the same manner as a standard tote terminal however it has interactive video components and bells and whistles. Historical Horse Race events will substantially benefit the Wyoming horse industry, increasing revenue to breeders, purses and race meets.

Bruce Salzburg of Crowell and Moring LLP represents Wyoming Downs. If you have any questions about the request, please feel free to contact him at bsalzburg@crowell.com. Main: 1.307.996.1400 | Direct: 1.307.996.1417 | Mobile: 1.307.214.6106.

I may be contacted anytime at ericnelson59@gmail.com or Mobile at 702.682.8918.

Respectfully,



Eric Nelson, Manager LLC
Wyoming Downs LLC

CC: Bruce Salzburg, Crowell & Moring LLP

Attachments:

Draft Proposed Laramie County Resolution	
Exhibit A	Resolution 130820-07
Exhibit B	Wyoming Downs Racetrack & OTB
Exhibit C	WPC application approval dated October 8, 2013
Exhibit D	Parimutuel Activity since 1968
Exhibit E	Uinta County Resolution 13-08 dated May 7, 2013
Exhibit F	Information Sheet regarding proposed OTB
Exhibit G	Enrolled Legislative Act No. 46_Chapter 25 – signed by Governor Mead

RESOLUTION 130820-07

PARI-MUTUEL HORSE RACING
LARAMIE COUNTY, WYOMING

WHEREAS, the Board of Laramie County Commissioners has been approached by Dynasty Development Management, LLC DBA Wyoming Downs operator of Wyoming Downs, a pari-mutuel horse racing facility located at 10180 State Hwy 89 North, Evanston, Wyoming, to operate simulcast pari-mutuel wagering on live and historical events from a satellite facility located at Outlaw Saloon, 312 South Greeley Hwy, Cheyenne, Wyoming 82007; and

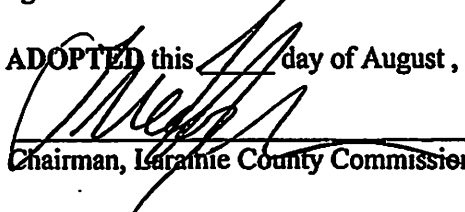
WHEREAS, the citizens of Laramie County elected to allow pari-mutuel events on or about 1968 in accordance with W.S. §11-25-110; and

WHEREAS, W.S. §11-25-105 (a) requires the Laramie County Commissioners Commission to approve any corporation or association who seeks to conduct pari-mutuel horse racing within Laramie County;

THEREFORE, BE IT RESOLVED that Dynasty Development Management, LLC DBA Wyoming Downs is hereby specifically approved as an appropriate entity in which to conduct pari-mutuel horse racing and operate simulcast pari-mutuel wagering on live and historical events within Laramie County.

IT IS FURTHER SPECIFICALLY RESOLVED that permission to engage in such racing and wagering will not exceed three years from the date a pari-mutuel permit is issued by the Wyoming Pari-Mutuel Commission.

PRESENTED, READ AND ADOPTED this 13 day of August, 2013.


Chairman, Laramie County Commission

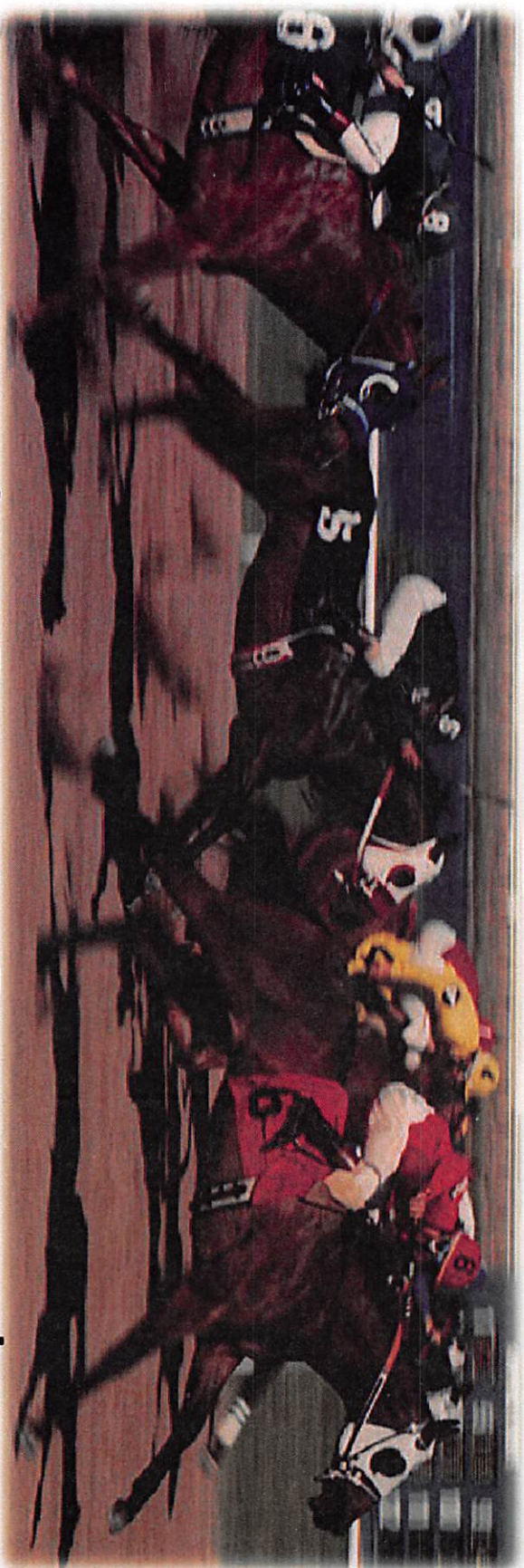
ATTEST:


Debra K. Lathrop, Laramie County Clerk

Reviewed and approved as to form:


Mark Voss, Laramie County Attorney

 COPY OF RECORD



Wyoming Downs Racetrack & OTB Facility

ABOUT OUR OPERATION

2014 Live Race Days

Approved For 16 Days - Saturdays & Sundays June 21 – August 10, 2014

Wyoming Downs Racetrack



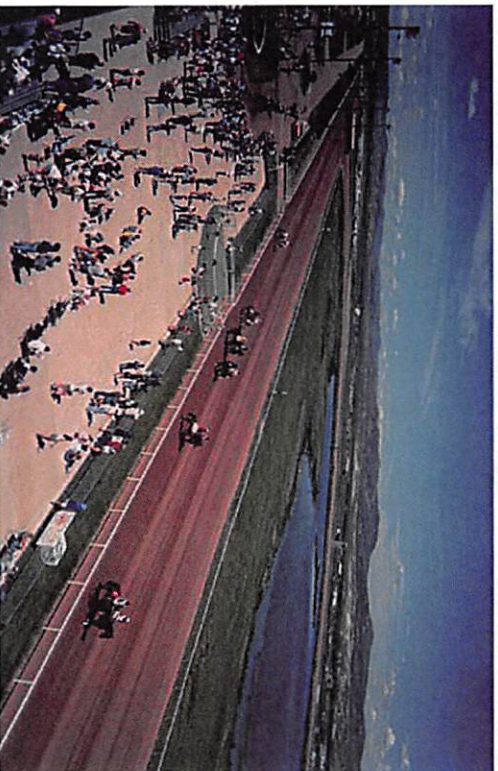
Wyoming Downs Racetrack



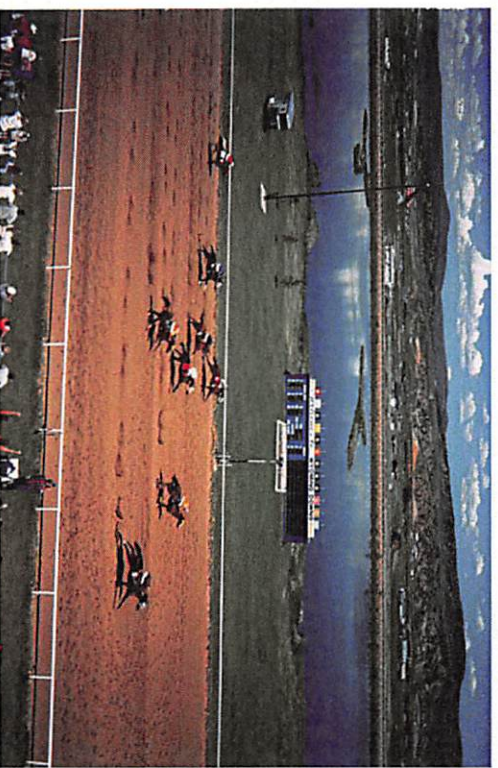
Paddock



Starting Gate



Lower Level Grandstand



Tote Board and Infield

Wyoming Downs Overview

Wyoming Downs History

Wyoming Downs is the only privately owned and operated racetrack in Wyoming. It was originally built and opened in 1985. To date, its investment in Wyoming is in excess of \$20 million dollars. It operated two business segments, Wyoming Downs, a racetrack in Evanston, Wyoming, and Wyoming Off-Track Betting (OTB), an off-track betting system, which accepted wagers for out-of-state racetracks, and operated facilities in Evanston, Rock Springs, Casper, and Cheyenne. Wyoming Off-Track Betting (OTB) operated approximately 360 days per year. It accepted wagers on fifteen to twenty tracks per day. Under current state law, it is necessary to operate a live horseracing meet in order to maintain the OTB operations.

