

RESOLUTION NO. 240416-12
OF
LARAMIE COUNTY, WYOMING

A RESOLUTION APPROVING 307 HORSE RACING, INC. TO CONDUCT pari-MUTUEL WAGERING ON LIVE HORSE RACING, HISTORIC HORSE RACING, AND SIMULCAST EVENTS AT 3310 RIDGE ROAD, CHEYENNE, WYOMING

WHEREAS, the Wyoming State Legislature passed, and the Governor of the State of Wyoming signed into law changes to Wyoming Statutes, Title 11, Chapter 25, to permit pari-mutuel wagering on historic races; and

WHEREAS, the Wyoming Gaming Commission has adopted rules and regulations regulating pari-mutuel wagering on simulcast events, including historic races; and

WHEREAS, 307 Horse Racing, Inc. currently holds the necessary and appropriate permits issued by the Wyoming Gaming Commission to operate simulcasting facilities, historic horse racing, and live horse racing in the State of Wyoming (including but not limited to in Campbell County, Natrona County, Carbon County, Laramie County, Goshen County, Sweetwater County, Converse County, Fremont County, Albany County, and Sheridan County); and

WHEREAS, the Laramie County Board of Commissioners recognize the economic benefits to Laramie County through live horse racing, historic horse racing, and simulcasting within Laramie County; and

WHEREAS, the Laramie County Board of Commissioners recognize that it is through revenue derived from simulcasting at locations off the permitted live horse racetrack premises that allows a live horse racing operator to conduct the live racing days required under W.S. 11-25-104(m) and WY Rules and Regulations 038.0001.10 § 3 within the State of Wyoming; and

WHEREAS, 307 Horse Racing, Inc. is a live horse racing operator that is both (i) licensed to conduct the minimum live race days required under W.S. § 11-24-104(m) and Chapter 10 of the Rules and Regulations of the Wyoming Gaming Commission within Campbell County on an annual basis and (ii) is conducting said live horse racing in Campbell County (excepting days that are cancelled for good cause due to weather or other uncontrollable circumstances); and

WHEREAS, 307 Horse Racing, recognizing its rights and obligations under Wyoming law, including, but not limited to those in W.S. 11-25-101 et seq. and the associated regulations of the Wyoming Gaming Commission, agrees to be bound by and comply with the terms and conditions in this Resolution; and

WHEREAS, Wyo. Stat. Ann. § 11-25-102(a)(vii)(B) provides that “Simulcasting may be conducted off the permitted premises only if the board of county commissioners of the county in which such simulcasting will be conducted grant [grants] its approval.”; and

WHEREAS, said permitted premises is located at 3310 Ridge Road in Laramie County, Wyoming at the location currently known as “DT’s Liquor Mart and Tusker Bar”.

NOW, THEREFORE, BE IT RESOLVED BY THE LARAMIE COUNTY, WYOMING BOARD OF COUNTY COMMISSIONERS THAT:

1. Pursuant to W. S. § 11-25-102(a)(vii)(B), Rules of the Wyoming Gaming Commission Chapter §3 (d) and in accord with W. S. § 11-25-201 (a) the Board of Commissioners hereby approves 307 Horse Racing, Inc. (“Operator”) to conduct pari-mutuel wagering on historic horse racing and simulcast events at 3310 Ridge Road in Laramie County, Cheyenne, Wyoming 82001 (“Premises”).
2. No more than 125 machines may be located at the Premises without the prior written approval of the Commission.
3. This permission to operate is issued to Operator and may not be transferred from the Operator without the prior written approval of the Laramie County Board of Commissioners.
4. This license to operate granted by this Resolution shall be for a term of five (5) years from the commencement of pari-mutuel wagering on historic horse racing or simulcast events at the Premises. Operator shall submit a letter to the Laramie County Board of Commissioners beginning pari-mutuel wagering activities confirming the start date of the time period.
5. Operator shall submit a renewal application no later than sixty (60) days prior to expiration of this Resolution.
6. Renewal applications shall include a presentation of the financial and community benefits of the operation and evidence of continued compliance with the Rules and Regulations of the Wyoming Gaming Commission. After receipt of a renewal application, the Board will hold a properly noticed public hearing. Renewal applications may only be denied for good cause. Renewal Terms shall be for no less than three (3) years if granted.
7. During any Term, the County Commissioners shall have the right to revoke this or any other subsequent Resolution for the Permittee only for good cause. Examples of “good cause” include but are not limited to:
 - i. A determination by the Commissioners that the Operator has a history of gross violation of Wyoming Statutes, the terms and conditions herein, the Rules and Regulations of the Wyoming Gaming Commission, local ordinance; or
 - ii. Suspension or revocation of license by the Wyoming Gaming Commission;