

## AGENDA

### REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF ST. LOUIS COUNTY, MINNESOTA



Tuesday, May 22, 2012, 9:30 A.M.

Hibbing City Council Chambers  
401 East 21<sup>st</sup> Street  
Hibbing, Minnesota

**KEITH NELSON, Chair**  
Sixth District

**FRANK JEWELL**  
First District

**STEVE O'NEIL**  
Second District

**CHRIS DAHLBERG**  
Third District

**MIKE FORSMAN**  
Fourth District

**PEG SWEENEY, Vice-Chair**  
Fifth District

**STEVE RAUKAR**  
Seventh District

County Auditor  
Donald Dicklich

County Administrator  
Kevin Gray

County Attorney  
Mark Rubin

Clerk of the Board  
Patricia Stolee

The St. Louis County Board of Commissioners welcomes you to this meeting. This agenda contains a brief description of each item to be considered. The Board encourages your participation. If you wish to speak on an item contained in the agenda, you will be allowed to address the Board when a motion is on the floor. If you wish to speak on a matter which does not appear on the agenda, you may do so during the public comment period at the beginning of the meeting. Except as otherwise provided by the Standing Rules of the County Board, no action shall be taken on any item not appearing in the agenda.

When addressing the Board, please sign in at the podium and state your name and address for the record. Please address the Board as a whole through the Chair. Comments to individual Commissioners or staff are not permitted. The St. Louis County Board promotes adherence to civility in conducting the business of the County. Civility will provide increased opportunities for civil discourse in order to find positive resolutions to the issue before the Board. Tools of civility include: pay attention, listen, be inclusive, do not gossip, show respect, be agreeable, apologize, give constructive criticism and take responsibility [County Board Resolution No. 560, adopted on September 9, 2003]. Speakers will be limited to five (5) minutes.

**\*\*In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify Property Management 72 hours prior to the meeting at (218)725-5085.\*\***

All supporting documentation is available for public review in the County Auditor's Office, 100 North 5th Avenue West - Room No. 214, St. Louis County Courthouse, Duluth, MN, during regular business hours 8:00 A.M. - 4:30 P.M., Monday through Friday. Agenda is also available on our website at <http://www.stlouiscountymn.gov/GOVERNMENT/BoardofCommissioners.aspx>

**AGENDA**  
**St. Louis County Board**  
**May 22, 2012**  
**Page 2**

- 9:30 A.M. Pledge of Allegiance  
Roll Call  
*Employee Retiree and Longevity Recognition*

AT THIS TIME CITIZENS WILL BE ALLOWED TO ADDRESS THE BOARD ON ITEMS NOT ON THE AGENDA. [Speakers will be limited to 5 minutes each.]

FOR ITEMS ON THE AGENDA, CITIZENS WILL BE ALLOWED TO ADDRESS THE BOARD AT THE TIME A MOTION IS ON THE FLOOR.

- 9:40 A.M. Public hearing, pursuant to Resolution No. 12-246, adopted May 1, 2012, to consider allegations of a liquor law violation by Fry & Fry, Inc., d/b/a Northland Lodge, Leiding Township. **{12-195}**
- 9:45 A.M. Public hearing, pursuant to Resolution No. 12-247, adopted May 1, 2012, to consider allegations of a liquor law violation by Leon Polley d/b/a Polley's Resort, Unorganized Township 63-17. **{12-196}**
- 9:50 A.M. Public hearing, pursuant to Resolution No. 12-248, adopted May 1, 2012, to consider allegations of a liquor law violation by William/Margaret Rutchasky d/b/a Portage Inn, Portage Township. **{12-197}**

**CONSENT AGENDA**

Approval of business submitted on the consent agenda.

**REGULAR AGENDA**

**Central Management & Intergovernmental Committee – Commissioner Jewell, Chair**

1. Reorganization of Public Health & Human Services Department financial reporting and supervisory structure. [**Without recommendation.**] **{12-168}**

# **BOARD LETTER NO. 12 - 195**

## **FINANCE & BUDGET COMMITTEE**

**MAY 22, 2012 BOARD AGENDA 9:40 A.M.  
PUBLIC HEARING**

**DATE:** May 22, 2012

**RE:** Public Hearing to Consider  
Allegations of Liquor Law  
Violation – Northland Lodge  
(Leiding Township)

**FROM:** Kevin Z. Gray  
County Administrator

Donald Dicklich  
County Auditor

Mark Rubin  
County Attorney

**RELATED DEPARTMENT GOAL:**

Provide mandated and discretionary licensing services in a timely manner.

