



City Council Memorandum

To: Mayor Fasbender & City Council Members
From: Emily King, Deputy City Clerk
Date: May 2, 2022
Item: Approve Lawful Gambling Premise Permits for Hastings Hockey Boosters at Me & Julio and Hastings Green Mill

Council Action Requested:

Approve the attached resolution approving a Lawful Gambling Premise Permits for Hastings Hockey Boosters at Me & Julio, 350 33rd Street West and Hastings Green Mill, 909 Vermillion Street.

Background Information:

The Hastings Hockey Boosters have submitted the required application for a Lawful Gambling Premise Permit at Me & Julio and Hastings Green Mill.

Financial Impact:

N/A

Advisory Commission Discussion:

N/A

Council Committee Discussion:

N/A

Attachments:

- Premise Permit Application
- Resolution

**CITY OF HASTINGS
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 05 - - 22

**RESOLUTION APPROVING THE LAWFUL GAMBLING
PREMISE PERMIT APPLICATION BY
HASTINGS HOCKEY BOOSTERS**

WHEREAS, Hastings Hockey Boosters have made the application for a Lawful Gambling Premise Permit at Me & Julio, 350 33rd Street West and Hastings Green Mill 909 Vermillion Street;

WHEREAS, Hastings Hockey Boosters shall comply with all applicable laws governing lawful gambling.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Hastings, that the Mayor and City Clerk are authorized and directed to sign this resolution.

**ADOPTED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA THIS 2ND
DAY OF MAY 2022.**

ATTEST:

Kelly Murtaugh, City Clerk

Mary D. Fasbender, Mayor



Hastings Hockey Boosters

BYLAWS

Amended 11/01/2020

Article I

Philosophy and Purpose

The purpose of the Hastings Hockey Boosters (HHB) is to provide structure, organization and financial management of the Hastings youth hockey program. The HHB is dedicated to the principles of fair play and good sportsmanship and to the development of character in hockey players. We believe that players will have fun if each player has the opportunity to develop hockey skills to the best of his/her ability. It is the goal of this organization to teach the game of hockey and to instill in players the virtues necessary to achieve success.

It is the intent of the program that every player on a team must be given an equal opportunity to develop and improve hockey skills. Therefore, the only acceptable philosophy is that all players on a team should be given approximately equal amount of playing time.

The HHB is organized as a non-profit, tax exempt corporation incorporated and operated under the laws of the State of Minnesota. The HHB will also cooperate with and abide by the rules of USA Hockey, Minnesota Hockey and District 8.

Article II

Membership

All memberships shall be annual (except Lifetime Members) and run from registration to the next registration. Membership in the HHB shall entitle the member to one vote and be granted to:

1. Any parent, step parent, or legal guardian, listed on the registration form, (a maximum of two adults) of any HHB registered hockey player upon registration for that year.
2. Any active HHB Board (Board) member, Coordinator or Advisor.
3. Any coach or assistant coach that is on the Board's approved list of coaches set at the beginning of each hockey season,
4. Any adult of legal age that has been nominated by the President, Vice President, or a Director, and approved by the Board, as an honorary member.
5. Lifetime Member. Bestowed upon an individual, by nomination of the President, and approved by the Board.

Article III

HHB Board

The HHB Board shall consist of all the officers and directors as defined in Article III. The officers of the HHB shall be the President, Vice President, and Treasurer. The President, Vice President, and Treasurer shall be bonded. A signature of one duly bonded officers shall be required to validate checks and/or other disbursements of funds of amounts as determined by the Board for purposes as may be authorized by the Board. The Board shall provide a bond in an adequate amount for the officers charged with the responsibility of all funds.

