

AGENDA

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



Tuesday, January 10, 2012, 9:30 A.M.

**County Board Room, Second Floor
St. Louis County Courthouse
100 N. 5th Avenue West
Duluth, 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>

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9:30 A.M. Pledge of Allegiance
Roll Call

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. 663, adopted December 20, 2011, to consider allegations of liquor law violations by Vermilion Ventures, LLC d/b/a Bayview Lodge, Greenwood Township. {12-09}

CONSENT AGENDA

Approval of business submitted on the consent agenda.

REGULAR AGENDA

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 St. Louis County Board receive testimony at the public hearing and consider suspension, revocation, or other sanctions of the Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor Licenses issued to Vermilion Ventures, LLC d/b/a Bayview Lodge, including but not limited to, imposition of civil penalties for the violations.

**Public Hearing to Consider Allegations of Liquor Law
Violations – Bayview Lodge (Greenwood Township)**

BY COMMISSIONER _____

WHEREAS, the St. Louis County Liquor Licensing Committee met on November 16, 2011, to consider recommending action to be taken by the County Board as a result of alleged liquor law violations on October 15, 2011, against Vermilion Ventures, LLC d/b/a Bayview Lodge, Greenwood Township; and

WHEREAS, the Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with seven (7) days of the suspension and \$700 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 January 10, 2012, at 9:40 a.m. in the Courthouse, Duluth, 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 violations.

NOW, THEREFORE, BE IT RESOLVED, that Combination On/Off-Sale Liquor License No. CMB12139 and Sunday On-Sale Intoxicating Liquor License No. SUN12139, issued to Vermilion Ventures, LLC d/b/a Bayview Lodge, Greenwood Township, are hereby suspended for ten (10) days and a \$1,000 civil penalty is due, with seven (7) days of the suspension and \$700 of the civil penalty stayed for one (1) year, with no same or similar violations during that period.

RESOLVED FURTHER, that the dates of suspension of the liquor licenses will be January 16, 17, and 18, 2012.

RESOLVED FURTHER, that a new violation within the next year (ending January 10, 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.