

AGENDA OF THE REGULAR MEETING OF THE ALCOHOL, GAMBLING & TOBACCO COMMISSION

December 7, 2016

The regular meeting of the Alcohol, Gambling & Tobacco Commission will be held on Wednesday, December 7, 2016, at 4:45 p.m., in the City Council Chambers, 3rd Floor, and City Hall.

ROLL CALL: Patricia Stolee, Bjorn Braaten, Lon Hanson, Adam Wisocki, Ryan Stauber, Mark Osthus, President Jeff Rosenthal

Approval of the October 5, 2016 Alcohol, Gambling, and Tobacco Commission minutes.

***ANYONE WHO HAS BUSINESS BEFORE THIS
BOARD SHOULD MAKE PLANS TO ATTEND***

COMMUNICATIONS:

LAWFUL GAMBLING:

Irving Community Assoc
Irving Community Assoc

Premise Permit – Lucky 13
Premise Permit – Ace's On 1st

NEW BUSINESS:

THE KING OF CREAMS, LLC (THE KING OF CREAMS) 502 E. 4TH STREET, -
APPLICATION FOR AN ON SALE WINE LICENSE WITH COURTLAND POWE, 100%
OWNER FOR PERIOD ENDING AUGUST 31, 2017.

THE KING OF CREAMS, LLC (THE KING OF CREAMS) 502 E. 4TH STREET, -
APPLICATION FOR AN ON SALE 3.2 MALT LIQUOR LICENSE WITH COURTLAND
POWE, 100% OWNER FOR PERIOD ENDING APRIL 30, 2017.

ST. JAMES CATHOLIC CHURCH (ST. JAMES) 715 N 57TH AVE WEST - APPLICATION FOR
TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE FOR FEBRUARY 25, 2017, WITH
AMANDA LEGARDE, MANAGER.

OLD BUSINESS:

**MINUTES OF THE REGULAR MEETING OF THE
ALCOHOL, GAMBLING & TOBACCO COMMISSION**

January 6, 2016

The regular meeting of the Alcohol, Gambling & Tobacco Commission was held on Wednesday, January 6, 2016, at 4:45 p.m., in the City Council Chamber, 3rd Floor, City Hall.

ROLL CALL: Present: Dennis Birchland, Bjorn Braaten, Chris Pekkala,
President Stauber - 4
Absent: Jeff Rosenthal, Adam Wisocki, - 2

The minutes of the November 4, 2015, Alcohol, Gambling and Tobacco Commission meeting were unanimously approved.

NEW BUSINESS:

HISTORIC UNION DEPOT, INC. (SLC HERITAGE & ARTS CENTER), 506 W. MICHIGAN ST – APPLICATION FOR PERMANENT EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE AND ON SALE DANCING LICENSE FOR THE PERIOD ENDING AUGUST 31, 2016.

Ken Buehler was present on behalf of the application. Mr. Buehler explained that they would like to make the areas that they use for alcohol service during the Mayor's Pride Reception every fall a permanently licensed area so they don't have to keep coming back to the city each year. He continued saying that they don't anticipate using those areas during the course of the year and don't plan on having tables and chairs in that area other than the fall, but would like to have the opportunity to do so on a short notice. To questioning from the commission, Mr. Buehler replied there is fencing around the back platform which will be easy to police. The clerk reviewed that if were to use the front sidewalk area at any other time during the year, it would have to be sectioned off by fencing and that security would need to be in place for that event. Officer Vang stated he has approved the application. There being no further discussion, Mr. Birchland moved that THE APPLICATION OF HISTORIC UNION DEPOT, INC. (SLC HERITAGE & ARTS CENTER), 506 W. MICHIGAN ST FOR PERMANENT EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE AND ON SALE DANCING LICENSE FOR THE PERIOD ENDING AUGUST 31, 2016, BE APPROVED, AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Braaten seconded the motion, and it was unanimously approved.

MINNESOTA BALLET, (CELEBRITY DANCE CHALLENGE), 1215 RICE LAKE ROAD – APPLICATION FOR A TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE FOR FEBRUARY 11, 2016, WITH JASMINE MCDONOUGH, MANAGING DIRECTOR.

No one was present on behalf of the application. The clerk stated that this is an annual application that comes before the commission and the police department has approved the security plan for the event. The commission agreed that since the application was an annual renewal, they would approved the application. There being no further discussion, Mr. Pekkala moved that THE APPLICATION OF MINNESOTA BALLET, (CELEBRITY DANCE CHALLENGE), 1215 RICE LAKE ROAD, FOR A TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE FOR FEBRUARY 11, 2016, WITH JASMINE MCDONOUGH, MANAGING DIRECTOR, BE APPROVED, AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Commissioner Birchland made a motion, and it was unanimously approved.

ELECTION OF OFFICERS

President Stauber moved Jeff Rosenthal for president. Seconded by Commissioner Pekkala and unanimously approved.

President Stauber moved Bjorn Braaten for vice- president. Seconded by Commissioner Pekkala and unanimously approved.

The clerk reviewed that Attorney Lutterman requested that the commission review an issue of an NSF check and delinquent sales tax regarding Ace's and Spur's on 1st. The email detailed the history of the NSF check and delinquent sales tax and requested that the commission decide if a hearing should be held regarding the liquor licenses of those two bars. The commission discussed the issue and moved to request the City Attorney's office send a Notice of Hearing to the licensee of Spurs on 1st and Aces Bar. The motion was approved unanimously.

There being no further business to bring before the commission, the meeting was declared adjourned at 5:03.



CITY OF DULUTH
CITY CLERK'S OFFICE
 330 City Hall | 411 West First Street
 Duluth, Minnesota 55802-1189
 Phone (218) 730-5500
 Fax (218) 730-5923

FOR OFFICE USE ONLY
 DATE 11-16-14
 LICENSE # 760018

LICENSE APPLICATION

GOVERNMENT DATA PRACTICES ACT - CLASSIFICATION WARNING: The data you supply on this form will be used to process the license you are applying for. You are not legally required to provide this data, but we will not be able to process the license without it. Some of the data will be classified as public data if and when the license is granted. Private financial information including a tax identification number and social security number are classified as private data and will be available to governmental personnel and other governmental agencies whose access is necessary to perform their official duties.

LICENSE

ON SALE BEER
INVESTIGATION FEE (ONE TIME)

FEE

\$ 476.00
42.00
TOTAL \$ 518.00

LICENSEE NAME/ADDRESS/PHONE
 (Individual/corporation/partnership)

The King of Creams, LLC
~~Courtland Powe~~
 425 N. 61st Ave. West
 Duluth, MN. 55807
 218-409-3748

BUSINESS NAME/ADDRESS/PHONE:

The King of Creams
 502 E. 4th Street
 Duluth, MN. 55805
 218-725-9000

MANAGER'S NAME, ADDRESS, PHONE

Same as above ↑
 Courtland Powe
 425 N. 61st Ave. West
 Duluth, MN. 55807

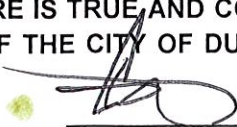
BUILDING OWNER NAME/ADDRESS/PHONE:

Steve Frenz - JAS Duluth
 103 N. 7th Ave. East
 Duluth, MN. 55805
 218-727-4038

LICENSE PERIOD: Ending April 30

MISC: A corresponding Dancing License is an additional - \$980.00

I HEREBY STATE THAT ALL INFORMATION HERE IS TRUE AND CORRECT AND THAT I SHALL COMPLY WITH ALL PROVISION OF THE ORDINANCES OF THE CITY OF DULUTH AND LAWS OF THE STATE OF MINNESOTA AND THEIR AMENDMENTS.