Directors and Officers

The numbers of directors shall be no less than five. All directors and officers shall be elected by a majority of the members voting for a term of two years with one half of all directors and officers being elected on alternate years. 'Elections shall be held in the beginning of Feb. in preparation for the annual meeting' with terms to commence on the following first day of April, all departing directors and officers terminate their responsibilities as of March 31st. In the event a vacancy occurs in any office other than the president, a person to finish out the term of that vacancy would be appointed by the president. In the event of the vacancy of the president, the vice-president shall serve out the remaining term of the president. In the event that the vice president is not able to serve out the remaining term of the president, a special election will be held by the HHB with a majority of the members voting electing the person to serve the remainder of the term.

Any necessary increase or decrease in the number of directors shall be approved by a majority of the Board at any membership meeting. A special vote will be held to elect the person to serve as the new director(s) at the next membership meeting by a majority of the members voting. The term will expire at the next annual meeting. Any decrease in the number of directors will take effect at the next annual meeting.

Board members may be removed from office by:

1. A written motion to remove shall be made at a membership or Board meeting to remove a specific Board member.
2. The president shall appoint at that time an ad hoc committee to investigate the charges.
3. At a special meeting called within 15 days of the motion, the committee shall make its report to the HHB.
4. A two-thirds majority vote of the members voting is required to remove a Board member.

Powers of the Board

The Board shall exercise all of the powers of the corporation in the management of the business and affairs, as it deems best for the interests of the corporation. In addition, the Board shall set the policies of the corporation and shall have the power to make any final decisions regarding said policies subject to the Referendum action outlined below. The Board shall have the authority to approve bills and authorize payment.

Referendum - Any member of the HHB can require a vote on any issue if the following requirements are met:

1. Create a written petition which states the issue to be decided;
2. Collect signatures of 33% of the HHB membership in support of sending the issue to a membership vote; and
3. Presenting the petition and signatures at the next membership meeting at which the Board will discuss the issue and establish a date within 30 days for a special vote of the membership.

A majority of the members voting at the special meeting will determine the issue. The Board will implement the issue as decided upon by the vote.

President

The president shall preside at all general membership meetings and meetings of the Board. He/she shall take direct charge and assume responsibility in the supervision of the business and the direction of the organization. He/she shall have the power to form new committees that may from time to time be authorized by the Board and become necessary in the execution of his/her duty as president. He/she shall be ex-officio member of all standing committees. In the event of a deadlock in the voting by any committee or the Board, he/she shall have the power to cast the deciding vote. In general, the president shall perform all duties usually incident to the office of president. The president of the HHB shall also have the power of signature on any and all checking and savings accounts in the name of HHB.

Vice President

The vice president shall have such power and perform such duties as may be specified by the president. He/she should become familiar with the various standing committees and offices of this organization. He/she should become familiar with the rules and regulations of HHB, USA Hockey, Roberts Rules of Order, District 8 and Minnesota Hockey. If for any reason the President cannot fulfill his/her duties, the vice president shall succeed to and perform the duties of the president. The vice president shall be this organization's representative to District 8.

Treasurer

The treasurer shall keep accurate financial records for the corporation. Deposit money, drafts and checks in the name of the HHB. Endorse for deposit, checks and drafts received by the corporation as authorized by the Board, making proper vouchers for the deposit. Disburse funds and issue checks and drafts in the name of the corporation, as authorized by the Board. Provide a monthly account of transactions and of the financial condition of the corporation. The treasurer is also responsible for the overall compilation of the annual budget. The treasurer will cooperate with and provide documentation and records for the annual tax return and financial review as necessary.

Article IV

Meetings

A majority of the number of Board Members shall constitute a quorum for the transaction of business at all meetings of the HHB. All issues voted upon by the Board shall be decided by a majority of the votes cast by the officers and directors present.

Membership Meetings

The HHB will have monthly membership meetings to conduct the regular business of the HHB. The day, time and place will be published prior to the meeting occurrence. The February meeting will serve as the annual meeting.

The date, time and location of a membership meeting may be changed. The change must be published in the monthly newsletter and/or listed on the official HHB website.

The agenda for membership meetings will be published in the monthly newsletter and posted to the official HHB website a minimum of two days prior to the meeting date. Any member wanting an item to be put on the agenda is welcome to do so. The member must contact the Secretary ten days prior to the date of said meeting.

Any new business can be brought in front of the Board at any membership meeting during the open forum section of the agenda. This new business may be acted upon by the Board or tabled for the next membership meeting.

Annual Meeting

The March Membership Meeting will serve as the Annual Meeting. At the annual meeting, election results for all open Board positions will be discussed. To ensure fair and knowledgeable elections, write-in votes will only be allowed for positions without a declared candidate. Persons wishing to run for an open Board position must submit a written declaration of their intent with a background and reason for seeking the Board position no later than January 31st. Candidate declarations will be posted on the official HHB website and copies provided at the election itself. Each member shall be allowed one vote per open Board position, and all elections will be decided by a majority of votes cast. Eligibility of voting may be challenged at any time for a show of proper credentials. The member must be present to vote. Elected Board members will assume office April 1st following the elections.

Board Meetings

A meeting of the Board can be called at any time by the President and/or on request of any two Board members as necessary to act on any special issue that requires immediate attention prior to the next membership meeting. Results of any Board meeting will be discussed in detail at the next membership meeting. Notice of the date, time, location and purpose of Board Meetings will be sent to all Board Members a minimum of three days prior to said meeting.

Special Membership Meetings

A Special Meeting of the HHB may be called at any time by the President, a majority of the Board or by a signed petition of any fifty members. Written notice of the date, time and purpose of any Special Meeting will be sent to all members a minimum of three days prior to said meeting.

Article V

Amendments

These "By Laws" may be amended by a 2/3 majority of the members voting at any meeting of the HHB. Written notice of the proposed amendment must be sent to all members at a minimum of 10 days prior to said meeting. "The Operating Policies and Procedures" will be provided to all members via the HHB website. These policies and procedures will be consistent with the By Laws of this corporation and will govern the day to day activity of the HHB. As stated in Article III (Power of the Board), the Board shall set the policies of this corporation. All amendments to these policies and procedures must be sent, by electronic email or postal service to the members or posted on the official HHB website no later than 30 days after such changes.

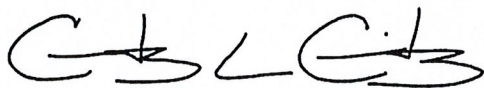
Rules of Order

The rules contained in Roberts Rules of Order as revised, shall govern this Corporation in all cases in which they are applicable and in which they are not inconsistent with these By Laws.

Hastings Hockey Boosters, Inc. - Board Members

as of April 1, 2022

| Board Member Name | Board Position | Active Board Member Since |
|-------------------|--------------------------|---------------------------|
| Curtis Gerrits | President | 4/1/2020 |
| Dave Fullerton | Vice President | 4/1/2022 |
| Kari Erickson | Treasurer | 4/1/2020 |
| Tony Horton | Secretary | 11/7/2021 |
| Brian Meyer | Learn Hockey Director | 4/1/2020 |
| Matt Dugstad | Boys In House Director | 4/1/2021 |
| Pat Gelhar | Girls In House Director | 4/1/2021 |
| Bob Erickson | Squirt Director | 4/1/2020 |
| Kristi Woodwick | Girls Traveling Director | 10/8/2017 |
| Sean McCabe | PeeWee Director | 4/1/2016 |
| Dan Zgoda | Bantam/Jr Gold Director | 4/1/2019 |
| Jim Zgoda | Operations Director | 4/1/2017 |
| Jamie Stevens | Director of Hockey | 4/1/2019 |
| Sarah Schneider | Volunteer Director | 4/1/2019 |
| Jon Krauth | Director of Revenue | 4/1/2020 |
| Keith Birken | Gambling Manager | 3/6/2022 |



Curtis Gerrits - President

4/1/2022

Date

Hastings Hockey Boosters

Charitable Gaming Policies*Fiscal Control Policy-*

Gambling manager will manage all daily aspects of gaming sites. Manager will file all necessary paperwork with the Minnesota Gambling Control Board. There should be a gaming committee of no less than 3 board members who will oversee the following:

1. Auditing of closed games
2. Reviewing cash shortages
3. Reviewing Cash Deposits
4. Monitoring expenditures and ensuring compliance of lawful purpose rating
5. Reviewing fund losses and internal controls
6. Periodic monitoring of the organization's permitted premises to detect illegal gambling

Gambling manager will report to Board of Directors each month:

1. Verification of end of month inventory
2. Reconciling and verifying profit carryover
3. Verifying monthly and annual reports provided to the Department of Revenue and Gambling Control Board

Appropriation of fund derived from gaming-

Expenditure of any funds attained through charitable gambling operation will require approval of the Board of Directors. This will be done at any public meeting of the board based on reporting from the Gambling Manager and recommendation from the Treasurer.

TAX ID



VIII-13

CINCINNATI OH 45999-0038

In reply refer to: 0248467576
June 07, 2013 LTR 4168C 0
23-7217006 000000 00

00021105
BODC: TE

HASTINGS HOCKEY BOOSTERS INC
PO BOX 482
HASTINGS MN 55033



017956

Employer Identification Number: 23-7217006
Person to Contact: Ms. Yates
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your May 29, 2013, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in May 1972.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section 509(a)(2).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

VIII-13

0248467576

June 07, 2013 LTR 4168C 0

23-7217006 000000 00

00021106

HASTINGS HOCKEY BOOSTERS INC
PO BOX 482
HASTINGS MN 55033

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,

Richard McKee

Richard McKee, Department Manager
Accounts Management Operations

Hastings Hockey Booster Board of Directors Roster

| Officers: | Name | Email Address | Term |
|--------------------------|-----------------|--|-------------|
| President | Curtis Gerrits | president@hastingshockey.com | 2021-2023 |
| Vice President | Dave Fullerton | vicepresident@hastingshockey.com | 2022-2024 |
| Treasurer | Kari Erickson | treasurer@hastingshockey.com | 2022-2024 |
| Directors | Name | Email Address | Term |
| Director of Hockey | Jamie Stevens | coaching@hastingshockey.com | 2022-2024 |
| Secretary | Tony Horton | secretary@hastingshockey.com | 2022-2024 |
| Director of Operations | Jim Zgoda | operations@hastingshockey.com | 2021-2023 |
| Charitable Gambling | Keith Birken | keith.birken@gmail.com | 2022-2024 |
| Bantam/Jr Gold Director | Dan Zgoda | bantams@hastingshockey.com | 2021-2023 |
| Peewee Director | Sean McCabe | peewees@hastingshockey.com | 2022-2024 |
| Squirts Director | Bob Erickson | squirts@hastingshockey.com | 2021-2023 |
| Girls Traveling Director | Kristi Woodwick | girls-traveling@hastingshockey.com | 2021-2023 |
| Girls In-House Director | Vacant | girls-inhouse@hastingshockey.com | 2022-2024 |
| Boys In-House Director | Matt Dugstad | mites@hastingshockey.com | 2021-2023 |
| Learn Hockey Director | Brian Meyer | minimites@hastingshockey.com | 2022-2024 |
| Volunteer Director | Sarah Schneider | volunteers@hastingshockey.com | 2021-2023 |
| Director of Revenue | Jon Krauth | jon.p.krauth@gmail.com | 2021-2023 |

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: HASTINGS Hockey BOOSTERS INC License Number: _____
 Chief Executive Officer (CEO) CURTIS GERRITS Daytime Phone: 920-217-7255
 Gambling Manager: KEITH BIRKEN Daytime Phone: 651-300-8297

GAMBLING PREMISES INFORMATION

Current name of site where gambling will be conducted: ME AND JOE'S
 List any previous names for this location:
NONE
 Street address where premises is located: 350 33RD ST. W
(Do not use a P.O. box number or mailing address.)

City: HASTINGS OR Township: _____ County: DAKOTA Zip Code: 55033

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: MERCHANT BANK Bank Account Number: 70160951
 Bank Street Address: 1525 VERMILION ST City: HASTINGS State: MN Zip Code: 55033


ALL TEMPORARY AND PERMANENT OFF-SITE STORAGE SPACES

| Address (Do not use a P.O. box number): | City: | State: | Zip Code: |
|---|-------|-----------|-----------|
| _____ | _____ | <u>MN</u> | _____ |
| _____ | _____ | <u>MN</u> | _____ |
| _____ | _____ | <u>MN</u> | _____ |

ACKNOWLEDGMENT BY LOCAL UNIT OF GOVERNMENT: APPROVAL BY RESOLUTION

| CITY APPROVAL for a gambling premises located within city limits | COUNTY APPROVAL for a gambling premises located in a township |
|--|--|
| City Name: _____ | County Name: _____ |
| Date Approved by City Council: _____ | Date Approved by County Board: _____ |
| Resolution Number: _____ (If none, attach meeting minutes.) | Resolution Number: _____ (If none, attach meeting minutes.) |
| Signature of City Personnel: _____ | Signature of County Personnel: _____ |
| Title: _____ Date Signed: _____ | Title: _____ Date Signed: _____ |
| <p>Local unit of government must sign.</p> | <p>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.)</p> |
| | TOWNSHIP NAME: _____ |
| | 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) | _____ Date 3-24-2022 |

| | | |
|--|--|--|
| <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> |
|--|--|--|

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

6/15 Page 1 of 2

| LEASE INFORMATION | | |
|--|---|---|
| Organization: <u>HASTINGS Hockey Booster Inc.</u> | License/Site Number: | Daytime Phone: |
| Address: <u>PO Box 482</u> | City: <u>HASTINGS</u> | State: Zip: <u>MN 55033</u> |
| Name of Leased Premises: <u>Me and Julius</u> | Street Address: <u>350 33rd St W</u> | |
| City: <u>Hastings</u> | State: Zip: <u>MN 55033</u> | Daytime Phone: <u>651-438-2520</u> |
| Name of Legal Owner: <u>Eclectic Culinary Concepts in</u> | Business/Street Address: <u>1352 Sibbey Memorial Hwy</u> | |
| City: <u>Mendota</u> | State: Zip: <u>MN 55150</u> | Daytime Phone: <u>651-452-1311</u> |
| Name of Lessor (If same as legal owner, write "SAME"): <u>SAME</u> | Address: | |
| City: | State: Zip: | Daytime Phone: |
| Check applicable item: <input checked="" type="checkbox"/> New or amended lease. Effective date: <u>June 1, 2012</u> . Submit changes at least ten days before the effective date of the change. <input type="checkbox"/> 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 checked="" 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 checked="" 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: <u>10</u> %, not to exceed 10% of gross profits for that month. <ul style="list-style-type: none"> 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: <u>15</u> %, 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: <u>20</u> %, not to exceed 20% of gross profits from all other forms of lawful gambling. <ul style="list-style-type: none"> 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: | | |
| <ul style="list-style-type: none"> Rent to be paid: <u>10</u>%, 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: \$ <u>0.00</u> 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. <ul style="list-style-type: none"> ⇒ 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 <u>60</u> 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:

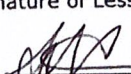
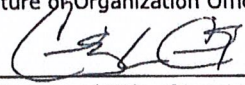
- trash removal
- electricity, heat
- snow removal
- storage
- janitorial and cleaning services
- other utilities or services
- lawn services
- security, security monitoring
- cost of any communication network or service required to conduct electronic pull-tabs games or electronic bingo
- in the case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

| | | | |
|---|------------------|--|--------------------|
| Signature of Lessor:  | Date: 3-29-22 | Signature of Organization Official (Lessee):  | Date: 3-24-2022 |
| Print Name and Title of Lessor: Stephen Hese President | | Print Name and Title of Lessee: Curtis L. Genovis CEO/President | |

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

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: HASTING Hockey BOOSTER INC License Number: _____
 Chief Executive Officer (CEO) CURTIS GERRITS Daytime Phone: 920-217-7255
 Gambling Manager: KEITH BIRKEN Daytime Phone: 651-300-8297

GAMBLING PREMISES INFORMATION

Current name of site where gambling will be conducted: GREEN Mill RESTAURANT & BAR
 List any previous names for this location:
NONE
 Street address where premises is located: 909 VERMILLION ST
(Do not use a P.O. box number or mailing address.)

City: HASTINGS OR Township: _____ County: DAKOTA Zip Code: 55033

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: MERCHANTS BANK Bank Account Number: 70160951
 Bank Street Address: 1525 VERMILLION ST City: HASTINGS State: **MN** Zip Code: 55033

ALL TEMPORARY AND PERMANENT OFF-SITE STORAGE SPACES

| Address (Do not use a P.O. box number): | City: | State: | Zip Code: |
|---|-------|-----------|-----------|
| _____ | _____ | MN | _____ |
| _____ | _____ | MN | _____ |
| _____ | _____ | MN | _____ |

ACKNOWLEDGMENT BY LOCAL UNIT OF GOVERNMENT: APPROVAL BY RESOLUTION VIII-13

**CITY APPROVAL
for a gambling premises
located within city limits**

City Name: _____

Date Approved by City Council: _____

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

Signature of City Personnel: _____

Title: _____ Date Signed: _____

**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.
- 

Signature of Chief Executive Officer (designee may not sign)

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.
- _____
 Date 3-23-2022

| | | |
|---|---|---|
| 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: <u>HASTINGS Hakey Booster Inc.</u> | License/Site Number: | Daytime Phone: |
| Address: <u>HASTINGS PO Box 482</u> | City: <u>HASTINGS</u> | State: Zip: <u>MN 55033</u> |
| Name of Leased Premises: <u>GREEN MILL RESTAURANT & BAR</u> | Street Address: <u>909 VERMILLION ST.</u> | |
| City: <u>HASTINGS</u> | State: Zip: <u>MN 55033</u> | Daytime Phone: <u>651-438-9191</u> |
| Name of Legal Owner: <u>PTJ RESTAURANTS</u> | Business/Street Address: <u>909 VERMILLION ST.</u> | |
| City: <u>HASTINGS</u> | State: Zip: <u>MN 55033</u> | Daytime Phone: <u>612-418-9986</u> |
| Name of Lessor (if same as legal owner, write "SAME"): <u>SAME</u> | Address: | |
| City: | State: Zip: | Daytime Phone: |

Check applicable item:
 New or amended lease. Effective date: June 1, 2012 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 | Electronic games may only be conducted: 1. at a premises licensed for the on-sale of intoxicating liquor or the on-sale of 3.2% malt beverages; or 2. at a premises where bingo is conducted as the primary business and has a seating capacity of at least 100. |
| <input checked="" type="checkbox"/> Bingo | |
| <input type="checkbox"/> Tipboards | |
| <input type="checkbox"/> Paddlewheel | |
| <input type="checkbox"/> Paddlewheel with table | |

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: 10 %, 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: 10 %, 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: \$ 0.00 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.

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- 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
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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:

| | | | |
|--|----------------|--|-----------------|
| Signature of Lessor: <i>Joseph P. Haugge</i> | Date: 03/24/22 | Signature of Organization Official (Lessee): <i>Curtis L. Gernts</i> | Date: 3-23-2022 |
|--|----------------|--|-----------------|

| | |
|---|---|
| Print Name and Title of Lessor: <i>Joseph P. Haugge</i> | Print Name and Title of Lessee: <i>Curtis L. Gernts CEO/President</i> |
|---|---|

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