

Volume 72, Number 3, 2013

THE MUNICIPAL LIQUOR STORE

OFFICIAL PUBLICATION OF THE
MINNESOTA BEVERAGE ASSOCIATION
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2013 Minnesota Legislative Report

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MUNICIPAL LIQUOR STORE

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ON THE COVER

The 2013 Legislative session adjourned at midnight on Monday, May 20, right at the constitutionally mandated deadline.

MMBA Lobbyists Sarah Psick and Joe Bagnoli again did a great job.

Their session report can be found beginning on page 7.

DIRECTORS

BRENDA VISNOVEC
(President)
Lakeville Liquor
20195 Holyoke Ave.
Lakeville, MN 55044
952-985-4901



MICHAEL FRIESEN
(Vice President)
Hawley Liquor
P.O. Box 69
Hawley, MN 56549
218-483-4747



NANCY DRUMSTA
(Sec./Treas.)
Delano Wines & Spirits
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CATHY PLETTA
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Kasson, MN 55944
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SHELLY L. DILLON
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CANDICE WOODS
Liquor Hutch
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Hutchinson, MN 55350
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Fifty Lakes, MN 56448
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KARISSA KURTH
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Buffalo Lake Liquor
Buffalo Lake, MN 55314
320-833-2321



LARA SMETANA
Voyageur Bottle Shop
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Pine City, MN 55063
320-629-2020



LISA KAMROWSKI
Nevis Liquor
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Nevis, MN 56467
218-652-3135



MMBA President's Message



Brenda Visnovac
President

The sky is falling..... Again!

For those of you who haven't heard, Total Wine and More is coming to Minnesota. These retail liquor stores are ultra-premium style behemoths (typically more than 20,000 sq. ft.) selling product at warehouse pricing. Quite frankly, there isn't any retailer similar to this in the state, as they are coming with the "Total" (excuse the pun) package; large stores, knowledgeable staff, massive selection, great pricing and private labels. If they find convenient locations they will have it all!

Now, this issue is not dissimilar to when a large retailer called Seven Sister's opened up near Detroit Lakes. The municipal liquor operations in that area (or at least the ones who want to remain open and profitable) adjusted to the competition in that area.

Detroit Lakes opened a new convenient location with a larger selection.

The town of Erhard expanded their higher end wines after attending and sampling them at an MMBA related event, and they are selling.

Hawley has started hosting burger and beer nights -- sampling new craft beers over a hamburger, which has had a lot of success!

So as another new monster moves in on our turf, are you going to adjust how you operate?

Questions you need to consider:

- Do you conduct wine or beer tasting events?
- Do you survey or visit your competition to ensure you are keeping up with the trends?
- Do you evaluate your hours of operation to ensure they meet the needs of your residents without being excessive?
- Do you evaluate your selection on a regular basis, ensuring that you move out slow moving products while bringing new items?
- Do you provide avenues for your staff to learn, and more importantly do you hold your staff accountable for their performance and actions?
- Do you set long range goals for your stores to meet?
- Do you educate and reach out to your community, customers and residents?

If you do not do at least some of these tasks as a manager, we hope your city does not need the control or funding your operation has provided in the past, as it will diminish, if not become extinct.

Or, you need to change!

Change is scary, and change can be difficult, but it is necessary in order to remain successful.

If you need guidance reach out and ask, it is only a phone call away.

Connect with others by attending the upcoming MMBA Regional Meetings.

Or in another means to connect with our members, MMBA board members will soon be hosting small lunches with local municipalities where you can visit as a group to discuss issues and topics. We started this concept a few years back with a handful of south metro retailers including Apple Valley, Edina, Eden Prairie and Lakeville. This has blossomed into a network of about 8 retailers who meet once a quarter to discuss retailing issues. It is short, productive and revitalizing.

Yes the sky is falling... Again!
But there are several things you as a manager can do about it if you are willing to invest.

In closing, our City Administrator always puts a quote on every staff meeting agenda, and this one hit home:

*Do not follow where the path may lead.
Go instead where there is not path and
leave a trail.*

Harold R. McAlindon

Here's An Idea

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*Based Nielsen MPLS Liquor Beer Brand Report 2012



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2013 Legislative Report

By MMBA Lobbyists Sarah Psick and Joe Bagnoli

The 2013 Legislative session adjourned at midnight on Monday, May 20 – right at the constitutionally mandated deadline. When the legislature convened on January 8, 2013, it was the first time since 1990 that the House, Senate and Governor's office were controlled by the same political party – the Democrat-Farmer-Labor (DFL) party. The main objective of the session was to address the \$627 million budget deficit and to adopt a budget for the fiscal years 2014-15 biennium. In the end, the legislation was approved that raised \$2.1 billion in revenue and provided funding for education, health care, state agencies, the environment, transportation and other funding needs. The Legislature will reconvene on February 25, 2014.