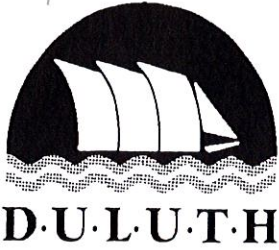


 Signature of Applicant

MAILING ADDRESS:

425 N. 61st Ave. West
 Duluth, MN. 55807

PLAT/PARCEL: _____
 (If known)



CITY OF DULUTH
CITY CLERK'S OFFICE
 330 City Hall
 411 West First Street
 Duluth, Minnesota 55802-1189
 Phone (218) 730-5500
 Fax (218) 730-5923

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

1. Name of Applicant (**individual, partnership or corporation or association**) that owns the business to be licensed: Courtland Powe The King of Creams, LLC
2. Trade Name: The King of Creams
3. Address of place to be licensed: 502 E. 4th Street Duluth, MN. 55805
4. Designated Serving Areas (i.e. ground floor, second, deck, etc.) Ground Floor
5. Name and address of owner of building: Steve Frenz-JAS Duluth 103 N. 7th Ave. East- 55805
 Any connection with applicant? NO Who receives the rent: JAS Duluth
6. Who will direct the operation of the business or serve as manager on the premises? List name, address & title:
Courtland Powe 425 N. 1st Ave. West Duluth MN 55807 - owner
- 7.. If partnership, give name of each partner and percent of ownership, and if limited partnership, give details:

8. If corporation, list all stockholders, directors, officers and percent of stock or number of shares owned by each:

9. State approximate distance of this establishment from nearest academy, college, university, church or school:
2+ blocks
10. State whether any consideration, money or property, has been paid, or will be paid, given, exchanged or pledged, by anyone, and to whom, for the purchase or operation of this business: State the amounts in detail:

Failure to answer all questions truthfully on this application and attached "Exhibit A" which is made a part thereof, will be just cause for revocation of your license.

I (we) hereby certify that the applicant will be the sole owner and operator of this business to be conducted under the license and I (we) will notify the City Council in writing of any change in ownership in this business before the change is made, for the approval of the Alcohol Gambling & Tobacco Commission and City Council. I (we) have read the foregoing questions, and answers to said questions are true of my knowledge. I (we) will comply with all the provisions of the Alcoholic Beverage Code and the laws and regulations and their amendments.

Signature: [Signature] Date: 10/27/16
 Signature: _____ Date: _____



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CITY CLERK'S OFFICE
 330 City Hall | 411 West First Street
 Duluth, Minnesota 55802-1189
 Phone (218) 730-5500
 Fax (218) 730-5923

FOR OFFICE USE ONLY
 DATE 11-16-2016
 LICENSE # 760015

LICENSE APPLICATION

GOVERNMENT DATA PRACTICES ACT - CLASSIFICATION WARNING: The data you supply on this form will be used to process the license you are applying for. You are not legally required to provide this data, but we will not be able to process the license without it. Some of the data will be classified as public data if and when the license is granted. Private financial information including a tax identification number and social security number are classified as private data and will be available to governmental personnel and other governmental agencies whose access is necessary to perform their official duties.

ON SALE WINE LICENSE
INITIAL INVESTIGATION (Level 4)

FEE
 \$ 892.00
 209.00
TOTAL \$1101.00

LICENSEE NAME, ADDRESS, PHONE:
 (Corporation/Individual/Partnership)
The King of Creams, LLC
~~Courtland Powe~~
425 N. 61st Ave. West
Duluth, Mn. 55807
218-409-3748

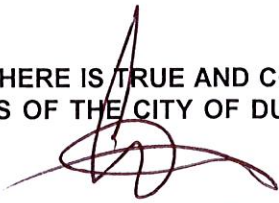
BUSINESS NAME, ADDRESS, PHONE:
The King of Creams
502 E. 4th Street
Duluth, Mn. 55805
218-725-9000

MANAGER'S NAME, ADDRESS, PHONE:
Courtland Powe
425 N. 61st Ave. West
Duluth, MN. 55807
218-409-3748

PROPERTY OWNER NAME, ADDRESS, PHONE:
Steve Frenz - JAS DULUTH
103 N. 7th Ave East
Duluth, MN 55805
218-727-4038

LICENSE PERIOD: Ending 8/31

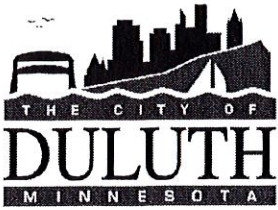
I HEREBY STATE THAT ALL INFORMATION HERE IS TRUE AND CORRECT AND THAT I SHALL COMPLY WITH ALL PROVISION OF THE ORDINANCES OF THE CITY OF DULUTH AND LAWS OF THE STATE OF MINNESOTA AND THEIR AMENDMENTS.



 Signature of Applicant

MAILING ADDRESS
425 N. 61st Ave. West
Duluth, MN. 55807

Plat/Parcel # (if known): _____



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APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

1. Name of Applicant (**individual, partnership or corporation or association**) that owns the business to be licensed: Courtland Powe The King of Creams, LLC
2. Trade Name: The King of Creams
3. Address of place to be licensed: 402 502 E. 4th St. Duluth, MN. 55805
4. Designated Serving Areas (i.e. ground floor, second, deck, etc.) Ground Floor
5. Name and address of owner of building: Steve Frenz - JAS Duluth - 103 N. 7th Ave. E. 55805
 Any connection with applicant? NO Who receives the rent: JAS DULUTH
6. Who will direct the operation of the business or serve as manager on the premises? List name, address & title:
Courtland Powe - 425 N. 61st ave W. 55807 - Owner
- 7.. If partnership, give name of each partner and percent of ownership, and if limited partnership, give details:

8. If corporation, list all stockholders, directors, officers and percent of stock or number of shares owned by each:

9. State approximate distance of this establishment from nearest academy, college, university, church or school:
2+ BLOCKS
10. State whether any consideration, money or property, has been paid, or will be paid, given, exchanged or pledged, by anyone, and to whom, for the purchase or operation of this business. State the amounts in detail:

Failure to answer all questions truthfully on this application and attached "Exhibit A" which is made a part thereof, will be just cause for revocation of your license.

I (we) hereby certify that the applicant will be the sole owner and operator of this business to be conducted under the license and I (we) will notify the City Council in writing of any change in ownership in this business before the change is made, for the approval of the Alcohol Gambling & Tobacco Commission and City Council. I (we) have read the foregoing questions, and answers to said questions are true of my knowledge. I (we) will comply with all the provisions of the Alcoholic Beverage Code and the laws and regulations and their amendments.

