

IN THE BOARD OF COUNTY COMMISSIONERS  
OF LANE COUNTY, OREGON

Order No:

In the Matter of Scheduling a Hearing on the  
Appeal of the Sheriff's Recommendation on  
the Liquor License Application of Lona and  
Mike Owens (Dexter Lake Café)

WHEREAS, the Sheriff of Lane County recommended disapproval of the liquor license application of Lona and Mike Owens for the Dexter Lake Café;

WHEREAS, LM 16.120(5) permits a person aggrieved by the Sheriff's recommendation, within 10 days of the date of the Sheriff's recommendation, to request a hearing to appeal the Sheriff's recommendation;

WHEREAS, Lona and Mike Owens made a timely request for hearing;  
and

WHEREAS, LM 16.120(5) provides for a hearing before the Board or its designee,

IT IS HEREBY ORDERED that a hearing on the Owens' appeal is set for 10 a.m. on October \_\_\_\_, 2004 at 125 E. 8<sup>th</sup> Avenue, Eugene, Oregon;

IT IS FURTHER ORDERED THAT Jeff Towery shall hear and decide the appeal as the Board's designee, with authority to act on behalf of Lane County. Based on criteria made applicable by statutes and OLCC rules, the designee may recommend to OLCC either approval or denial of the license application;  
and

IT IS FURTHER ORDERED THAT the Board's designee or the County Administrator shall cause not less than 10 days' notice of the hearing to be sent by mail to Lona and Mike Owens, with a brief statement of the grounds alleged as the basis for the Sheriff's refusal to recommend issuance of the license.

Dated this \_\_\_\_ day of October 2004.

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Bobby Green, Sr., Chair  
Lane County Board of Commissioners

***Fax Cover Sheet***

Dexter Lake Cafe  
39128 Dexter Rd.  
Dexter, OR 97431  
Phone number 541-937-2244  
Fax number 541-937-3716

<b>Send to:</b> <b>Lane County Commissioners</b>	<b>From:</b> <b>Lona &amp; Mike Owens</b>
<b>Attention: Bobby Greene</b>	<b>Date:</b> <del>10-07-04</del>
<b>Office Location: Eugene, OR</b>	<b>Office Location: Dexter, OR</b>
<b>Fax Number: 541-682-4616</b>	<b>Phone Number: 937-2244</b> <b>Home: 937-3716</b>

**Total pages, including cover: 2**

**Comments:**

**Re: Liquor License Denial / Appeal**

Dexter Lake Café  
PO Box 246  
Dexter, OR 97431  
541-937-2244

10-7-04

To: Lane County Commissioners

Re: Liquor License Denial by Dennis Ewing – Special Operations

Dear Lane County Commissioners:

This is my written request to you for a hearing.

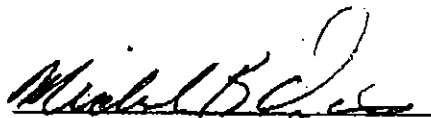
Per OLCC any past convictions I have are too old to have influence on my application for a Liquor License. Pauline Loreke has told us that she has approved our application. She spent some time at our café getting to know and understand our goals and us.

Our plan for this license is to serve fine beers and wine to our dinner guests on Friday and Saturday evenings from 5-8pm. We will have very strict policies on the amount customers will be served. And no one will drink without eating dinner. We have no intention of opening any kind of bar or tavern at any time.

I have been a model citizen here in Dexter for nearly 17 years. I spent 10 years founding and building the Dexter Library. I was on the Fire Dept. for 6 years, and left a Captain. I have volunteered for Oregon State Parks for 5 years organizing the July 4<sup>th</sup> Fundraising Event.

After this many years of serving this community, I do not believe my distant past should have any influence on the Sheriff's decision.

According to Lane County Manual 16.210 (sub. a) the Sheriff MAY deny an applicant. It does not say he SHALL deny.



Michael B. Owens  
Dexter Lake Cafe

cc: Pauline Loreke  
OLCC

October 1, 2004



JAN CLEMENTS  
SHERIFF

Ms. Lona E. Owens  
Mr. Michael Owens  
39128 Dexter Rd.  
Dexter, Oregon 97431

Re: Liquor License Application

Dear Ms. and Mr. Owens:

I am in receipt of your Oregon Liquor License Application dated 8-28-04 and noted received by the OLCC on 9-24-04

A standard background check of Mr. Owens indicates a history of alcohol involvement and a felony conviction. Per Lane Manual 16.120 sub (4), I am unable to recommend approval based on "A felony conviction of the applicant, or any officer or director of the applicant" [sub (a)] and "...involvement by the applicant, or any officer or director of the applicant, in incidents involving drugs or alcohol" [sub (d)]. Per the aforementioned references, my recommendation to the OLCC will be "Denied".

Please understand you may make a written request to the Board of County Commissioners, within 10 days of the above date, for a hearing before the Board or a designee to be held in accordance with Lane Manual 16.120, sub (5). The request for hearing shall state the reasons why you believe the Sheriff's recommendation is erroneous.

Should you require additional information regarding this recommendation, please feel free to contact me by mail or call (541) 682-4141.

Sincerely,

Jan Clements, Sheriff

By: Dennis Ewing, Lieutenant, Special Operations  
Police Services Division

cc: OLCC

**LANE COUNTY SHERIFF'S OFFICE**

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**Eugene, Oregon 97401**

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