2013 Omnibus Liquor Bill - Minnesota Laws 2013 Chapter 42

The 2013 Omnibus Liquor bill contains the following provisions:

- **Tap Rooms** - Clarifies that cities with municipal liquor operations

may issue a tap room license to a brewer.

- **Microdistillery Samples** - allows a microdistillery to provide samples of products not to exceed 15 milliliters per variety per person and no more than 45 milliliters per person on any one day.
- **Small Brewers** - Allows small brewers who brew less than 20,000 barrels annually to sell not more than 500 barrels off-sale annually in growlers. The previous production cap was 3,500 barrels. Also lowers the self-distribution cap from 25,000 to 20,000 barrels brewed annually.
- **Malt Liquor Educator License** - creates a malt liquor educator license modeled after the wine educator license that was created in 2012.
- **Malt Liquor Tastings** - allows a charitable, religious or other nonprofit organization to conduct malt liquor tastings in the same manner that current law

allows wine tastings.

- **Twin Cities in Motion** - technical change in current law which allows a temporary on-sale liquor license for the Twin Cities Marathon, Inc. The name of the organization has changed to Twin Cities in Motion.
- **Winnebago Beer Festival** - extends the sunset by one year on the special provisions for the Winnebago Beer Festival to December 31, 2013.
- **Lowertown Regional Ballpark** - allows the city of St. Paul to issue an onsale liquor license to the St. Paul Saints Baseball Club.
- **Sake Brewpub** - Clarifies that a licensed brewpub producing sake as of the effective date of the bill and licensed by the city of Minneapolis, may sell growlers off-sale. Requires Minneapolis City Council approval.
- **Valley Fair** - allows the city of Shakopee to issue an on-sale liquor license to Valley Fair.
- **Minneapolis and Saint Paul Food Service** - allows the service of beer without meeting food service requirements in the cities of Minneapolis and Saint Paul.
- **Wheeler Field** - allows the city of Duluth to issue an on-sale 3.2 malt liquor license to Wheeler Field, a softball and athletic events facility.
- **Carlton County** - allows an on-sale wine license for a pizzeria in Thomson Township.

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What is NOT in the bill?

- Sunday Sales of alcohol
- Allowing micro distilleries to sell bottles off-sale or to sell products on-sale in a “tap room”
- Primary Source
- Wine in Grocery
- Shipping beer directly to consumers from out-of-state breweries
- Expanded sales of alcohol at University of Minnesota venues

Sunday Sales

On May 1, 2013, the Minnesota House debated and passed the Omnibus Liquor bill. Two amendments were offered which related to allowing liquor stores to sell off-sale on Sundays. First, Representative Tina Liebeling (DFL-Rochester) offered an amendment to allow for the off-sale of alcohol on Sunday with the exception of Christmas Day.

Next, Representative Phyllis Kahn (DFL-Minneapolis) offered an amendment to the Liebeling amendment that would require liquor stores to be closed one day of week and the liquor store may choose the day of the week. Representative Kahn indicated that she was offering the amendment in response to what she had heard from liquor store owners that allowing Sunday sales would spread six days of sales over seven days. The Kahn Amendment failed 5-122.

The Liebeling Amendment to allow for Sunday sales failed 21-106.

Speaking on behalf of liquor stores were Representatives Atkins, Daudt, Barret, Gruenhagen, and O’Driscoll. The Teamsters, Minnesota Family Council, and Beer Wholesalers sent letters opposing Sunday sales as well.

This was a very good win. The strong

opposition will make it harder for the legislature to bring it up next year. The Senate held a brief hearing on the bill to allow Sunday sales of liquor, but did not vote on the issue this session.

Liquor Tax Increases

The House Omnibus Tax bill contained a significant increase in liquor taxes, raising over \$350 million for the two-year budget biennium. While the proposed increase was portrayed as an increase of 7-cents per drink, it was actually a 600% increase in the taxes on beer. Alcohol taxes are among the most regressive taxes and Minnesota’s current liquor taxes are the highest in the region and among the highest in the nation. The Senate did not include increased liquor taxes in the Senate Omnibus Tax bill.