Signature: [Signature] Date: 10/27/10
 Signature: _____ Date: _____



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FOR OFFICE USE ONLY
 DATE 11-16-16
 LICENSE # 760191

LICENSE APPLICATION

LICENSE	FEE
TEMPORARY ON SALE LIQUOR - 1ST DAY/EVENING =	\$298.00
PLUS \$148.00 EACH ADDITIONAL DAY/EVENING =	\$ -
TOTAL	\$ 298.00

LICENSEE CORP NAME/BUSINESS ADDRESS:

St. James Catholic Church
715 N 57th Ave
Duluth, MN 55807

D/B/A or TRADE NAME:

St. James 624-1025

CELL OR BUSINESS PHONE NO.

218-343-8065

MANAGER'S NAME & ADDRESS & PHONE #

Amanda Lebarde
614 S 64th Ave
Duluth, MN 55807

OWNER OF BUSINESS PREMISES:

Diocese of Duluth
2830 E. 4th St.
Duluth, MN 55812

LICENSE PERIOD:

Feb 25, 2017

I HEREBY STATE THAT ALL INFORMATION HERE IS TRUE AND CORRECT AND THAT I SHALL COMPLY WITH ALL PROVISION OF THE ORDINANCES OF THE CITY OF DULUTH AND LAWS OF THE STATE OF MINNESOTA AND THEIR AMENDMENTS.

Amanda Lebarde
 Signature of Applicant

MAILING ADDRESS:

614 S. 64th Ave
Duluth, MN 55807

EMAIL:

MandyLebarde29@gmail.com

Would you like notifications via email? YES NO



CITY OF DULUTH
APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

1. Name of Applicant (individual, partnership, corporation or association) that owns the business to be licensed:

St. James School and Parish

2. Trade Name: St. James School and Parish

3. Address of place to be licensed: 715 N. 57th Ave. West; Duluth, MN 55807

4. Designated Serving Areas (i.e. round floor, second, deck, etc.) Gymnasium/Social Hall

5. Name and address of owner of building: Roman Catholic Diocese of Duluth

2830 E. 4th St.

Duluth, MN 55812

Any connection with applicant? Yes Who receives the rent? St. James Catholic Church

6. Who will direct the operation of the business or serve as manager on the premises?

List name, address & title: Amanda Sue LeGarde (Organizer)

614 S. 64th Ave. West; Duluth, MN 55807

7. If partnership, give name of each partner and percentage of ownership, and, if limited partnership, give details:

n/a

8. If corporation, list all stockholders, directors, officers and the percentage of stock or number of shares owned by each:

n/a

9. State approximate distance of this establishment from the nearest academy, college, university, church or school:

Site is the gymnasium/social hall of St. James School and Church (single, connected buildings).

10. State whether any consideration, money or property, has been paid, or will be paid, given, exchanged or pledged, by anyone, and to whom, for the purchase or operation of this business. State the amounts in detail.

Event is a fundraiser for St. James Parish.

Failure to answer all questions truthfully on this application and Affidavit "A," which is made a part thereof, will be just cause for revocation of your license.

I (we) hereby certify that the applicant will be the sole owner and operator of this business to be conducted under the license and I (we) will notify the City Council in writing of any change in ownership in this business before the change is made, for the approval of the Alcohol, Gambling and Tobacco Commission and City Council. I (we) have read the foregoing questions and answers to said questions are true of my (our) knowledge. I (we) will comply with all the provisions of the Alcoholic Beverage Code and the laws and regulations of their amendments.

Signature: _____

Date: _____

Signature: Amanda Sue LeGarde

Date: 10/31/16



**CITY OF DULUTH
SUPPLEMENTAL FORM**

Additional information is being required by the Duluth Police Department. An incomplete application will result in the delay or rejection of your application.

1. Is this the first time for this event?

Yes No

If No, how many people attended this event

If Yes, how many people are you expecting to attend?

150

2. What kind of advertisement have you done? none at this point. We will begin next month.

3. What is the age of the target group for this event?

21-100

4. Will alcohol be sold or given away at this event?

yes

5. Will dancing be allowed at this event?

no

I understand that as the applicant for this permit/license, I am responsible for the Police/Security for this event. I will provide proof of hired security two weeks prior to the scheduled event.

Amanda Juleborde
Applicant Signature

10-31-16
Date

For office use only

Is a licensed Peace Officer needed for this event? _____

If yes, how many licensed peace officers will be required? _____

REQUIRED ATTACHMENTS TO LG214

- 1. If the premises is leased, attach a copy of your lease. Use **LG215 Lease for Lawful Gambling Activity**.
- 2. \$150 annual premises permit fee, for each permit (non-refundable). Make check payable to "**State of Minnesota**."

Mail the application and required attachments to:
Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions? Call 651-539-1900 and ask for Licensing.

ORGANIZATION INFORMATION

Organization Name: Irving Community Assn. License Number: 02305
Chief Executive Officer (CEO) Kathy Resberg Daytime Phone: 218-348-5465
Gambling Manager: Genny Hinnenkamp Daytime Phone: 218-590-2544

GAMBLING PREMISES INFORMATION

Current name of site where gambling will be conducted: Lucky 13
List any previous names for this location:

Street address where premises is located: 1600 Miller Trunk Hwy
(Do not use a P.O. box number or mailing address.)

City: OR Township:	County:	Zip Code:
Duluth	St. Louis	55811

Does your organization own the building where the gambling will be conducted?
 Yes No **If no, attach LG215 Lease for Lawful Gambling Activity.**

A lease is not required if only a raffle will be conducted.
Is any other organization conducting gambling at this site? Yes No Don't know

Note: Bar bingo can only be conducted at a site where another form of lawful gambling is being conducted by the applying organization or another permitted organization. Electronic games can only be conducted at a site where paper pull-tabs are played.

Has your organization previously conducted gambling at this site? Yes No Don't know

GAMBLING BANK ACCOUNT INFORMATION; MUST BE IN MINNESOTA

Bank Name: Proctor Federal Credit Union Bank Account Number: 10271287
Bank Street Address: 3924 Grand Ave City: Duluth State: MN Zip Code: 55807

ALL TEMPORARY AND PERMANENT OFF-SITE STORAGE SPACES

Address (Do not use a P.O. box number):	City:	State:	Zip Code:
<u>118 S 60 Ave W</u>	<u>Duluth</u>	<u>MN</u>	<u>55807</u>
<u>40th Ave W & Superior Street</u>	<u>Duluth</u>	<u>MN</u>	<u>55807</u>
<u>5581 Hwy 2</u>	<u>Hermantown</u>	<u>MN</u>	<u>55810</u>

ACKNOWLEDGMENT BY LOCAL UNIT OF GOVERNMENT: APPROVAL BY RESOLUTION

CITY APPROVAL
for a gambling premises
located within city limits

City Name: Duluth

Date Approved by City Council: _____

Resolution Number: _____
(If none, attach meeting minutes.)

Signature of City Personnel:
[Signature]

Title: Assistant City Clerk Date Signed: 11-15-16

**Local unit of government
must sign.**

COUNTY APPROVAL
for a gambling premises
located in a township

County Name: _____

Date Approved by County Board: _____

Resolution Number: _____
(If none, attach meeting minutes.)

Signature of County Personnel: _____

Title: _____ Date Signed: _____

TOWNSHIP NAME: _____

Complete below only if required by the county.
On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.)

Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date Signed: _____

ACKNOWLEDGMENT AND OATH

1. I hereby consent that local law enforcement officers, the Board or its agents, and the commissioners of revenue or public safety and their agents may enter and inspect the premises.
2. The Board and its agents, and the commissioners of revenue and public safety and their agents, are authorized to inspect the bank records of the gambling account whenever necessary to fulfill requirements of current gambling rules and law.
3. I have read this application and all information submitted to the Board is true, accurate, and complete.
4. All required information has been fully disclosed.
5. I am the chief executive officer of the organization.
6. I assume full responsibility for the fair and lawful operation of all activities to be conducted.
7. I will familiarize myself with the laws of Minnesota governing lawful gambling and rules of the Board and agree, if licensed, to abide by those laws and rules, including amendments to them.
8. Any changes in application information will be submitted to the Board no later than ten days after the change has taken effect.
9. I understand that failure to provide required information or providing false or misleading information may result in the denial or revocation of the license.
10. I understand the fee is non-refundable regardless of license approval/denial.

Signature of Chief Executive Officer (designee may not sign) [Signature] Date 11/9/16

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety, Attorney General, Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

MINNESOTA LAWFUL GAMBLING
LG215 Lease for Lawful Gambling Activity

LEASE INFORMATION

Organization: Irving Community Assn.	License/Site Number: 02305	Daytime Phone: 218-590-2544
Address: 118 S 60 Ave W	City: Duluth MN 55807	State: Zip: MN 55811
Name of Leased Premises: Lucky 13	Street Address: 1600 Miller Trunk Hwy	Daytime Phone:
City: Duluth	State: Zip: MN 55811	Daytime Phone:
Name of Legal Owner: <i>Lucky 13 LLC</i>	Business/Street Address: <i>1600 Miller Trunk Hwy Suite H14</i>	Daytime Phone:
City: <i>Duluth</i>	State: Zip: <i>MN 55811</i>	Daytime Phone:
Name of Lessor (if same as legal owner, write "SAME"): <i>"same"</i>	Address:	Daytime Phone:
City:	State: Zip:	Daytime Phone:

Check applicable item:

New or amended lease. Effective date: _____. Submit changes at least ten days **before** the effective date of the change.

New owner. Effective date: _____. Submit new lease **within** ten days after new lessor assumes ownership.

CHECK ALL ACTIVITY THAT WILL BE CONDUCTED (no lease required for raffles)

<input checked="" type="checkbox"/> Pull-Tabs (paper)	<input checked="" type="checkbox"/> Electronic Pull-Tabs
<input checked="" type="checkbox"/> Pull-Tabs (paper) with dispensing device	<input checked="" type="checkbox"/> Electronic Linked Bingo
<input checked="" type="checkbox"/> Bar Bingo <input type="checkbox"/> Bingo	Electronic games may only be conducted:
<input checked="" type="checkbox"/> Tipboards	1. at a premises licensed for the on-sale of intoxicating liquor or the on-sale of 3.2% malt beverages; or
<input checked="" type="checkbox"/> Paddlewheel <input type="checkbox"/> Paddlewheel with table	2. at a premises where bingo is conducted as the primary business and has a seating capacity of at least 100.

PULL-TAB, TIPBOARD, AND PADDLEWHEEL RENT (separate rent for booth and bar ops)

BOOTH OPERATION: Some or all sales of gambling equipment are conducted by an employee/volunteer of a licensed organization at the leased premises.

ALL GAMES, including electronic games: Monthly rent to be paid: ____%, not to exceed **10%** of gross profits for that month.

- Total rent paid from all organizations for only booth operations at the leased premises **may not exceed \$1,750.**
- The rent cap does not include BAR OPERATION rent for electronic games conducted by the lessor.

BAR OPERATION: All sales of gambling equipment conducted by the lessor or lessor's employee.

ELECTRONIC GAMES: Monthly rent to be paid: 15 %, not to exceed **15%** of the gross profits for that month from electronic pull-tab games and electronic linked bingo games.

ALL OTHER GAMES: Monthly rent to be paid: 20 %, not to exceed **20%** of gross profits from all other forms of lawful gambling.

- If any booth sales conducted by a licensed organization at the premises, rent may not exceed **10%** of gross profits for that month and is subject to booth operation **\$1,750** cap.

BINGO RENT (for leased premises where bingo is the primary business conducted, such as bingo hall)

Bingo rent is limited to one of the following:

- Rent to be paid: ____%, not to exceed **10%** of the monthly gross profit from all lawful gambling activities held during bingo occasions, excluding bar bingo.
- OR -
- Rate to be paid: \$ _____ per square foot, not to exceed 110% of a comparable cost per square foot for leased space, as approved by the director of the Gambling Control Board. The lessor must attach documentation, verified by the organization, to confirm the comparable rate and all applicable costs to be paid by the organization to the lessor.
 - ⇒ **Rent may not be paid for bar bingo.**
 - ⇒ Bar bingo does not include bingo games linked to other permitted premises.

LEASE TERMINATION CLAUSE (must be completed)

The lease may be terminated by either party with a written 30 day notice. Other terms:

LG215 Lease for Lawful Gambling Activity

Lease Term: The term of this agreement will be concurrent with the premises permit issued by the Gambling Control Board (Board).

Management: The owner of the premises or the lessor will not manage the conduct of lawful gambling at the premises. The organization may not conduct any activity on behalf of the lessor on the leased premises.

Participation as Players Prohibited: The lessor will not participate directly or indirectly as a player in any lawful gambling conducted on the premises. The lessor's immediate family and any agents or gambling employees of the lessor will not participate as players in the conduct of lawful gambling on the premises, except as authorized by Minnesota Statutes, Section 349.181.

Illegal Gambling: The lessor is aware of the prohibition against illegal gambling in Minnesota Statutes 609.75, and the penalties for illegal gambling violations in Minnesota Rules 7865.0220, Subpart 3. In addition, the Board may authorize the organization to withhold rent for a period of up to 90 days if the Board determines that illegal gambling occurred on the premises or that the lessor or its employees participated in the illegal gambling or knew of the gambling and did not take prompt action to stop the gambling. Continued tenancy of the organization is authorized without payment of rent during the time period determined by the Board for violations of this provision, as authorized by Minnesota Statutes, Section 349.18, Subd. 1(a).

To the best of the lessor's knowledge, the lessor affirms that any and all games or devices located on the premises are not being used, and are not capable of being used, in a manner that violates the prohibitions against illegal gambling in Minnesota Statutes, Section 609.75.

Notwithstanding Minnesota Rules 7865.0220, Subpart 3, an organization must continue making rent payments under the terms of this lease, if the organization or its agents are found to be solely responsible for any illegal gambling, conducted at this site, that is prohibited by Minnesota Rules 7861.0260, Subpart 1, item H, or Minnesota Statutes, Section 609.75, unless the organization's agents responsible for the illegal gambling activity are also agents or employees of the lessor.

The lessor must not modify or terminate the lease in whole or in part because the organization reported, to a state or local law enforcement authority or to the Board, the conduct of illegal gambling activity at this site in which the organization did not participate.

Other Prohibitions: The lessor will not impose restrictions on the organization with respect to providers (distributor or linked bingo game provider) of gambling-related equipment and services or in the use of net profits for lawful purposes.