The 2013 Wyoming Legislature passed Bill HB25 (Enrolled Act 46) which permits pari-mutuel wagering on historically held races through Instant Race Terminals from RaceTech.



Description and Location

Site Description

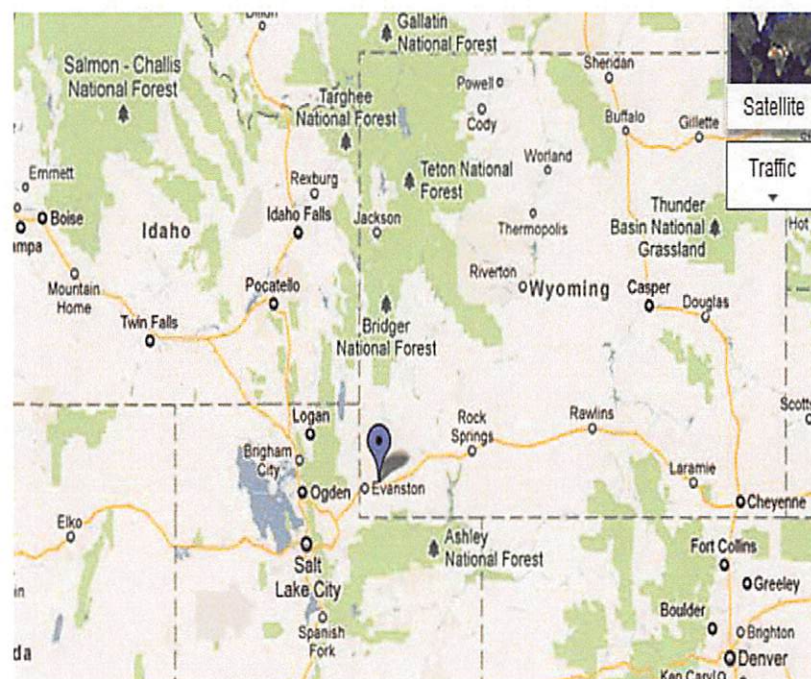
Wyoming Downs is situated on 186 acres, of which approximately 100+ acres is utilized to racing and the balance for pasture. The facilities feature: approximate 5,000 person grandstand; 7-1/2 furlong racing oval with 6 furlong and 550 chutes; race offices, horsemen's cafeteria; horsemen's RV park with 49 spaces with power, sewer and water . There are approximately 816 stalls with tack rooms. Wyoming Downs typically operates on weekends in the summer. The site has ample property for expansion.

Location

Wyoming Downs Racetrack is located on Highway 89, approximately 10 miles north of Evanston, Wyoming, in Uinta County, which is in the southwest corner of Wyoming along the Utah border. It is situated next to Bear River which is the newest incorporated town in Wyoming. It was incorporated June 1, 2001..

Major Cities Distances

Cheyenne	357 miles	Sheridan	438 miles
Rock Springs	100 miles	Gillette	461 miles
Casper	326 miles	Laramie	308 miles



OTB Facilities

Wyoming Downs OTB facilities has an OTB in Cheyenne, Laramie, Evanston and Sheridan. They will offer the excitement of Historical Horse Race and wagering on simulcast horse tracks.



Simulcast

Wyoming Downs offers wagering on horse racing from tracks across North America seven days a week.

Widescreen televisions display the races in the off track betting.

Whether it's for a big race day or to watch and wager on your favorite track, Wyoming Downs is the place to be for great simulcast action.

Simulcasting of races and commission from Historical Horse race creates the added revenue to increase purses at the live race track. 1% of HHHR goes to the County the facility is located in. If the facility is located in the County and City limits the commission is the split 50/50. The State of Wyoming treasurers office handles the distribution of all commissions.

Pari-mutuel Licensing and Regulatory Compliance

The Wyoming Pari-mutuel Commission was established in 1967, and is composed of seven members appointed by the Governor and confirmed by the Senate. All pari-mutuel is governed by Wyoming statute 11-25-101-113 and the Wyoming Pari-mutuel Commission Rules and Regulations.