MMBA joined with other liquor industry partners including MLBA, Minnesota Beer Wholesalers, Hospitality Minnesota, Summit, Schells, Diageo, Anheuser Bush, the Teamsters, MillerCoors, the Wine Institute, Minnesota Wine and Spirits Wholesalers, Minnesota Grape Growers, Minnesota Farm Wineries, and others to oppose increased liquor taxes. The coalition developed a grass roots consumer outreach campaign, including a media and lobbying plan. Many MMBA members supported these efforts by engaging customers to contact their legislators, fill out postcards and sign petitions. Also, posters and banners opposing the increased tax were distributed to both on and off-sale locations across the state.

In the end, a conference committee of House and Senate Tax Committee members, DFL legislative leadership, and Governor Dayton negotiated the final budget agreement and increase liquor taxes were not included in the final bill.

Local Government Sales Tax Exemption

Starting on January 1, 2014, cities and counties are exempt from sales and use

tax on purchases used to provide certain government services. However, this exemption does not apply to purchases used to provide services generally provided by a private business, such as liquor stores (as well as, gas and electric utilities, golf courses, marinas, health and fitness centers, community and sports centers, campground, cafes, laundromats, and waste management.)

Cigarette Taxes

The excise tax on cigarettes was increased in the 2013 legislative session by \$1.60 per pack. It was \$1.23 per pack; and now is \$ 2.83 per pack.

Minnesota will have the nation’s sixth highest tax on cigarettes. New York is the highest at \$4.35. Minnesota’s neighbors have comparatively lower cigarette taxes. They are:

North Dakota	- \$0.44 per pack
Iowa	- \$1.36 per pack
South Dakota	- \$1.53 per pack
Wisconsin	- \$2.08 per pack

This increase raises approximately \$423 million over the two year biennium.

Recycling Bill

No bills were introduced during the 2013 legislative session relating to mandatory recycling of beverage containers. MMBA joined with other groups to form a coalition and oppose mandatory beverage recycling by retailers and beverage container taxes, refunds and deposits. Despite the fact that a bill was not introduced, language was included in the Omnibus Environment, Natural Resources and Agriculture finance bill directing the Pollution Control Agency to study beverage container recycling.

The specific language is as follows:

“The commissioner shall prepare and submit a report to the chairs and ranking minority members of the senate and house of representatives committees and

divisions with jurisdiction over the environment and natural resources by January 15, 2014, with recommendations for a statewide recycling refund program for beverage containers that achieves an 80 percent recycling rate. In preparing the report, the commissioner shall consult with stakeholders, including retailers, collectors, recyclers, local governments, and consumers on options to increase the current recycling rate. An assessment of the financial impact of any recommended program shall be included in the report.”

We have requested that the commissioner and staff consult with MMBA regarding this study and the effect on retailers.

Affiliated Nexus

Billed as a helping hand to main street businesses from clothing stores to liquor stores, the legislature made

changes to require businesses that sold products over the internet, that had an affiliate in Minnesota, to impose the state’s sales tax on those products. This was principally aimed at Amazon and other big internet sales sites that had affiliates in Minnesota. It also should help to level the playing field with businesses that sell alcohol over the internet. They must now impose the sales tax if they have an affiliate doing business in Minnesota.

Whether this change is going to lead to a leveling of the competitive advantage that on-line retailers have compared to bricks-and-mortar retailers time will tell. The attempt to rectify this imbalance is significant and provides direction to Congress where there is the ability to require the collection on all on-line retailers.

Minimum Wage

When the legislative session began in January, it seemed almost certain that

a minimum wage increase would be passed. Both the House and Senate DFL leaders discussed passing a bill and indicated their support. However, as the session continued, differences between the House and Senate grew regarding the size of an increase and whether or not future increases would automatically occur based upon the rate of inflation. In the final days of the session, a House and Senate conference committee met to try and resolve the differences. The bills proposed the following increases in the minimum wage:

	<u>House</u>	<u>Senate</u>
August 1, 2013	\$8.00	\$7.25
August 1, 2014	\$9.00	\$7.50
August 1, 2015	\$9.50	\$7.75

The conference committee was unable to reach a consensus and the bill to increase the minimum wage did not pass during the 2013 legislative session. Both the House and Senate have stated that it will be a priority to pass this bill in the 2014 legislative session.