The lessor, the lessor's immediate family, any person residing in the same residence as the lessor, and any agents or employees of the lessor will not require the organization to perform any action that would violate statute or rule. The lessor must not modify or terminate this lease in whole or in part due to the lessor's violation of this provision. If there is a dispute as to whether a violation occurred, the lease will remain in effect pending a final determination by the Compliance Review Group (CRG) of the Board. The lessor agrees to arbitration when a violation of this provision is alleged. The arbitrator shall be the CRG.

Access to Permitted Premises: Consent is given to the Board and its agents, the commissioners of revenue and public safety and their agents, and law enforcement personnel to enter and inspect the permitted premises at any reasonable time during the business hours of the lessor. The organization has access to the premises during any time reasonable and when necessary for the conduct of lawful gambling.

Lessor Records: The lessor must maintain a record of all money received from the organization, and make the record available to the Board and its agents, and the commissioners of revenue and public safety and their agents upon demand. The record must be maintained for 3-1/2 years.

Rent All-Inclusive: Amounts paid as rent by the organization to the lessor are all-inclusive. No other services or expenses provided or contracted by the lessor may be paid by the organization, including but not limited to:

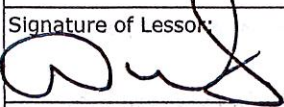
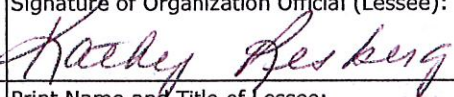
- trash removal
- electricity, heat
- snow removal
- storage
- janitorial and cleaning services
- other utilities or services
- lawn services
- security, security monitoring
- cost of any communication network or service required to conduct electronic pull-tabs games or electronic bingo
- in the case of bar operations, cash shortages.

Any other expenditures made by an organization that is related to a leased premises must be approved by the director of the Board. Rent payments may not be made to an individual.

ACKNOWLEDGMENT OF LEASE TERMS

I affirm that this lease is the total and only agreement between the lessor and the organization, and that all obligations and agreements are contained in or attached to this lease and are subject to the approval of the director of the Gambling Control Board.

Other terms of the lease:
 Bar Owner is responsible for all money and shortages

Signature of Lessor: 	Date: 11-9-16	Signature of Organization Official (Lessee): 	Date: 11/9/16
Print Name and Title of Lessor: Tracy Wordt		Print Name and Title of Lessee: KATHY Resberg CEO	

Questions? Contact the Licensing Section, Gambling Control Board, at 651-539-1900. This publication will be made available in alternative format (i.e. large print, braille) upon request. **Data privacy notice:** The information requested on this form and any attachments will become public information when received by the Board, and will be used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities.

Mail or fax lease to:
 Minnesota Gambling Control Board
 1711 W. County Road B, Suite 300 South
 Roseville, MN 55113
 Fax: 651-639-4032

REQUIRED ATTACHMENTS TO LG214

1. If the premises is leased, attach a copy of your lease. Use **LG215 Lease for Lawful Gambling Activity**. **Mail the application and required attachments to:**
 Minnesota Gambling Control Board
 1711 West County Road B, Suite 300 South
 Roseville, MN 55113
2. \$150 annual premises permit fee, for each permit (non-refundable).
 Make check payable to "**State of Minnesota**."
- Questions?** Call 651-539-1900 and ask for Licensing.

ORGANIZATION INFORMATION

Organization Name: Irving Community Assn. License Number: 02305
 Chief Executive Officer (CEO) Kathy Resberg Daytime Phone: 218-348-5465
 Gambling Manager: Genny Hinnenkamp Daytime Phone: 218-590-2544

GAMBLING PREMISES INFORMATION

Current name of site where gambling will be conducted: Lucky 13
 List any previous names for this location:

 Street address where premises is located: 1600 Miller Trunk Hwy
(Do not use a P.O. box number or mailing address.)

City:	OR	Township:	County:	Zip Code:
Duluth			St. Louis	55811

Does your organization own the building where the gambling will be conducted?
 Yes No **If no, attach LG215 Lease for Lawful Gambling Activity.**

A lease is not required if only a raffle will be conducted.
 Is any other organization conducting gambling at this site? Yes No Don't know

Note: Bar bingo can only be conducted at a site where another form of lawful gambling is being conducted by the applying organization or another permitted organization. Electronic games can only be conducted at a site where paper pull-tabs are played.

Has your organization previously conducted gambling at this site? Yes No Don't know

GAMBLING BANK ACCOUNT INFORMATION; MUST BE IN MINNESOTA

Bank Name: Proctor Federal Credit Union Bank Account Number: 10271287
 Bank Street Address: 3924 Grand Ave City: Duluth State: MN Zip Code: 55807

ALL TEMPORARY AND PERMANENT OFF-SITE STORAGE SPACES

Address (Do not use a P.O. box number):	City:	State:	Zip Code:
<u>118 S 60 Ave W</u>	<u>Duluth</u>	<u>MN</u>	<u>55807</u>
<u>40th Ave W & Superior Street</u>	<u>Duluth</u>	<u>MN</u>	<u>55807</u>
<u>5581 Hwy 2</u>	<u>Hermantown</u>	<u>MN</u>	<u>55810</u>

ACKNOWLEDGMENT BY LOCAL UNIT OF GOVERNMENT: APPROVAL BY RESOLUTION

CITY APPROVAL
for a gambling premises
located within city limits

City Name: Duluth

Date Approved by City Council: _____

Resolution Number: _____
(If none, attach meeting minutes.)

Signature of City Personnel:
[Signature]

Title: Assistant City Clerk Date Signed: 11-15-16

**Local unit of government
must sign.**

COUNTY APPROVAL
for a gambling premises
located in a township

County Name: _____

Date Approved by County Board: _____

Resolution Number: _____
(If none, attach meeting minutes.)

Signature of County Personnel: _____

Title: _____ Date Signed: _____

TOWNSHIP NAME: _____

Complete below only if required by the county.
On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.)

Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date Signed: _____

ACKNOWLEDGMENT AND OATH

1. I hereby consent that local law enforcement officers, the Board or its agents, and the commissioners of revenue or public safety and their agents may enter and inspect the premises.
2. The Board and its agents, and the commissioners of revenue and public safety and their agents, are authorized to inspect the bank records of the gambling account whenever necessary to fulfill requirements of current gambling rules and law.
3. I have read this application and all information submitted to the Board is true, accurate, and complete.
4. All required information has been fully disclosed.
5. I am the chief executive officer of the organization.
6. I assume full responsibility for the fair and lawful operation of all activities to be conducted.
7. I will familiarize myself with the laws of Minnesota governing lawful gambling and rules of the Board and agree, if licensed, to abide by those laws and rules, including amendments to them.
8. Any changes in application information will be submitted to the Board no later than ten days after the change has taken effect.
9. I understand that failure to provide required information or providing false or misleading information may result in the denial or revocation of the license.
10. I understand the fee is non-refundable regardless of license approval/denial.

Signature of Chief Executive Officer (designee may not sign) [Signature] Date 11/9/16

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety, Attorney General, Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

This form will be made available in alternative format, i.e. large print, braille, upon request.

MINNESOTA LAWFUL GAMBLING
LG215 Lease for Lawful Gambling Activity

LEASE INFORMATION

Organization: Irving Community Assn.	License/Site Number: 02305	Daytime Phone: 218-590-2544
Address: 118 S 60 Ave W	City: Duluth MN 55807	State: Zip: MN 55811
Name of Leased Premises: Lucky 13	Street Address: 1600 Miller Trunk Hwy	Daytime Phone:
City: Duluth	State: Zip: MN 55811	Daytime Phone:
Name of Legal Owner: <i>Lucky 13 LLC</i>	Business/Street Address: <i>1600 Miller Trunk Hwy Suite H14</i>	Daytime Phone:
City: <i>Duluth</i>	State: Zip: <i>MN 55811</i>	Daytime Phone:
Name of Lessor (if same as legal owner, write "SAME"): <i>"same"</i>	Address:	Daytime Phone:
City:	State: Zip:	Daytime Phone:

Check applicable item:

New or amended lease. Effective date: _____. Submit changes at least ten days **before** the effective date of the change.

New owner. Effective date: _____. Submit new lease **within** ten days after new lessor assumes ownership.

CHECK ALL ACTIVITY THAT WILL BE CONDUCTED (no lease required for raffles)

<input checked="" type="checkbox"/> Pull-Tabs (paper)	<input checked="" type="checkbox"/> Electronic Pull-Tabs
<input checked="" type="checkbox"/> Pull-Tabs (paper) with dispensing device	<input checked="" type="checkbox"/> Electronic Linked Bingo
<input checked="" type="checkbox"/> Bar Bingo <input type="checkbox"/> Bingo	Electronic games may only be conducted:
<input checked="" type="checkbox"/> Tipboards	1. at a premises licensed for the on-sale of intoxicating liquor or the on-sale of 3.2% malt beverages; or
<input checked="" type="checkbox"/> Paddlewheel <input type="checkbox"/> Paddlewheel with table	2. at a premises where bingo is conducted as the primary business and has a seating capacity of at least 100.

PULL-TAB, TIPBOARD, AND PADDLEWHEEL RENT (separate rent for booth and bar ops)

BOOTH OPERATION: Some or all sales of gambling equipment are conducted by an employee/volunteer of a licensed organization at the leased premises.

ALL GAMES, including electronic games: Monthly rent to be paid: ____%, not to exceed **10%** of gross profits for that month.

- Total rent paid from all organizations for only booth operations at the leased premises **may not exceed \$1,750.**
- The rent cap does not include BAR OPERATION rent for electronic games conducted by the lessor.

BAR OPERATION: All sales of gambling equipment conducted by the lessor or lessor's employee.

ELECTRONIC GAMES: Monthly rent to be paid: 15 %, not to exceed **15%** of the gross profits for that month from electronic pull-tab games and electronic linked bingo games.

ALL OTHER GAMES: Monthly rent to be paid: 20 %, not to exceed **20%** of gross profits from all other forms of lawful gambling.

- If any booth sales conducted by a licensed organization at the premises, rent may not exceed **10%** of gross profits for that month and is subject to booth operation **\$1,750** cap.

BINGO RENT (for leased premises where bingo is the primary business conducted, such as bingo hall)

Bingo rent is limited to one of the following:

- Rent to be paid: ____%, not to exceed **10%** of the monthly gross profit from all lawful gambling activities held during bingo occasions, excluding bar bingo.
- OR -
- Rate to be paid: \$ _____ per square foot, not to exceed 110% of a comparable cost per square foot for leased space, as approved by the director of the Gambling Control Board. The lessor must attach documentation, verified by the organization, to confirm the comparable rate and all applicable costs to be paid by the organization to the lessor.
 - ⇒ **Rent may not be paid for bar bingo.**
 - ⇒ Bar bingo does not include bingo games linked to other permitted premises.

LEASE TERMINATION CLAUSE (must be completed)

The lease may be terminated by either party with a written 30 day notice. Other terms:

LG215 Lease for Lawful Gambling Activity

Lease Term: The term of this agreement will be concurrent with the premises permit issued by the Gambling Control Board (Board).

Management: The owner of the premises or the lessor will not manage the conduct of lawful gambling at the premises. The organization may not conduct any activity on behalf of the lessor on the leased premises.

Participation as Players Prohibited: The lessor will not participate directly or indirectly as a player in any lawful gambling conducted on the premises. The lessor's immediate family and any agents or gambling employees of the lessor will not participate as players in the conduct of lawful gambling on the premises, except as authorized by Minnesota Statutes, Section 349.181.

Illegal Gambling: The lessor is aware of the prohibition against illegal gambling in Minnesota Statutes 609.75, and the penalties for illegal gambling violations in Minnesota Rules 7865.0220, Subpart 3. In addition, the Board may authorize the organization to withhold rent for a period of up to 90 days if the Board determines that illegal gambling occurred on the premises or that the lessor or its employees participated in the illegal gambling or knew of the gambling and did not take prompt action to stop the gambling. Continued tenancy of the organization is authorized without payment of rent during the time period determined by the Board for violations of this provision, as authorized by Minnesota Statutes, Section 349.18, Subd. 1(a).

To the best of the lessor's knowledge, the lessor affirms that any and all games or devices located on the premises are not being used, and are not capable of being used, in a manner that violates the prohibitions against illegal gambling in Minnesota Statutes, Section 609.75.

Notwithstanding Minnesota Rules 7865.0220, Subpart 3, an organization must continue making rent payments under the terms of this lease, if the organization or its agents are found to be solely responsible for any illegal gambling, conducted at this site, that is prohibited by Minnesota Rules 7861.0260, Subpart 1, item H, or Minnesota Statutes, Section 609.75, unless the organization's agents responsible for the illegal gambling activity are also agents or employees of the lessor.

The lessor must not modify or terminate the lease in whole or in part because the organization reported, to a state or local law enforcement authority or to the Board, the conduct of illegal gambling activity at this site in which the organization did not participate.

Other Prohibitions: The lessor will not impose restrictions on the organization with respect to providers (distributor or linked bingo game provider) of gambling-related equipment and services or in the use of net profits for lawful purposes.

The lessor, the lessor's immediate family, any person residing in the same residence as the lessor, and any agents or employees of the lessor will not require the organization to perform any action that would violate statute or rule. The lessor must not modify or terminate this lease in whole or in part due to the lessor's violation of this provision. If there is a dispute as to whether a violation occurred, the lease will remain in effect pending a final determination by the Compliance Review Group (CRG) of the Board. The lessor agrees to arbitration when a violation of this provision is alleged. The arbitrator shall be the CRG.

Access to Permitted Premises: Consent is given to the Board and its agents, the commissioners of revenue and public safety and their agents, and law enforcement personnel to enter and inspect the permitted premises at any reasonable time during the business hours of the lessor. The organization has access to the premises during any time reasonable and when necessary for the conduct of lawful gambling.

Lessor Records: The lessor must maintain a record of all money received from the organization, and make the record available to the Board and its agents, and the commissioners of revenue and public safety and their agents upon demand. The record must be maintained for 3-1/2 years.

Rent All-Inclusive: Amounts paid as rent by the organization to the lessor are all-inclusive. No other services or expenses provided or contracted by the lessor may be paid by the organization, including but not limited to:

- trash removal
- electricity, heat
- snow removal
- storage
- janitorial and cleaning services
- other utilities or services
- lawn services
- security, security monitoring
- cost of any communication network or service required to conduct electronic pull-tabs games or electronic bingo
- in the case of bar operations, cash shortages.