**ACTION REQUESTED:**

The St. Louis County Board is requested to consider penalties and/or suspension of liquor licenses for alleged violation of the liquor law by Fry & Fry, Inc. d/b/a Northland Lodge, Leiding Township.

**BACKGROUND:**

The County Attorney and the County Auditor have received reports from the St. Louis County Sheriff's Office concerning liquor law violation, sale to minor on May 30, 2011, by Fry & Fry, Inc. d/b/a Northland Lodge, Leiding Township.

On April 10, 2012, the St. Louis County Liquor Licensing Committee met to discuss the alleged liquor law violation against Northland Lodge. After consideration of the allegations and circumstances, the committee recommended a ten (10) day license suspension and \$1,000 civil penalty, with nine (9) days and \$1,000 of the civil penalty stayed for one (1) year on the condition that the licensee have no same or similar violations during that year. The date of the one (1) day suspension will be June 4, 2012.

A public hearing was scheduled before the St. Louis County Board on May 22, 2012. The purpose of the hearing, pursuant to St. Louis County Ordinance No. 28, Section 13.01, is for the County Board to determine whether the licensee violated any liquor laws, regulations, or provisions of Ordinance No. 28, and, if so, what consequence should be

imposed upon the licensee. Ordinance No. 28 permits that a liquor license may be suspended or revoked for up to sixty days, a civil penalty of up to \$2,000 may be imposed for each violation, or a combination of any of these sanctions.

**RECOMMENDATION:**

It is recommended that the County Board receive testimony at the public hearing and consider suspension, revocation, or other sanctions of the liquor licenses issued to Fry & Fry, Inc. d/b/a Northland Lodge, including but not limited to, imposition of civil penalties for the violation.

**Public Hearing to Consider Allegations of Liquor Law Violation –  
Northland Lodge (Leiding Township)**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, the St. Louis County Liquor Licensing Committee met on April 10, 2012, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation, sale to minor on May 30, 2011, against Fry & Fry, Inc. d/b/a Northland Lodge, Leiding Township; and

WHEREAS, the Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed for one year, with no same or similar violations during that year; and

WHEREAS, after hearing testimony on the matter at a public hearing conducted on May 22, 2012, at 9:40 a.m. in the City Council Chambers, Hibbing, MN, the St. Louis County Board determined the recommendation of the St. Louis County Liquor Licensing Committee to be an appropriate penalty for the liquor law violation.

NOW, THEREFORE, BE IT RESOLVED, that the Seasonal On-Sale Intoxicating Liquor License No. SE125 and Seasonal Sunday On-Sale Intoxicating Liquor License No. SES125, issued to Fry & Fry, Inc. d/b/a Northland Lodge, Leiding Township, are hereby suspended for ten (10) days and a \$1,000 civil penalty is due, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed for one (1) year, with no same or similar violations during that period.

RESOLVED FURTHER, that the date of suspension of the liquor licenses will be June 4, 2012.

RESOLVED FURTHER, that a new violation within the next year (ending May 22, 2013), will result in the imposition of the remainder of the suspension and civil penalty, and may also be cause for additional action against the liquor licenses of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13.

**Minutes**

**April 10, 2012**

**ST. LOUIS COUNTY LIQUOR LICENSING COMMITTEE MEETING**

\*\*\*\*\*

The meeting was called to order at 8:30 a.m. by Commissioner Keith Nelson, Chair, with the following members present: County Auditor Donald Dicklich, James Nephew, Attorney's Office, and Lt. Dave Rolland, Sheriff's Office

Dicklich/Rolland moved to approve the minutes of the March 13, 2012 meeting. (3-0)

Commissioner Chris Dahlberg arrived at 8:32 a.m.