A policeman stops a lady and asks for her license. He says “Lady, it says here that you should be wearing glasses.”

The woman answered “Well, I have contacts.”

The policeman replied “I don’t care who you know! You’re getting a ticket!”

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2013 MMBA Scholarship Winners!!



Allison Duwenhoegger

I have really enjoyed my three years at Maple Grove High School, but I am also very anxious to move onto the next chapter in my life, college.

I have been accepted to the Health Sciences College at Iowa State University and I plan to major in Kinesiology. I have been inspired to study kinesiology because I plan to become a Physician's Assistant after attaining my four year degree.

For the past two years I have been a personal care attendant for a 19 year old boy with severe autism. This has inspired me to gain a certification or a minor degree to work with kids who have special needs.

During my high school career I participated in track and field for two years. I have also been a member of the orchestra since I was in 5th grade. All the hard work that I have put into the orchestra program has finally paid off because we are going on tour to Washington D.C. to perform and see many attractions there.

I was awarded Star Student for my involvement in a program called Medical Explorers. Star Student is an award given by the North Hennepin Chamber of Commerce, for students who have

exceptional acts in volunteerism, career advancement, and employment skills. I received the career advancement award.

I have also been on the A Honor roll for ten out of eleven trimesters from ninth grade through present. This is a honor because I worked very hard for the grades I received and gave up a lot of things.

I have devoted a lot of my high school years to volunteering in the community.

I volunteered at the Maple Grove Hospital during this past summer once a week. When I was there I prepared meals in the kitchen with the staff. I enjoyed being in the kitchen a lot because I got to see a whole different side of the hospital that I haven't really thought about. I got to prepare meals for residents, and meals for the staff to buy for their lunch.

I also volunteer at Zanewood Elementary school in a fourth grade classroom. I love doing this because I want to work with kids when I get older, and many of these kids look up to me. The area this school is in isn't the best, so many of the kids like having the role model in their life.

I do many different things in the classroom from grading papers, to working with kids on different things they don't understand, and sometimes, for them, having a different person explain something will "click" a little better in their head.

I also love sports, football being my favorite. For the past two years I had the opportunity to be a ball girl on the side lines of the boys High School state games.

My high school career has been filled with many memories that will never be forgotten and I enjoyed every minute

of them.

Allison's father Dave is manager of Better Values Liquor in Anoka



Joshua Else

My high school career has been a very exciting experience.

I have been a part of the school year-book committee for four years. I have earned 3 letters in my 4 years of high school.

I earned one in varsity football my junior year and I earned 2 letters in choir.

My senior year I was part of the Community Youth Service where I have been an aid to the elementary teachers. Finally, I have about 20 hours of volunteered time setting up a computer lab for the school.

I have been accepted to Universal Technical Institute in Glendale Heights IL where I will be studying automotive and diesel mechanics. My goal is to graduate in the top 5% of my class so I may return for a chance to be a part of their master technicians program.

While attending, I hope to secure a job to help pay for my tuition and expenses.

Joshua's mother Tami is a bartender at Lewisville Liquor.

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Margaret Estum

It is my pleasure to write a letter of recommendation for Ms. Margaret Estum.

Margaret has been a member of my STAR Time Neighborhood at Redwood Valley High School for the past four years.

She was polite and respectful, curious and intelligent, organized and responsible. It has been a privilege to watch her grow in personality and maturity from her freshman year to her senior year!

She could always be counted on to be organized and responsible, and was able to manage and utilize her work time well and effectively. Her positive attitude and work ethic are continuously in force as she motivated herself and others to perform at the highest level.

Margaret always set high academic expectations for herself and was not afraid to put in the hard work that was required to reach her goals.

These academic characteristics also define Margaret as an individual. She has strong values and strength of character that makes her a natural leader.

She leads by example, being quietly unassuming, responsible and dependable, honest and dedicated. She is kind, and considerate, and capable of bringing out the best others.

Margaret is active in both school and community activities. Within the school, she has participated in musicals, the three-act play, one-act play, speech, BPA, pep band, solo and ensemble contests, SADD and was inducted into the National Honor Society.

In the community, Margaret volunteers in her church and at the Animal Shelter. She is compassionate and understanding, giving freely and generously of her time and talents.

I highly recommend Margaret Estum for this scholarship. She is an amazing young lady and an exceptional representative of today's youth.

Sincerely,
Connie Lunde

Margaret's father Bart is manager of Sacred Heart Liquor



Kaitlin Olson

While in high school I was involved in many different areas inside and outside of school.

I participated in basketball for four years, volleyball for four years also, I was in softball for two years.

Along with my extracurricular activities I received perfect attendance for my first two years in high school.

I participated in choir my freshman year and competed in an ensemble contest and the group I was in received an award.

I have been on both the A and B honor rolls throughout my entire time in the high school.

I have also been involved in the art program at my school I was on the yearbook staff.

I participated in the local art show and received an award for both my painting and my photograph.

I took the Certified Nursing Assistant class through my school and passed the state test so I am now currently a C.N.A.. I also participated in M.R.C.

While in high school I worked for Community Education as a Peer Mentor. I worked in the school age child care program at the school during the summer months. I also coached many different activities.

My plan for after high school is to go to M—State in Detroit Lakes Minnesota for my first two years to start my college career in Early Education.

I then plan to transfer to a university, but I am not sure which one yet.

I plan to work while I go to school to best support myself any way I can so I can be financially stable.

Kaitlin's father Scott is manager of Rapids Spirits in Park Rapids

Leaders are the ones who have the courage to go first and open a path for others to follow.



Sam Olson

The four years of my high school career have been nothing short of amazing with loads of memories.

I wouldn't trade anything for all the relationships I have with my teachers and friends.

As a junior, I began to take on harder classes and am now in the top fourth of my class. I took five college courses this year as a senior and made the academic honors list for maintaining a GPA of 3.7 or higher for all four years of high school.

I have always managed to stay busy outside of school with my extracurricular activities.

I have been a three sport athlete throughout my entire high school career. I was a football player when I first entered high school, but then transferred to Cross Country when an injury forced me to hang up my helmet.

I was also in Basketball and Tennis, and was the captain for both of these sports. This made an impact on me in so many ways because it showed me how important it is to be a leader that others can look up to.

I am also Vice President of our school Investment Club.

Music has also been a huge part of my life, being in Orchestra and Piano since I was in fourth grade. The orchestra will be traveling to Florida to perform at Disney World.

Through all of these activities I have learned there is nothing more important than the relationships you make with those you care about and the importance of cherishing them. This is what will shape you in life and help you become the person you want to be.

I plan on attending NCTC for my first two years out of high school to complete my generals. Once completing this, I intend on transferring to NDSU with my AA and finishing my education with a goal of receiving my Masters in English Education. I also plan on earning my Coaching Certificate.

I hope to return to Thief River Falls one day to become an English teacher at Lincoln High School and also hope to become a basketball coach for the Prowlers.

Sam's father Steve is manager of Falls Liquors.



Julie Rapp

When I was about six years old my older cousin, Brian, passed away because of Duchenne muscular dystrophy. Brian was born with a stamp on the bottom of his foot that told him he was allowed sixteen years of life while his muscles slowly wasting inside his body, making it harder and harder for him to live life independently. Brian died simply because of a mutation on his X-chromosome.

Brian's story and the similar stories from families worldwide are where I gain my inspiration to pursue a career in clinical genetics in hopes that I can aid families in their struggles. Ultimately, I hope one day genetic disorders like Duchenne muscular dystrophy can be eliminated.

My goal in majoring in biochemistry is to get the knowledge I need to continue on to the University of Minnesota Duluth Graduate School to pursue the Molecular, Cellular, Developmental Biology and Genetics program.

Upon completing the Molecular, Cellular, Developmental Biology and Genetics program, I will continue on to the Clinical Medical Genetics Residency program offered by the Mayo School of Graduate Medical Education.

After finishing these programs, I will be able to start my career as a clinical geneticist where I will perform patient examinations, diagnose patients, aid with decision making, and provide counseling and therapeutics to provide care for patients with genetic or possible genetic diseases.

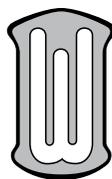
From the very beginning, my parents were both very supportive of my goals and aspirations. More importantly, they also taught me how to be an exceptional citizen and how to give back to my community.

Throughout my high school career, I participated in an afterschool program called Compass where I mentored elementary aged children. More than half of the kids in this program had behavioral problems or rough home lives. Our mission as mentors was to give the kids a safe and comfortable place to learn and play.