The primary goals of the Pari-Mutuel Commission are the protection of the wagering public and the health, safety and welfare of the participants in the events, both human and equine. The Commission strives to achieve this goal through an ongoing effort to improve the quality and integrity of Wyoming pari-mutuel events. This includes investigation of applicants for permits to conduct pari-mutuel events as well as applicants for license to participate in these events.

An Executive Director runs the day to day operations of the Wyoming Pari-mutuel Commission. The commission office is located in Casper, Wyoming.



Governor
Matthew H. Mead

Wyoming Pari-Mutuel Commission

Energy II Building, 951 Werner Court, Suite 335
Casper, WY 82601
Phone: (307) 265-4015 Fax: (307) 265-4279

Executive Director
Charles E. Moore

COMMISSIONERS

Robert Atherton, President Joe Tully, Vice President
Bill Dobbs Danny Glick Jacqueline Crow Patti Bergstrom Mantha Phillips

December 13, 2013

To: Mr. Eric L. Nelson
Wyoming Downs LLC
3611 S. Lindell Rd, Suite 201
Las Vegas, NV 89103

Sent Via: Email

Re: 2014 Live/Simulcast Event Permit

Mr. Nelson:

During the October 4, 2013 & December 6, 2013 meeting of the Wyoming Pari-Mutuel Commission, the Commission reviewed your 2014 application for a live flat track racing (16 days) and simulcasting of live/historic racing (365 days). After an extensive review by the Commission and your submission the Commission has approved both your live event application and simulcast event application as submitted.

Live Event Permit #14-0712-13
Simulcast Event Permit #14-1206-13

The Commission looks forward to your 16 day live flat track racing event and simulcasting of live/historic events in 2014.

Sincerely,

A handwritten signature in black ink that reads "Charles E. Moore". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Charles E. Moore
Executive Director

Cc/ Commissioners of the Wyoming Pari-Mutuel Commission

PARI-MUTUEL ACTIVITY SINCE 1968

[EXHIBIT D]

ALBANY	1969 - 1971 1973 - 1984, 1998 - 2008 1976 1989 - 1990	Racing Roping Chariot Racing Simulcasting
CARBON	2009	Simulcasting
CAMPBELL	1981, 1983, 1984 1986 - 1992, 1994 - 1996 1995	Roping Racing Simulcasting
FREMONT	1969 - 1969 1989 - 1990, 2011-2012	Racing Simulcasting
JOHNSON	2011-2012	Simulcasting
LARAMIE	1968 - 1972 1989 - 2012	Racing Simulcasting
NATRONA	1969 - 1998 1989 - 2012	Racing Simulcasting
SHERIDAN	2009 1989 - 1990	Roping Simulcasting
SWEETWATER	1982 - 1993, 2011-2012 1989 - 2012	Racing Simulcasting
UINTA	1970, 1985 - 2009 1989 - 2012 2010	Racing Simulcasting Roping

RESOLUTION 13-08

PARI-MUTUEL HORSE RACING
UINTA COUNTY, WYOMING

WHEREAS, the Uinta County Commission has been approached by Dynasty Development Management, LLC DBA Wyoming Downs to act as the operator of Wyoming Downs, a pari-mutuel horse racing facility located at 10180 State Hwy 89 North, Evanston, Wyoming and to operate simulcast pari-mutuel wagering on live and historical events from a satellite facility located at 1936 Harrison drive, Evanston, Wyoming; and

WHEREAS, the citizens of Uinta County elected to allow pari-mutuel events on June 25, 1968 in accordance with W.S. §11-25-110; and

WHEREAS, W.S. §11-25-105 (a) requires the Uinta County Commission to approve any corporation or association who seeks to conduct pari-mutuel horse racing within Uinta County;

THEREFORE, BE IT RESOLVED that Dynasty Development Management, LLC DBA Wyoming Downs is hereby specifically approved as an appropriate entity in which to conduct pari-mutuel horse racing and operate simulcast pari-mutuel wagering on live and historical events within Uinta County.

IT IS FURTHER SPECIFICALLY RESOLVED that permission to engage in such racing and wagering will not exceed three years from the date a pari-mutuel permit is issued by the Wyoming Pari-Mutuel Commission.

SO RESOLVED this 7th day of May 2013.

Craig Steeling

(Chairman, Uinta County Commission)

Attest:

