

**AMENDED AGENDA—Monday, September 16, 2024**

**SUGGESTED MOTION: Move to amend the order of the agenda with the addition of item g. Authorize raffle permit for NDSU Clay Target Club and h. Approve special event permit for Downtown Tavern dba The Boiler Room to the consent agenda.**

**CONSENT AGENDA**

g. Authorize raffle permit for NDSU Clay Target Club

h. Approve special event permit for Downtown Tavern dba The Boiler Room

Resolution

WHEREAS, NDSU Clay Target Club has made application to the Board of County Commissioners of the County of Cass for permission to conduct a game of chance; and

WHEREAS, said game of chance is to be conducted on October 5, 2024, at The Shooting Park in Horace, North Dakota; and

WHEREAS, the sworn statement of facts contained in the application of NDSU Clay Target Club for such permit indicates NDSU Clay Target Club is qualified and eligible to conduct a game of chance in accordance with the laws of the State of North Dakota;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Cass County: NDSU Clay Target Club is hereby authorized to conduct a game of chance on October 5, 2024, and that the nature of the game authorized to be conducted is: Raffle.

STATE OF NORTH DAKOTA)

) SS

County of Cass )

Chad Peterson, being first duly sworn, deposes and says that he is the duly appointed Cass County Commission Chair and that the foregoing resolution is a true and correct copy of a resolution duly adopted by the County Commissioners of the County of Cass; and that such resolution is a true and correct transcript of the permanent records of the minutes of the meeting of the Board of County Commissioners of the County of Cass held on the 16<sup>th</sup> day of September, 2024.

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Chad Peterson, Cass County Commission Chair

Suggested Motion:

Move to approve a raffle permit for NDSU Clay Target Club to be held on October 5, 2024, at The Shooting Park in Horace, North Dakota.



**LOCAL PERMIT OR RESTRICTED EVENT PERMIT**  
 NORTH DAKOTA OFFICE OF ATTORNEY GENERAL  
 GAMING DIVISION  
 SFN 17926 (11-2023)

Permit Number <b>676</b>
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Permit Type (check one)							
<input checked="" type="checkbox"/> Local Permit				<input type="checkbox"/> Restricted Event Permit*			
Games Authorized				<input type="checkbox"/> Raffle by a Political or Legislative District Party			
<input type="checkbox"/> Bingo	<input checked="" type="checkbox"/> Raffle	<input type="checkbox"/> Raffle Board	<input type="checkbox"/> Calendar Raffle	<input type="checkbox"/> Sports Pool	<input type="checkbox"/> Poker*	<input type="checkbox"/> Twenty-One*	<input type="checkbox"/> Paddlewheels*

\*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.  
**LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS**

**ORGANIZATION INFO**

Name of Organization or Group <b>NDSU Clay Target Club</b>		Dates Authorized (Read Instruction 2) <b>October 5, 2024</b>	
Organization or Group Contact Person <b>Tucker Kolb</b>	E-mail <b>ndsuclytargetclub@gmail.com</b>	Telephone Number <b>763-614-4823</b>	
Mailing Address <b>1155 17th Ave N Apt. 112</b>	City <b>Fargo</b>	State <b>ND</b>	ZIP Code <b>58102</b>

**SITE INFO**

Site Name <b>The Shooting Park</b>		County <b>Cass</b>	
Site Address <b>4333 167th Ave SE</b>	City <b>Horace</b>	State <b>ND</b>	ZIP Code <b>58047</b>

If the city or county is placing restrictions on the permit, please explain

**None**

Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)

**Raffle- October 5, 2024**

**Permits must be issued prior to the 1st event date.**

Local governing bodies please see the instructions on the backside of this form on how to complete the permit. Be certain to provide the organization or group with the "Information Required to be Preprinted on a Standard Raffle Ticket" found on the backside of this forms if a raffle is being conducted. If a "Restricted Event Permit" is being issued, either provide organization or group with SFN 52880 "Report on a Restricted Event Permit" or make them aware that the report must be filed with the city or county and the Office of Attorney General within 30 days after the event. Before approving a site location, ensure compliance with the gaming law below

Before approving a local permit or restricted event permit the local governing body should review North Dakota Century Code 53-06.1-03(3)(a) which states:

3. A licensed organization or organization that has a permit shall conduct games as follows:
  - a. Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:
    - (1) When the area for the raffle is physically separated from the area where games are conducted by the regular organization.
    - (2) Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the Attorney General.