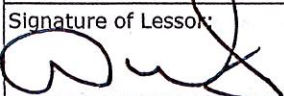
Any other expenditures made by an organization that is related to a leased premises must be approved by the director of the Board. Rent payments may not be made to an individual.

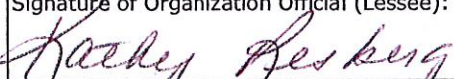
ACKNOWLEDGMENT OF LEASE TERMS

I affirm that this lease is the total and only agreement between the lessor and the organization, and that all obligations and agreements are contained in or attached to this lease and are subject to the approval of the director of the Gambling Control Board.

Other terms of the lease:

Bar Owner is responsible for all money and shortages

Signature of Lessor:  Date: 11-9-16

Signature of Organization Official (Lessee):  Date: 11/9/16

Print Name and Title of Lessor: Tracy Wordt

Print Name and Title of Lessee: KATHY Resberg CEO

Questions? Contact the Licensing Section, Gambling Control Board, at 651-539-1900. This publication will be made available in alternative format (i.e. large print, braille) upon request. **Data privacy notice:** The information requested on this form and any attachments will become public information when received by the Board, and will be used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities.

Mail or fax lease to:
 Minnesota Gambling Control Board
 1711 W. County Road B, Suite 300 South
 Roseville, MN 55113
 Fax: 651-639-4032

MINNESOTA LAWFUL GAMBLING
LG214 Premises Permit Application

Annual Fee \$150 (NON-REFUNDABLE)

REQUIRED ATTACHMENTS TO LG214

1. If the premises is leased, attach a copy of your lease. Use **LG215 Lease for Lawful Gambling Activity**.
2. \$150 annual premises permit fee, for each permit (non-refundable). Make check payable to **"State of Minnesota."**

Mail the application and required attachments to:
 Minnesota Gambling Control Board
 1711 West County Road B, Suite 300 South
 Roseville, MN 55113

Questions? Call 651-539-1900 and ask for Licensing.

ORGANIZATION INFORMATION

Organization Name: IRVING COMMUNITY ASSN. License Number: 02305
 Chief Executive Officer (CEO) KATHY RESBERG Daytime Phone: 218-348-5465
 Gambling Manager: GENNY HINNENKAMP Daytime Phone: 218-590-2544

GAMBLING PREMISES INFORMATION

Current name of site where gambling will be conducted: Ace's On 1st
 List any previous names for this location:
Norman's
 Street address where premises is located: 113 W 1st Street
(Do not use a P.O. box number or mailing address.)

City: OR Township:	County:	Zip Code:
Duluth	St. Louis	55802

Does your organization own the building where the gambling will be conducted?
 Yes No **If no, attach LG215 Lease for Lawful Gambling Activity.**

A lease is not required if only a raffle will be conducted.

Is any other organization conducting gambling at this site? Yes No Don't know

Note: Bar bingo can only be conducted at a site where another form of lawful gambling is being conducted by the applying organization or another permitted organization. Electronic games can only be conducted at a site where paper pull-tabs are played.

Has your organization previously conducted gambling at this site? Yes No Don't know

GAMBLING BANK ACCOUNT INFORMATION; MUST BE IN MINNESOTA

Bank Name: Proctor Federal Credit Union Bank Account Number: 10271287
 Bank Street Address: 3924 Grand Ave City: Duluth State: MN Zip Code: 55807

ALL TEMPORARY AND PERMANENT OFF-SITE STORAGE SPACES

Address (Do not use a P.O. box number):	City:	State:	Zip Code:
<u>118 S 60 Ave W</u>	<u>Duluth,</u>	<u>MN</u>	<u>55807</u>
<u>40th Ave W & Superior Street</u>	<u>Duluth</u>	<u>MN</u>	<u>55807</u>
<u>5581 Hwy 2</u>	<u>Hermantown</u>	<u>MN</u>	<u>55810</u>

ACKNOWLEDGMENT BY LOCAL UNIT OF GOVERNMENT: APPROVAL BY RESOLUTION

CITY APPROVAL
for a gambling premises
located within city limits

City Name: Dunah

Date Approved by City Council: _____

Resolution Number: _____
(If none, attach meeting minutes.)

Signature of City Personnel:
Rowena A. Pella

Title: Asst. Mayor Date Signed: 11-15-16

**Local unit of government
must sign.**

COUNTY APPROVAL
for a gambling premises
located in a township

County Name: _____

Date Approved by County Board: _____

Resolution Number: _____
(If none, attach meeting minutes.)

Signature of County Personnel: _____

Title: _____ Date Signed: _____

TOWNSHIP NAME: _____

Complete below only if required by the county.
On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.)

Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date Signed: _____

ACKNOWLEDGMENT AND OATH

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> 1. I hereby consent that local law enforcement officers, the Board or its agents, and the commissioners of revenue or public safety and their agents may enter and inspect the premises. 2. The Board and its agents, and the commissioners of revenue and public safety and their agents, are authorized to inspect the bank records of the gambling account whenever necessary to fulfill requirements of current gambling rules and law. 3. I have read this application and all information submitted to the Board is true, accurate, and complete. 4. All required information has been fully disclosed. 5. I am the chief executive officer of the organization. | <ol style="list-style-type: none"> 6. I assume full responsibility for the fair and lawful operation of all activities to be conducted. 7. I will familiarize myself with the laws of Minnesota governing lawful gambling and rules of the Board and agree, if licensed, to abide by those laws and rules, including amendments to them. 8. Any changes in application information will be submitted to the Board no later than ten days after the change has taken effect. 9. I understand that failure to provide required information or providing false or misleading information may result in the denial or revocation of the license. 10. I understand the fee is non-refundable regardless of license approval/denial. |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
- Signature of Chief Executive Officer (designee may not sign) Harby Resberg Date 11/9/16

<p>Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application. Your organization's name and address will be public</p>	<p>information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information;</p>	<p>Minnesota's Department of Public Safety, Attorney General, Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.</p>
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This form will be made available in alternative format, i.e. large print, braille, upon request.

MINNESOTA LAWFUL GAMBLING
LG215 Lease for Lawful Gambling Activity

LEASE INFORMATION

Organization: Irving Community Assn.	License/Site Number: 05 02305	Daytime Phone: 218-590-2544
Address: 118 S 60 Ave W	City: Duluth	State: Zip: MN 55807
Name of Leased Premises: Ace's On 1st	Street Address: 113 W 1st St	
City: Duluth	State: Zip: MN 55802	Daytime Phone: 218-727-0373
Name of Legal Owner: NICK G. PATRONAS	Business/Street Address: 113 W. 1 st ST.	
City: Duluth	State: Zip: MN 55802	Daytime Phone: 218-348-4358
Name of Lessor (if same as legal owner, write "SAME"): Same.	Address:	
City:	State: Zip:	Daytime Phone:

Check applicable item:
 New or amended lease. Effective date: Jan 2, 2017. Submit changes at least ten days **before** the effective date of the change.
 New owner. Effective date: _____. Submit new lease **within** ten days after new lessor assumes ownership.