There was discussion regarding Boondocks Saloon & Grill, Inc. d/b/a Boondocks Saloon & Grill, Gnesen Township, requesting a Special Event Permit to expand the designated serving area for the date of May 19, 2012. Lt. Rolland said he had contacted Ms. Tina Jackson, President/CEO of the corporation, in regard to installing a barrier around the patio, to designate the expanded area from the parking areas, to which Ms. Jackson said it would be no problem. At this time, Mr. Jon Foster, VP/CFO, appeared before the committee. Chair Nelson asked Mr. Foster to describe the event. The applicant said it is East High School All Class Reunion. Chair Nelson asked him how many people might be in attendance and the applicant replied that he did not know at this time, but would be receiving an RSVP count from the organizers, and would be able to better answer the question in a few weeks. The committee members had concern about the number of persons that might be in attendance. Lt. Rolland said security personnel should be highly visible, and additional security may be required if attendance is over 150. After discussion of the rules and regulations of Ordinance No. 28 and security measures to be taken, the application was recommended to the Board for approval contingent on Sheriff's Office second review of security measures, Sheriff's Office additional review 10-14 days before the event based on RSVP, and Gnesen Township approval.

(Nelson/Dahlberg) (4-0)

Mary Lou Fry appeared on behalf of Fry & Fry, Inc. d/b/a Northland Lodge, Leiding Township, regarding a liquor law violation, sale to minor, which occurred on May 30, 2011. Chair Nelson asked her to explain what occurred. Ms. Fry said she is the cook and her husband is the bartender, but at the time was alone in the establishment, when she saw someone in the bar. She asked the person for identification and noticed he had recently had a birthday and didn't check the year of birth. Chair Nelson asked her if any changes had been implemented, to which she answered additional signage has been posted along with additional copies of the driver's license examples. Ms. Fry further stated there is no other staff and frequently tells her husband to check identification; they have been in business since 1923 and are open to the public, but don't usually have strangers. She said she is sorry the violation occurred. Commissioner Dahlberg made a motion, supported by Lt. Rolland, to recommend to the County Board, a ten (10) day suspension and \$1,000.00 fine, nine (9) days and \$1,000.00, stayed, if no same or similar violations occur within one year, subject to additional penalties that may be imposed by the County Board. The public hearing will be June 5, 2012. The recommended suspension date is June 11, 2012. Chair Nelson offered a friendly amendment, supported by Auditor Dicklich, to hold the public hearing on May 22, 2012, and recommended June 4, 2012, as the date of suspension. Commissioner Dahlberg said the suspension date should be the Monday following the public hearing, which is consistent with prior recommendations. The amended motion passed 3-1, with Commissioner Dahlberg voting nay.

Leon Polley appeared on behalf of Polley's Resort, Unorganized Township 63-17, regarding a liquor law violation, sale to minor, which occurred on May 30, 2011. Chair Nelson asked him to explain what occurred. Mr. Polley said he suffered a stroke March, 2011, and his nephew was conducting business in his place, and inadvertently sold to a minor. He said that prior to his stroke he was the only person that sold alcohol at his place of business. Chair Nelson asked him if any changes had been implemented, to which he answered he has posted the driver's license examples and knows how to better read a license. Auditor Dicklich made a motion, supported by Lt. Rolland, to recommend to the County Board, a ten (10) day suspension and \$1,000.00 fine, nine (9) days and \$1,000.00, stayed, if no same or similar violations occur within one year, subject to additional penalties that may be imposed by the County Board. The recommended suspension date is June 4, 2012. The public hearing will be scheduled for May 22, 2012. The motion passed 4-0.

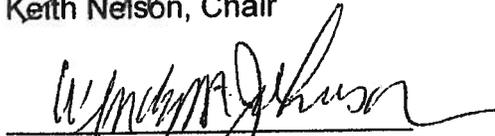
There was discussion regarding the liquor law violation at Portage Inn, Portage Township, sale to minor, on May 28, 2011. It should be noted the establishment ceased operation on December 31, 2011. Mr. William Rutchasky was notified by mail of the time and place of the meeting, but did not appear. Lt. Rolland briefed the committee members on the violation and said that Mr. Rutchasky was not very cooperative and showed disrespect to the Deputy. It was the consensus of the committee members that any further disrespect towards law enforcement will not be tolerated. Auditor Dicklich made a motion, supported by Lt. Rolland, to recommend to the County Board, a ten (10) day suspension and \$1,000.00 fine, nine (9) days and \$1,000.00, stayed, if no same or similar violations occur within one year, subject to additional penalties that may be imposed by the County Board. Recommended suspension date to be imposed at a time to be established by the Liquor Licensing Committee pending re-application. The public hearing will be scheduled for May 22, 2012. The motion passed 4-0.