Alongside Compass, I participated in Central Minnesota Jobs and Training Services (CMJTS) which is a program for children from low income families to get the tools we need to succeed in the workforce. We would do volunteer work around the community and would get paid through CMJTS, which helped with family income. The coordinators and CMJTS would find projects that needed extra volunteers.

Outside of volunteering, I work at Poor Gary's Pizza and Dairy Queen in Moose Lake.

Julie's mother Cindy is a bartender at Finlayson Liquor



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Researching Your Bar Competition

By Ray Foley & Heather Dismore

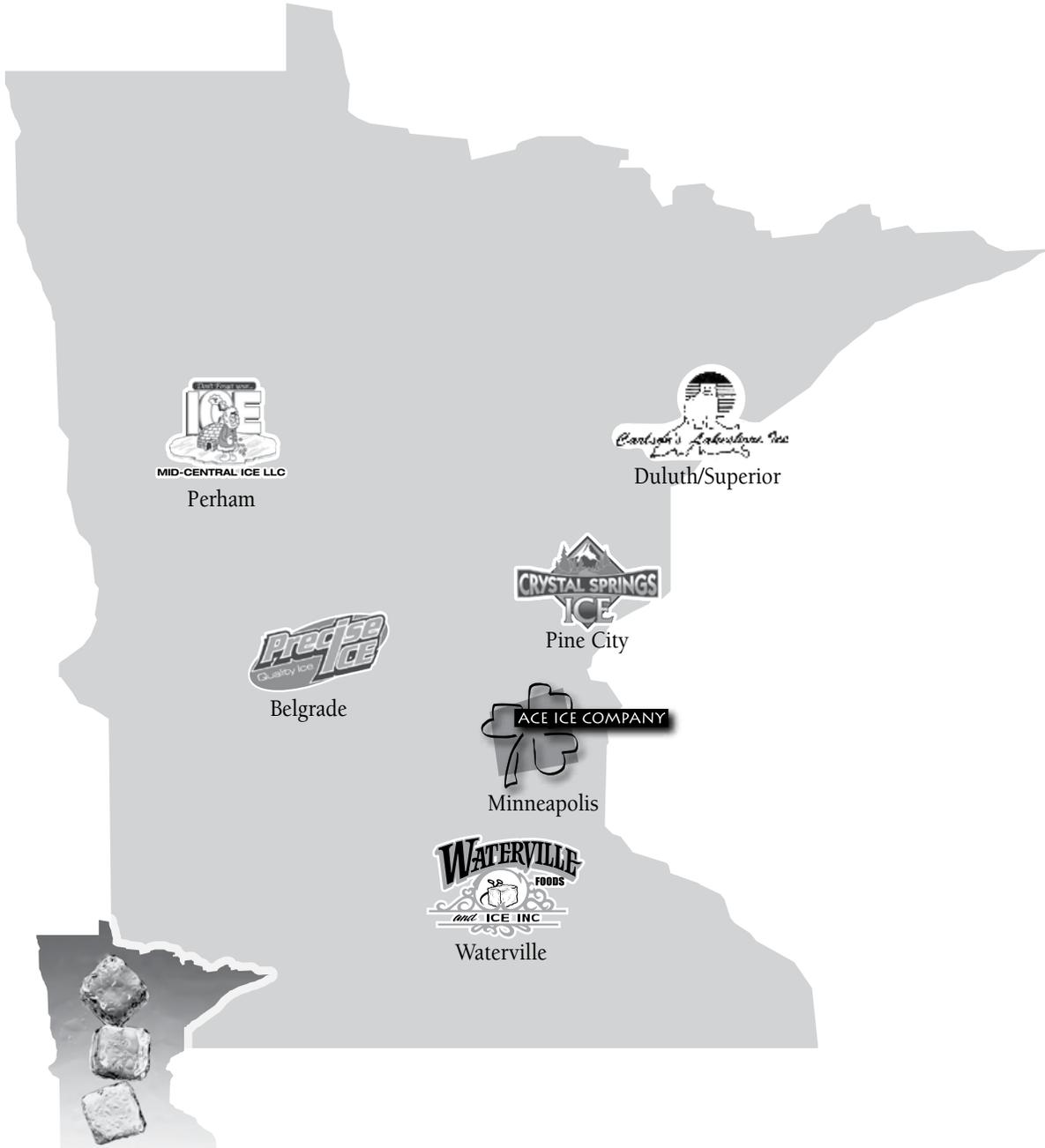
Know thy enemy is true in any business, and the bar business is no exception. Conduct regular reviews of your competitors and know what they are doing right and how they are missing the boat. What changes should you make to better compete?

