

Resolution # _____

A RESOLUTION APPROVING WYOMING DOWNS, LLC TO TRANSFER PERMIT
LOCATION AND CONDUCT PARI-MUTUEL WAGERING ON LIVE HORSE RACING,
HISTORIC HORSE RACING, AND SIMULCAST EVENTS AT 3307 E. NATIONWAY
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, Wyoming Downs, LLC 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 Albany County, Campbell County, Natrona County, Laramie County, Converse County, Johnson 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, Wyoming Downs, LLC 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 Uinta County on an annual basis and (ii) is conducting said live horse racing in Uinta County (excepting days that are cancelled for good cause due to weather or other uncontrollable circumstances); and

WHEREAS, Wyoming Downs, 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 3307 E. Nationway in Laramie County, Wyoming at the location currently known as "Cadillac Ranch"; and

WHEREAS, Wyoming Downs will be transferring its current simulcasting facility permit from 3617 Lincolnway Road to 3307 E. Nationway after all permitting and construction is completed at 3307 E. Nationway; and

WHEREAS, after the facility has been transferred and the facility opened at 3307 E. Nationway, the Laramie County Resolution 180417-04 at 3617 Lincolnway will be revoked;

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), the Board of Commissioners hereby approves Wyoming Downs ("Operator") to conduct pari-mutuel wagering on historic horse racing and simulcast events at 3307 Nationway in Laramie County, Wyoming 82001 ("Premises").
2. No more than 124 machines may be located at the Premises without the prior written approval of the Commission.
3. Once the facility at 3307 E. Nationway is open for business the Laramie County Resolution 180417-04 will be revoked.
4. 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.
5. 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.
6. Operator shall submit a renewal application no later than sixty (60) days prior to expiration of this Resolution.
7. 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.
8. 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; or

iii. Based on evidence before the Commissioners, the welfare of the people residing in the immediate vicinity of the permit premises is in fact adversely and seriously affected by Wyoming Downs' operations.

b. Standard (iii.) can be found in Wyoming Liquor License Statutes and the County and Wyoming Downs Parties hereto adopt the case law found in Wyoming interpreting these conditions for liquor license renewals/transfers as interpretive precedent for the meaning of these conditions.

The County will provide a minimum of 15 days' notice of any intent or action to revoke permission as provided in this resolution. The Commissioners will set a public hearing within forty-five (45) days of notice or revocation at which evidence may be taken. Wyoming Downs and any interested parties may be heard in regard to the revocation and a decision by the Commissioners may be made upon the issue or continued for issuance of written findings and conclusions.

9. Operator shall update the Board on an annual basis regarding its operations including tax revenue and any operational issues.

10. By signature below Wyoming Downs agrees and consents to the above terms and conditions.

RESOLVED, this ____ day of _____ 2025.

BOARD OF COUNTY COMMISSIONERS
LARAMIE COUNTY, WYOMING

Chairman

ATTEST :

Debra K Lee, Laramie County Clerk

Reviewed and approved as to form:

Laramie County Attorney