The meeting was adjourned at 9:28 A.M. (Dahlberg/Dicklich) (4-0)



---

Keith Nelson, Chair



---

Wendy M. Johnson, IS II



imposed upon the licensee. Ordinance No. 28 permits that a liquor license may be suspended or revoked for up to sixty days, a civil penalty of up to \$2,000 may be imposed for each violation, or a combination of any of these sanctions.

**RECOMMENDATION:**

It is recommended that the St. Louis County Board receive testimony at the public hearing and consider suspension, revocation, or other sanctions of the liquor license issued to Leon Polley d/b/a Polley's Resort, including but not limited to, imposition of civil penalties for the violation.

**Public Hearing to Consider Allegations of Liquor Law Violation –  
Polley’s Resort (Unorganized Township 63-17)**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, the St. Louis County Liquor Licensing Committee met on April 10, 2012, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation, sale to minor on May 30, 2011, by Leon Polley d/b/a Polley's Resort, Unorganized Township 63-17; and

WHEREAS, the Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed, for one year with no same or similar violations during that year; and

WHEREAS, after hearing testimony on the matter at a public hearing conducted on May 22, 2012, at 9:45 a.m. in the City Council Chambers, Hibbing, MN, the St. Louis County Board determined the recommendation of the St. Louis County Liquor Licensing Committee to be an appropriate penalty for the liquor law violation.

NOW, THEREFORE, BE IT RESOLVED, that the Off-Sale Intoxicating Liquor License No. OFSL125, issued to Leon Polley d/b/a Polley's Resort, Unorganized Township 63-17, are hereby suspended for ten (10) days and a \$1,000 civil penalty is due, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed for one (1) year, with no same or similar violations during that period.

RESOLVED FURTHER, that the date of suspension of the liquor license will be June 4, 2012.

RESOLVED FURTHER, that a new violation within the next year (ending May 22, 2013), will result in the imposition of the remainder of the suspension and civil penalty, and may also be cause for additional action against the liquor license of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13.

**Minutes  
April 10, 2012**

**ST. LOUIS COUNTY LIQUOR LICENSING COMMITTEE MEETING**

\*\*\*\*\*

The meeting was called to order at 8:30 a.m. by Commissioner Keith Nelson, Chair, with the following members present: County Auditor Donald Dicklich, James Nephew, Attorney's Office, and Lt. Dave Rolland, Sheriff's Office

Dicklich/Rolland moved to approve the minutes of the March 13, 2012 meeting. (3-0)

Commissioner Chris Dahlberg arrived at 8:32 a.m.

There was discussion regarding Boondocks Saloon & Grill, Inc. d/b/a Boondocks Saloon & Grill, Gnesen Township, requesting a Special Event Permit to expand the designated serving area for the date of May 19, 2012. Lt. Rolland said he had contacted Ms. Tina Jackson, President/CEO of the corporation, in regard to installing a barrier around the patio, to designate the expanded area from the parking areas, to which Ms. Jackson said it would be no problem. At this time, Mr. Jon Foster, VP/CFO, appeared before the committee. Chair Nelson asked Mr. Foster to describe the event. The applicant said it is East High School All Class Reunion. Chair Nelson asked him how many people might be in attendance and the applicant replied that he did not know at this time, but would be receiving an RSVP count from the organizers, and would be able to better answer the question in a few weeks. The committee members had concern about the number of persons that might be in attendance. Lt. Rolland said security personnel should be highly visible, and additional security may be required if attendance is over 150. After discussion of the rules and regulations of Ordinance No. 28 and security measures to be taken, the application was recommended to the Board for approval contingent on Sheriff's Office second review of security measures, Sheriff's Office additional review 10-14 days before the event based on RSVP, and Gnesen Township approval.

(Nelson/Dahlberg) (4-0)

Mary Lou Fry appeared on behalf of Fry & Fry, Inc. d/b/a Northland Lodge, Leiding Township, regarding a liquor law violation, sale to minor, which occurred on May 30, 2011. Chair Nelson asked her to explain what occurred. Ms. Fry said she is the cook and her husband is the bartender, but at the time was alone in the establishment, when she saw someone in the bar. She asked the person for identification and noticed he had recently had a birthday and didn't check the year of birth. Chair Nelson asked her if any changes had been implemented, to which she answered additional signage has been posted along with additional copies of the driver's license examples. Ms. Fry further stated there is no other staff and frequently tells her husband to check identification; they have been in business since 1923 and are open to the public, but don't usually have strangers. She said she is sorry the violation occurred. Commissioner Dahlberg made a motion, supported by Lt. Rolland, to recommend to the County Board, a ten (10) day suspension and \$1,000.00 fine, nine (9) days and \$1,000.00, stayed, if no same or similar violations occur within one year, subject to additional penalties that may be imposed by the County Board. The public hearing will be June 5, 2012. The recommended suspension date is June 11, 2012. Chair Nelson offered a friendly amendment, supported by Auditor Dicklich, to hold the public hearing on May 22, 2012, and recommended June 4, 2012, as the date of suspension. Commissioner Dahlberg said the suspension date should be the Monday following the public hearing, which is consistent with prior recommendations. The amended motion passed 3-1, with Commissioner Dahlberg voting nay.

Leon Polley appeared on behalf of Polley's Resort, Unorganized Township 63-17, regarding a liquor law violation, sale to minor, which occurred on May 30, 2011. Chair Nelson asked him to explain what occurred. Mr. Polley said he suffered a stroke March, 2011, and his nephew was conducting business in his place, and inadvertently sold to a minor. He said that prior to his stroke he was the only person that sold alcohol at his place of business. Chair Nelson asked him if any changes had been implemented, to which he answered he has posted the driver's license examples and knows how to better read a license. Auditor Dicklich made a motion, supported by Lt. Rolland, to recommend to the County Board, a ten (10) day suspension and \$1,000.00 fine, nine (9) days and \$1,000.00, stayed, if no same or similar violations occur within one year, subject to additional penalties that may be imposed by the County Board. The recommended suspension date is June 4, 2012. The public hearing will be scheduled for May 22, 2012. The motion passed 4-0.

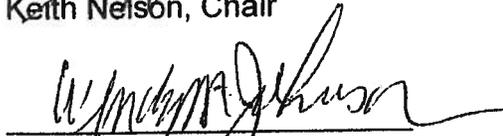
There was discussion regarding the liquor law violation at Portage Inn, Portage Township, sale to minor, on May 28, 2011. It should be noted the establishment ceased operation on December 31, 2011. Mr. William Rutchasky was notified by mail of the time and place of the meeting, but did not appear. Lt. Rolland briefed the committee members on the violation and said that Mr. Rutchasky was not very cooperative and showed disrespect to the Deputy. It was the consensus of the committee members that any further disrespect towards law enforcement will not be tolerated. Auditor Dicklich made a motion, supported by Lt. Rolland, to recommend to the County Board, a ten (10) day suspension and \$1,000.00 fine, nine (9) days and \$1,000.00, stayed, if no same or similar violations occur within one year, subject to additional penalties that may be imposed by the County Board. Recommended suspension date to be imposed at a time to be established by the Liquor Licensing Committee pending re-application. The public hearing will be scheduled for May 22, 2012. The motion passed 4-0.

The meeting was adjourned at 9:28 A.M. (Dahlberg/Dicklich) (4-0)



---

Keith Nelson, Chair



---

Wendy M. Johnson, IS II



for the County Board to determine whether the licensee violated any liquor laws, regulations, or provisions of Ordinance No. 28, and, if so, what consequence should be imposed upon the licensee. Ordinance No. 28 permits that a liquor license may be suspended or revoked for up to sixty days, a civil penalty of up to \$2,000 may be imposed for each violation, or a combination of any of these sanctions.

**RECOMMENDATION:**

It is recommended that the County Board receive testimony at the public hearing and consider suspension, revocation, or other sanctions of the liquor licenses issued to William/Margaret Rutchasky d/b/a Portage Inn, including but not limited to, imposition of civil penalties for the violation.

**Public Hearing to Consider Allegations of Liquor Law Violation –  
Portage Inn (Portage Township)**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, the St. Louis County Liquor Licensing Committee met on April 10, 2012, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation, sale to minor May 28, 2011, against William/Margaret Rutchasky d/b/a Portage Inn (closed effective December 31, 2011), Portage Township; and

WHEREAS, the Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed, for one year with no same or similar violations during that year; and

WHEREAS, after hearing testimony on the matter at a public hearing conducted on May 22, 2012, at 9:50 a.m. in the City Council Chambers, Hibbing, MN, the St. Louis County Board determined the recommendation of the St. Louis County Liquor Licensing Committee to be an appropriate penalty for the liquor law violation.

NOW, THEREFORE, BE IT RESOLVED, that the Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor Licenses, issued to William/Margaret Rutchasky d/b/a Portage Inn, Portage Township, are hereby suspended for ten (10) days and a \$1,000 civil penalty is due, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed for one (1) year, with no same or similar violations during that period.

RESOLVED FURTHER, that the date of suspension of the liquor licenses will be imposed by the Liquor Licensing Committee pending re-application.

RESOLVED FURTHER, that a new violation within the next year (ending May 22, 2013), will result in the imposition of the remainder of the suspension and civil penalty, and may also be cause for additional action against the liquor licenses of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13.

**Minutes  
April 10, 2012**

**ST. LOUIS COUNTY LIQUOR LICENSING COMMITTEE MEETING**

\*\*\*\*\*

The meeting was called to order at 8:30 a.m. by Commissioner Keith Nelson, Chair, with the following members present: County Auditor Donald Dicklich, James Nephew, Attorney's Office, and Lt. Dave Rolland, Sheriff's Office

Dicklich/Rolland moved to approve the minutes of the March 13, 2012 meeting. (3-0)

Commissioner Chris Dahlberg arrived at 8:32 a.m.

There was discussion regarding Boondocks Saloon & Grill, Inc. d/b/a Boondocks Saloon & Grill, Gnesen Township, requesting a Special Event Permit to expand the designated serving area for the date of May 19, 2012. Lt. Rolland said he had contacted Ms. Tina Jackson, President/CEO of the corporation, in regard to installing a barrier around the patio, to designate the expanded area from the parking areas, to which Ms. Jackson said it would be no problem. At this time, Mr. Jon Foster, VP/CFO, appeared before the committee. Chair Nelson asked Mr. Foster to describe the event. The applicant said it is East High School All Class Reunion. Chair Nelson asked him how many people might be in attendance and the applicant replied that he did not know at this time, but would be receiving an RSVP count from the organizers, and would be able to better answer the question in a few weeks. The committee members had concern about the number of persons that might be in attendance. Lt. Rolland said security personnel should be highly visible, and additional security may be required if attendance is over 150. After discussion of the rules and regulations of Ordinance No. 28 and security measures to be taken, the application was recommended to the Board for approval contingent on Sheriff's Office second review of security measures, Sheriff's Office additional review 10-14 days before the event based on RSVP, and Gnesen Township approval.

(Nelson/Dahlberg) (4-0)

Mary Lou Fry appeared on behalf of Fry & Fry, Inc. d/b/a Northland Lodge, Leiding Township, regarding a liquor law violation, sale to minor, which occurred on May 30, 2011. Chair Nelson asked her to explain what occurred. Ms. Fry said she is the cook and her husband is the bartender, but at the time was alone in the establishment, when she saw someone in the bar. She asked the person for identification and noticed he had recently had a birthday and didn't check the year of birth. Chair Nelson asked her if any changes had been implemented, to which she answered additional signage has been posted along with additional copies of the driver's license examples. Ms. Fry further stated there is no other staff and frequently tells her husband to check identification; they have been in business since 1923 and are open to the public, but don't usually have strangers. She said she is sorry the violation occurred. Commissioner Dahlberg made a motion, supported by Lt. Rolland, to recommend to the County Board, a ten (10) day suspension and \$1,000.00 fine, nine (9) days and \$1,000.00, stayed, if no same or similar violations occur within one year, subject to additional penalties that may be imposed by the County Board. The public hearing will be June 5, 2012. The recommended suspension date is June 11, 2012. Chair Nelson offered a friendly amendment, supported by Auditor Dicklich, to hold the public hearing on May 22, 2012, and recommended June 4, 2012, as the date of suspension. Commissioner Dahlberg said the suspension date should be the Monday following the public hearing, which is consistent with prior recommendations. The amended motion passed 3-1, with Commissioner Dahlberg voting nay.

Leon Polley appeared on behalf of Polley's Resort, Unorganized Township 63-17, regarding a liquor law violation, sale to minor, which occurred on May 30, 2011. Chair Nelson asked him to explain what occurred. Mr. Polley said he suffered a stroke March, 2011, and his nephew was conducting business in his place, and inadvertently sold to a minor. He said that prior to his stroke he was the only person that sold alcohol at his place of business. Chair Nelson asked him if any changes had been implemented, to which he answered he has posted the driver's license examples and knows how to better read a license. Auditor Dicklich made a motion, supported by Lt. Rolland, to recommend to the County Board, a ten (10) day suspension and \$1,000.00 fine, nine (9) days and \$1,000.00, stayed, if no same or similar violations occur within one year, subject to additional penalties that may be imposed by the County Board. The recommended suspension date is June 4, 2012. The public hearing will be scheduled for May 22, 2012. The motion passed 4-0.