CHECK ALL ACTIVITY THAT WILL BE CONDUCTED (no lease required for raffles)

<input checked="" type="checkbox"/> Pull-Tabs (paper)	<input checked="" type="checkbox"/> Electronic Pull-Tabs
<input checked="" type="checkbox"/> Pull-Tabs (paper) with dispensing device	<input checked="" type="checkbox"/> Electronic Linked Bingo
<input type="checkbox"/> Bar Bingo <input type="checkbox"/> Bingo	Electronic games may only be conducted:
<input checked="" type="checkbox"/> Tipboards	1. at a premises licensed for the on-sale of intoxicating liquor or the on-sale of 3.2% malt beverages; or
<input checked="" type="checkbox"/> Paddlewheel <input type="checkbox"/> Paddlewheel with table	2. at a premises where bingo is conducted as the primary business and has a seating capacity of at least 100.

PULL-TAB, TIPBOARD, AND PADDLEWHEEL RENT (separate rent for booth and bar ops)

BOOTH OPERATION: Some or all sales of gambling equipment are conducted by an employee/volunteer of a licensed organization at the leased premises.

ALL GAMES, including electronic games: Monthly rent to be paid: _____%, not to exceed **10%** of gross profits for that month.
 • Total rent paid from all organizations for only booth operations at the leased premises **may not exceed \$1,750**.
 • The rent cap does not include BAR OPERATION rent for electronic games conducted by the lessor.

BAR OPERATION: All sales of gambling equipment conducted by the lessor or lessor's employee.

ELECTRONIC GAMES: Monthly rent to be paid: 15%, not to exceed **15%** of the gross profits for that month from electronic pull-tab games and electronic linked bingo games.

ALL OTHER GAMES: Monthly rent to be paid: 20%, not to exceed **20%** of gross profits from all other forms of lawful gambling.
 • If any booth sales conducted by a licensed organization at the premises, rent may not exceed **10%** of gross profits for that month and is subject to booth operation **\$1,750** cap.

BINGO RENT (for leased premises where bingo is the primary business conducted, such as bingo hall)

Bingo rent is limited to one of the following:
 • Rent to be paid: _____%, not to exceed **10%** of the monthly gross profit from all lawful gambling activities held during bingo occasions, excluding bar bingo.
 - OR -
 • Rate to be paid: \$ _____ per square foot, not to exceed 110% of a comparable cost per square foot for leased space, as approved by the director of the Gambling Control Board. The lessor must attach documentation, verified by the organization, to confirm the comparable rate and all applicable costs to be paid by the organization to the lessor.
 ⇒ **Rent may not be paid for bar bingo.**
 ⇒ Bar bingo does not include bingo games linked to other permitted premises.

LEASE TERMINATION CLAUSE (must be completed)

The lease may be terminated by either party with a written 30 day notice. Other terms:

LG215 Lease for Lawful Gambling Activity

Lease Term: The term of this agreement will be concurrent with the premises permit issued by the Gambling Control Board (Board).

Management: The owner of the premises or the lessor will not manage the conduct of lawful gambling at the premises. The organization may not conduct any activity on behalf of the lessor on the leased premises.

Participation as Players Prohibited: The lessor will not participate directly or indirectly as a player in any lawful gambling conducted on the premises. The lessor's immediate family and any agents or gambling employees of the lessor will not participate as players in the conduct of lawful gambling on the premises, except as authorized by Minnesota Statutes, Section 349.181.

Illegal Gambling: The lessor is aware of the prohibition against illegal gambling in Minnesota Statutes 609.75, and the penalties for illegal gambling violations in Minnesota Rules 7865.0220, Subpart 3. In addition, the Board may authorize the organization to withhold rent for a period of up to 90 days if the Board determines that illegal gambling occurred on the premises or that the lessor or its employees participated in the illegal gambling or knew of the gambling and did not take prompt action to stop the gambling. Continued tenancy of the organization is authorized without payment of rent during the time period determined by the Board for violations of this provision, as authorized by Minnesota Statutes, Section 349.18, Subd. 1(a).

To the best of the lessor's knowledge, the lessor affirms that any and all games or devices located on the premises are not being used, and are not capable of being used, in a manner that violates the prohibitions against illegal gambling in Minnesota Statutes, Section 609.75.

Notwithstanding Minnesota Rules 7865.0220, Subpart 3, an organization must continue making rent payments under the terms of this lease, if the organization or its agents are found to be solely responsible for any illegal gambling, conducted at this site, that is prohibited by Minnesota Rules 7861.0260, Subpart 1, item H, or Minnesota Statutes, Section 609.75, unless the organization's agents responsible for the illegal gambling activity are also agents or employees of the lessor.

The lessor must not modify or terminate the lease in whole or in part because the organization reported, to a state or local law enforcement authority or to the Board, the conduct of illegal gambling activity at this site in which the organization did not participate.

Other Prohibitions: The lessor will not impose restrictions on the organization with respect to providers (distributor or linked bingo game provider) of gambling-related equipment and services or in the use of net profits for lawful purposes.

The lessor, the lessor's immediate family, any person residing in the same residence as the lessor, and any agents or employees of the lessor will not require the organization to perform any action that would violate statute or rule. The lessor must not modify or terminate this lease in whole or in part due to the lessor's violation of this provision. If there is a dispute as to whether a violation occurred, the lease will remain in effect pending a final determination by the Compliance Review Group (CRG) of the Board. The lessor agrees to arbitration when a violation of this provision is alleged. The arbitrator shall be the CRG.

Access to Permitted Premises: Consent is given to the Board and its agents, the commissioners of revenue and public safety and their agents, and law enforcement personnel to enter and inspect the permitted premises at any reasonable time during the business hours of the lessor. The organization has access to the premises during any time reasonable and when necessary for the conduct of lawful gambling.

Lessor Records: The lessor must maintain a record of all money received from the organization, and make the record available to the Board and its agents, and the commissioners of revenue and public safety and their agents upon demand. The record must be maintained for 3-1/2 years.

Rent All-Inclusive: Amounts paid as rent by the organization to the lessor are all-inclusive. No other services or expenses provided or contracted by the lessor may be paid by the organization, including but not limited to:

- trash removal
- electricity, heat
- snow removal
- storage
- janitorial and cleaning services
- other utilities or services
- lawn services
- security, security monitoring
- cost of any communication network or service required to conduct electronic pull-tabs games or electronic bingo
- in the case of bar operations, cash shortages.

Any other expenditures made by an organization that is related to a leased premises must be approved by the director of the Board. Rent payments may not be made to an individual.

ACKNOWLEDGMENT OF LEASE TERMS

I affirm that this lease is the total and only agreement between the lessor and the organization, and that all obligations and agreements are contained in or attached to this lease and are subject to the approval of the director of the Gambling Control Board.

Other terms of the lease:

Bar Owner is responsible for all money and shortages

Signature of Lessor: *Nick G. Patrone* Date: 11-14-16

Signature of Organization Official (Lessee): *Kathy Resberg* Date: 11/9/16

Print Name and Title of Lessor: NICK G. PATRONE PRES.

Print Name and Title of Lessee: KATHY Resberg CEO

Questions? Contact the Licensing Section, Gambling Control Board, at 651-539-1900. This publication will be made available in alternative format (i.e. large print, braille) upon request. **Data privacy notice:** The information requested on this form and any attachments will become public information when received by the Board, and will be used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities.

Mail or fax lease to:
 Minnesota Gambling Control Board
 1711 W. County Road B, Suite 300 South
 Roseville, MN 55113
 Fax: 651-639-4032