- What food do they serve?
- How much does it cost?
- What does it taste like?
- How is the quality?
- What draft beers are they pouring?
- What's their pricing structure for beer, wine, cocktails etc.?
- What bottle beers do they stock?
- What's featured on their drink menu?
- What glassware are they using?
- What specials are they plugging?
- What entertainment are they advertising?
- What kinds of customers do they draw?
- How are their bathrooms?
- How's the general atmosphere?
- What's their draw?
- What do they do that's special or intriguing?
- How does their location affect them?
- How was the service?

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Contact: Chuck Wessberg

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Contact: Dave Chase

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Contact: Mike Buckentine

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Address: 3601 W. 76th Street Suite 20
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Phone: (612) 718-6862
Fax: (952) 285-6862
E-mail: jon.chance@millercoops.com
Web: www.millercoops.com

Minnesota Independent Ice Manufacturers Association

Contact: Steve Kelly
Address: 2900 5th Ave. So.
Minneapolis, MN 55408
(612) 824-9600
Phone: (612) 824-1974
E-mail: steven@shamrockgroup.net
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Web: www.smwe.com

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Fax: (952) 432-2661
Cell: (612) 281-4271
E-mail: tuitermarkt@tfwines.com
Web: www.tfwines.com

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Address: 1654 Marthaler Lane
W. St. Paul, MN 55118
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Phone: (651) 455-7799
Mobile: (507) 421-4893
E-mail: jstelley@arcticglacierinc.com
Web: www.arcticglacierinc.com

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Contact: Jeff Van Schoick
Address: 5552 Queen Ave
Minneapolis, MN 55410
(612) 760-2313
Phone: ivanscho@pabst.com
E-mail: www.pabst.com
Web:

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American Beverage Marketers

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Address: 23 N. Staffire Dr.
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Phone: (847) 490-4368
Fax: (847) 490-4368
Cell: (224) 456-2393
E-mail: jmcgreevy@abmccotails.com
Web: www.abmccotails.com

Bacardi USA

Contact: Jeff Lange
Address: 22546 128th Avenue North
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Phone: (763) 428-1048
Fax: (763) 428-1048
E-mail: jlange@bacardi.com
Web: www.bacardi.com

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Contact: Mike Feldhege
Address: 219 Red River Ave N
Cold Spring MN 56320
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Phone: mfeldhege@coldspringbrewingco.com
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Address: 3853 Lincoln St NE
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Phone: (952) 435-7216
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Cell: (612) 353-7918
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E-mail: Brandon.Colpitts@ejgallo.com

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Fax: mike@lifemediainc.com
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Address: 16280 Grinnell Avenue
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(612) 802-6774
Phone: will.arend@pernod-ricard-usa.com
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Web: www.rite.us

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Contact: Chris Morton
Address: 701 Industrial Blvd. NE, Suite B
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E-mail:

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Phone: (651) 466-8191
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Fax: nick@dahlh.com
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Phone: (952) 835-4461
Fax: l.sage@dakotawww.com
E-mail: www.dakotawww.com
Web:

Summit Brewing

Contact: Mark Strudrud
Address: 910 Montreal Circle
St. Paul, MN 55102
(651) 265-7800
Phone: (651) 265-7801
Fax: mstrudrud@summitbrewing.com
E-mail:

The Wine Company

Contact: Chris McDonnell
Address: 425 Minnesota Avenue West
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(651) 487-1212
Phone: chris@thewinecompany.net
E-mail: www.thewinecompany.net
Web:

Supporting Member

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Contact: John Maloney
Address: 421 Mill Street West
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Fax: john@cannonriverwinery.com
E-mail: www.cannonriverwinery.com
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Address: RR2 Hwy 40 East
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Address: 510 - 22nd Avenue East # 102
Alexandria, MN 56308
(320) 766-1797
Phone: www.ringdahlarchitects.com
Web:

Stantec

Contact: Paul Bilotta
Address: 2355 Highway 36 West
St. Paul, MN 55113
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Phone: (651) 636-1311
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Tushie Montgomery Architects

Contact: Gary Tushie
Address: 7645 Lyndale Ave. So., Suite 100
Minneapolis, MN 55423
(612) 861-9636
Phone: (612) 861-9632
Cell: garyt@tmarchitects.com
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