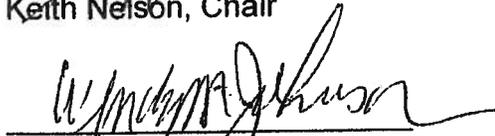
There was discussion regarding the liquor law violation at Portage Inn, Portage Township, sale to minor, on May 28, 2011. It should be noted the establishment ceased operation on December 31, 2011. Mr. William Rutchasky was notified by mail of the time and place of the meeting, but did not appear. Lt. Rolland briefed the committee members on the violation and said that Mr. Rutchasky was not very cooperative and showed disrespect to the Deputy. It was the consensus of the committee members that any further disrespect towards law enforcement will not be tolerated. Auditor Dicklich made a motion, supported by Lt. Rolland, to recommend to the County Board, a ten (10) day suspension and \$1,000.00 fine, nine (9) days and \$1,000.00, stayed, if no same or similar violations occur within one year, subject to additional penalties that may be imposed by the County Board. Recommended suspension date to be imposed at a time to be established by the Liquor Licensing Committee pending re-application. The public hearing will be scheduled for May 22, 2012. The motion passed 4-0.

The meeting was adjourned at 9:28 A.M. (Dahlberg/Dicklich) (4-0)



---

Keith Nelson, Chair



---

Wendy M. Johnson, IS II

# **BOARD LETTER NO. 12 - 168**

## **CENTRAL MANAGEMENT & INTERGOVERNMENTAL COMMITTEE NO. 1**

### **MAY 22, 2012 BOARD AGENDA NO. 1**

**DATE:** April 24, 2012                      **RE:** Reorganization of Public  
Health & Human Services  
Department Financial  
Reporting and  
Supervisory Structure

**FROM:** Kevin Z. Gray  
County Administrator

#### **RELATED DEPARTMENT GOAL:**

To provide professional finance and accounting services in compliance with best practices.

#### **ACTION REQUESTED:**

The St. Louis County Board is requested to discuss financial reporting and accountability within the Public Health & Human Services Department.

#### **BACKGROUND:**

Commissioner Nelson has requested that the County Board have an opportunity to discuss a partial restructure of financial reporting, accountability, and supervisory structure within the Public Health & Human Services Department.

The retirement of an Accountant Supervisor in the Public Health & Human Services Department has provided an opportunity for examination of the position requirements and consideration of a reorganization of the financial reporting and supervisory structure in the department. As part of the examination, assistance from the Human Resources Department may be requested in developing recommendations for long-term organizational and reporting structures relating to specific job duties and responsibilities. An Auditor's Office Fiscal Manager is currently located within the department and may be able to assume responsibilities of the open position.

There have already been significant discussions around implementing a partial restructure of the financial and supervisory reporting process within the Public Health & Human Services Department to provide enhanced Auditors Office oversight of its accounting functions. The County Administrator has requested that the Internal Auditor conduct a financial and internal control compliance review of the department's financial

reporting unit, including analysis of internal controls in the current structure, and recommend revisions, if necessary. The Internal Auditor has agreed to conduct such a study.

**RECOMMENDATION:**

The attached resolution directs the County Administrator to implement a partial restructure of the financial and supervisory reporting processes within the Public Health & Human Services Department to enhance Auditor's Office oversight of its accounting functions.

**Reorganization of Public Health & Human Services Department  
Financial Reporting and Supervisory Structure**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, the retirement of an Accountant Supervisor in the Public Health & Human Services Department has provided an opportunity for the reorganization of the financial reporting and supervisory structure in the department; and

WHEREAS, the St. Louis County Board has previously directed that the County Auditor's Office have accounting oversight responsibility in the county's largest departments; and

WHEREAS, there currently is an Auditor's Office position of Fiscal Manager, a supervisory classification, located within the Public Health & Human Services Department.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board directs the County Administrator to implement a partial restructure of the financial and supervisory reporting process within the Public Health & Human Services Department to provide enhanced Auditor's Office oversight of its accounting functions.