

6517298-5619

To : Julie

From : DeHill Darras

Please find attached a letter
to contest the penalty.

Should you have any questions -

work 651) 379-2770

cell 612) 267-3509

February 27, 2012

Office of the City Attorney
Civil Division
400 City Hall
15 West Kellogg Blvd
St Paul, MN 55102

In response to the letter sent Feb. 16, 2012, I admit the facts and would like to contest the penalty.

The inspector did come in on December 12, 2011 in the middle of the lunch rush and found an issue with our display case. That was the only problem he found. He told me to "monkey around" with the controls. I did that for a week.

On December 28, 2012 I had Commercial Kitchens send out a repairman to look at the machine. He thought there was a problem with the probes. I ordered new probes. Once installed, they didn't change the mechanics of the case. He had also told me that there may be a problem with the control board. We observed the probes for about a week to see if that would fix the problem. It did not. I then ordered a new control board and a ribbon cable.

The inspector came in on January 27, 2012 in the middle of the lunch rush. Once again, he was not happy with the case. The inspector told me to call him when the machine was fixed. He did not inform me that there would be a fine. The new board and cable arrived on January 29, 2012. We installed them and observed. There were no noticeable changes.

Feb. 2, 2012 I called General Parts and had a different repairman come out and look at the machine. During numerous phone calls to the manufacturer, we thought the problem was perhaps from the expansion valve. The repairman readjusted the expansion valve which was not reading correctly.

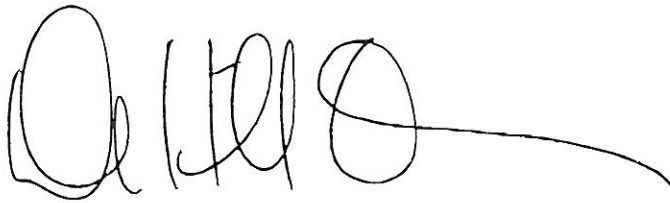
We observed the machine for 2 days to make sure that the inspector would note the compliance. It seemed to be working a little more efficiently. I called the inspector and left a message. He did not return my calls and did not come back to check the machine.

On Feb. 21, 2012 I received a letter from the City Attorney stating that I had been fined and needed to call the inspector. I called both the inspector and city attorney on Thursday Feb. 23, 2012. I spoke with the attorney's clerk on Friday Feb 24, 2012 for a little clarification at which point I told her that I had attempted to contact the inspector but all to no avail. She called him for me.

He returned my call Friday, Feb. 24, 2012 and came in to verify the machine about 30 minutes after the call, around 10:00 in the morning. He said our machine was then compliant. He also told me that usually inspectors are more lenient on temperatures during the lunch rush as the doors are opening and closing, all the lights are on, people everywhere, Panini presses are on, it is just generally warmer in the restaurant.

During the initial inspection the only thing the inspector found was the display case. Where was the leniency during my lunch rush inspections? This is the first violation we have received. I was working on the problem. I would like to contest the penalty and ask for a public hearing before the city council.

Thank you.

A handwritten signature in black ink, appearing to read 'De Hill Darras', with a long horizontal flourish extending to the right.

De Hill Darras
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St Paul, MN 55101
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