Local governing bodies should also review North Dakota Administrative Code 99-01.3-01-05 (Permits) for the administrative rules governing permits. These rules may be viewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

**CITY OR COUNTY CONTACT PERSON**

Printed Name of City or County Official <b>Taylor Kaushagen</b>	Title of City or County Official <b>Commission Assistant</b>	Telephone Number <b>701-241-5609</b>	E-mail Address <b>kaushagent@casscountynnd.gov</b>
Signature of City or County Official		Date <b>09-16-2024</b>	Issuing Governing Body <input type="checkbox"/> City <input checked="" type="checkbox"/> County

**City or County must submit a copy of the permit above to the Office of Attorney General within 14 days of issuance.**

**Information required to be preprinted on a standard raffle ticket:**

1. Name of Organization;
2. Ticket Number;
3. Price of the ticket, including any discounted price;
4. Prize, description of an optional prize selectable by a winning player or option to convert a **merchandise** prize to a cash prize that is limited to the lesser of the value of the merchandise prize or six thousand dollars. However, if there is insufficient space on a ticket to list each minor prize that has a retail price not exceeding twenty-five dollars, an organization may state the total number of minor prizes and their total retail price;
5. Print the authorizing city or county and permit number
6. A statement that a person is or is not required to be present at a drawing to win;
7. Date and time of the drawing or drawings and, if the winning player is to be announced later, date and time of that announcement. For a calendar raffle, if the drawings are on the same day of the week or month, print the day and time of the drawing;
8. Location and street address of the drawing;
9. If a merchandise prize requires a title transfer involving the Department of Transportation, a statement that a winning player is or is not liable for sales or use tax;
10. If a purchase of ticket or winning prize is restricted to a person of a minimum age, a statement that a person must be at least "-" years of age to buy a ticket or win a prize;
11. A statement that a purchase of the ticket is not a charitable donation;
12. If a secondary prize is an non-guaranteed cash or merchandise prize, a statement that the prize is not guaranteed to be won and odds of winning the prize based on numbers of chances; and
13. If a prize is live beef or dairy cattle, horse, bison, sheep, or pig, a statement that the winning player may convert the prize to a cash prize that is limited to the lesser of the market value of the animal or six thousand dollars.

North Dakota Administrative Code 99-01.3-05-02(4) states that an employee may not sell a ticket on a site where another organization is licensed or has a permit unless the employee is granted permission by the lessor and other organization.

North Dakota Administrative Code 99-01.3-05-01 through 99-01.3-05-05 (Raffles) in its entirety can be reviewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

**INSTRUCTIONS:**

After a city or county governing board has authorized an organization to receive a local permit or restricted event permit, the city or county must complete the form.

1. Enter the city or county assigned "Permit Number".
2. Enter the beginning and ending date(s) for which the permit is authorized. **Note: Unexact blanket dates will not be accepted**
  - a. A permit must be on a fiscal year basis from July first to June thirtieth or on a calendar year basis.
  - b. A local permit can be issued for one or more events per fiscal year.
  - c. The "Dates Authorized" must only be the actual dates of the event(s) and does not include the dates the organization is selling tickets.
  - d. For a "one time" event permit, the beginning and ending date for "Dates Authorized" is the date of the event date.
  - e. If a local permit is issued for more than one event, enter the date of the first event as the beginning date and the date of the last event as the ending date.
  - f. A permit may not be issued more than twelve months prior to the first raffle drawing date.
  - g. A restricted event permit may be issued for only one event per year. If the organization has received a local permit during a fiscal year, it may not receive a restricted event permit. If the organization received a restricted event permit during the fiscal year, it may not receive a local permit.
3. Permits must provide the specific dates of event(s), site name, and site physical address. If there are multiple event dates that do not fit on the permit, a separate sheet must be submitted with the permit that provides a list of all event dates.
4. Enter any restriction place on the organization or group, such as days of the week or designation of an area at a site where games may be conducted.
5. When a restricted event permit is issued, provide a "Report on a Restricted Event Permit (SFN 52880)" form to the organization or be sure they know the form is available at <https://attorneygeneral.nd.gov/licensing-and-gaming/licensing/charitable-gaming> by scrolling to the bottom of the page.
6. Give the organization or group the completed permit form, keep a copy for your records, and **send a copy within 14 days** by email to [agogaming@nd.gov](mailto:agogaming@nd.gov), fax to (701) 328-3535 or by mail to:

Office of Attorney General  
Gaming Division  
600 E Blvd Ave, Dept. 125  
Bismarck, ND 58505-0040

If you have questions on the local permit or restricted event permit process, please call: 1-800-326-9240



# APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

GAMING DIVISION

SFN 9338 (9-2023)

Applying for (check one)

Local Permit  Restricted Event Permit\*

Games to be conducted  Raffle by a Political or Legislative District Party

Bingo  Raffle  Raffle Board  Calendar Raffle  Sports Pool  Poker\*  Twenty-One\*  Paddlewheels\*

\*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

**LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS**

### ORGANIZATION INFO

Name of Organization or Group <b>NDSU Clay Target Club</b>		Dates of Activity (Does not include dates for the sales of tickets) <b>10/5/24</b>	
Organization or Group Contact Person <b>Tucker Kolb</b>	E-mail <b>ndsuclytargetclub@gmail.com</b>	Telephone Number <b>763-614-4823</b>	
Business Address <b>1401 Administration Ave.</b>	City <b>Fargo</b>	State <b>ND</b>	ZIP Code <b>58102</b>
Mailing Address (if different) <b>1155 17th Ave N Apt. 112</b>	City <b>Fargo</b>	State <b>ND</b>	ZIP Code <b>58102</b>

### SITE INFO

Site Name <b>Shooting Park of Horace</b>		County	
Site Physical Address <b>4333 167th Ave SE</b>	City <b>Horace</b>	State <b>ND</b>	ZIP Code <b>58047</b>
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) <b>Raffle 10/5</b>			

### PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
<b>Raffle</b>	<b>50/50 (Split the pot)</b>	<b>50% of ticket sales</b>
Total (limit \$40,000 per year)		\$

### ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds  
**Offset the cost of dues, competitions, and team practices**

Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)  
 Yes  No

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit)  
 Yes  No

Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)  
 No  Yes - Total Retail Value:  (This amount is part of the total prize limit for \$40,000 per fiscal year)

Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)  
 Yes  No

Printed Name of Organization Group's Permit Organizer <b>Tucker Kolb</b>	Telephone Number <b>763-614-4823</b>	E-mail Address <b>ndsuclytargetclub@gmail.com</b>
Signature of Organization Group's Permit Organizer 	Title <b>Treasurer</b>	Date <b>9/13/2024</b>

**Information required to be preprinted on a standard raffle ticket:**

1. Name of organization;
2. Ticket number;
3. Price of the ticket, including any discounted price;
4. Prize, description of an optional prize selectable by a winning player, or option to convert a merchandise prize to a cash prize that is limited to the lesser of the value of the merchandise prize or eight thousand dollars. However, if there is insufficient space on a ticket to list each minor prize that has a retail price not exceeding twenty-five dollars, an organization may state the total number of minor prizes and their total retail price;
5. For an organization that has a permit, print the authorizing city or county and permit number;
6. A statement that a person is or is not required to be present at a drawing to win;
7. Date and time for each drawing and, if the winning player is to be announced later, date and time of that announcement. For a calendar raffle, if the drawings are on the same day of the week or month, print the day and time of the drawing;
8. Location and physical street address of the drawing;
9. If a merchandise prize requires a title transfer involving the Department of Transportation, a statement that a winning player is or is not liable for sales or use tax;
10. If a purchase of a ticket or winning prize is restricted to a person of a minimum age, a statement that a person must be at least "-" years of age to buy a ticket or win a prize;
11. A statement that a purchase of the ticket is not a charitable donation;
12. If a secondary prize is an unguaranteed cash or merchandise prize, a statement that the prize is not guaranteed to be won and odds of winning the prize based on numbers of chances; and
13. If a prize is live beef or dairy cattle, horse, bison, sheep, or pig, a statement that the winning player may convert the prize to a cash prize that is limited to the lesser of the market value of the animal or six thousand dollars.

**PRIZE RESTRICTIONS:**

A single cash prize cannot exceed \$8,000

The retail value of a merchandise prize cannot exceed \$8,000.

The total of all cash prizes and retail value of all merchandise prizes for all games cannot exceed \$40,000 per year.

If the value of the planned cash and merchandise prizes exceed \$40,000, the organization or group must reduce the prizes to this limit or a nonprofit corporation may apply for a state gaming license with the Office of Attorney General.

**LOCAL PERMIT AND RESTRICTED EVENT PERMIT DIFFERENCES:**

	<u>Local Permit</u>	<u>Restricted Event Permit</u>
Number of events per year	Limited by prizes	One
Must file an information report	Yes, if political party	Yes
May pay employees compensation	Yes	No
Must use chips as wagers	No	Yes
Use of net income	Unrestricted	Restricted
Games allowed	Bingo Raffles Sports Pools	Bingo Raffles Sports Pools Poker Twenty-One Paddlewheels

Compared to a "Local Permit," an organization or group with a "Restricted Event Permit" may conduct three more game types, but is restricted to one event per year, must file a "Report on a Restricted Event Permit" with the city or county and Office of Attorney General, and disburse net income to eligible uses. These uses are described by North Dakota Century Code 53-06.1-11.1(2) and North Dakota Administrative Code 99-01.3-14-02. Refer to the backside of the "Report on a Restricted Event Permit" form for a general list of eligible uses.

For a Restricted Event Permit, one method to ensure that the total of all cash prizes and retail value of all merchandise prizes do not exceed \$40,000 is to charge each player a standard amount at the start of the event for a certain number or value of chips. If a player loses all of the player's chips, the player may re-buy chips. The player would play games and, at the end of the event, the organization would auction merchandise prizes to the players. The player who bid the highest number or value of chips for a prize would win that prize. For those players who have chips but did not successfully bid on a prize, the organization may redeem the chips for a predetermined cash value per chip. For this method, the value of the players' chips redeemed for cash is no a prize.

SPECIAL EVENT PERMIT

The Board of Cass County Commissioners hereby authorizes Downtown Tavern d/b/a The Boiler Room, an on and off sale (on sale, off sale OR on and off sale) alcoholic beverage licensee, whose address is 210 Roberts Alley, Fargo, North Dakota, and whose alcoholic beverage license was issued by the City of Fargo, License No.FA-29, to conduct a special event, public dance, music festival, or public concert wherein alcoholic beverages will be sold on the date of September 25, 2024, at 3729 153<sup>rd</sup> Ave SE in Wheatland, North Dakota. By order of the Board of Cass County Commissioners this 16<sup>th</sup> day of September, 2024.

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Chad Peterson, Chairman  
Cass County Commission

SEAL

SUGGESTED MOTION:

Move to approve a special event permit for Downtown Tavern d/b/a The Boiler Room to serve alcoholic beverages on September 25, 2024, during the hours of 3:00 PM to 4:00 PM for a Networking Event at Grand Farm, 3729 153<sup>rd</sup> Ave SE in Wheatland, North Dakota.



## Special Event Permit Request Form

Name of Organization: Downtown Tavern dba Marge's Bar

Name of authorized representative or individual: Jenny Olson

Type of Event (i.e. wedding reception, meeting): Networking Event

Phone Number:

701-371-4317

Date of Event: Wednesday September 25, 2024

Location and Address of Event: Grand Farm 3729 153rd Ave SE

City: Wheatland State: ND Zip: 58079

Email Address: [jenny@boilerroomfargo.com](mailto:jenny@boilerroomfargo.com)

Liquor/ Beer License Number: Z-5

Hours Liquor Will be Served: Start Time: 3pm

End Time: 4pm

Comments:

Fee for event permit is \$25. Make check payable to Cass County Finance.

Please mail completed form and check to the Cass County Commission Office at P.O. Box 2806 Fargo, ND 58108-2806. Contact Taylor Albrecht, Commission Assistant via email at [albrecht@casscountynd.gov](mailto:albrecht@casscountynd.gov) or via phone at 701- 241-5609 with any questions.