

COVER SHEET
PUBLIC MEETING AGENDA

NEBRASKA LIQUOR CONTROL COMMISSION

October 9 & 10, 2018

REVIEW OF MINUTES FROM PREVIOUS MEETING **APPROVED**

EXPENDITURES OVER \$100 FOR MONTH OF SEPTEMBER, 2018 **APPROVED**

PUBLIC PRESENTATIONS/INDUSTRY FORUM: October 9, 2018 @ 9:00 a.m.

AGENDA ITEMS: October 9, 2018 @ 9:00 a.m. **RATIFIED**

FORMAL HEARINGS: October 9, 2018, starting at 10:00 a.m.
(See Yellow Agenda/Docket)
October 10, 2018, starting at 9:30 a.m.
(See Yellow Agenda/Docket)

ANY AGENDA ITEMS NOT COMPLETED PRIOR TO BEGINNING DOCKET HEARINGS

ALL MATTERS RELATING TO THE MANUFACTURE, DISTRIBUTION, SALE AND TRAFFIC IN ALCOHOLIC LIQUORS THAT ARE TO BE REVIEWED ARE LISTED ON THE ATTACHED PAGES OF THE AGENDA.

CERTIFICATION

I, Hobert B Rupe, Executive Director of the Nebraska Liquor Control Commission, do hereby certify that this is the public meeting agenda of the Nebraska Liquor Control Commission.

Dated

Hobert B. Rupe, Executive Director

This agenda is subject to daily change to reflect matters before the Commission. Any changes to this agenda will be posted at the Commission offices on the 5th floor of the Nebraska State Office Building, located at 301 Centennial Mall, South, Lincoln, Nebraska.

RATIFICATIONS FROM AUGUST 25, 2018 – SEPTEMBER 21, 2018

RETAIL LICENSES ISSUED WITH LOCAL APPROVAL

Ainsworth	Meadville Outlaws LLC DBA Meadville Outlaws	121950-C
Albion	HWY 14 Brewing Co LLC DBA HWY 14 Brewing Co	121969-L
Albion	HWY 14 Brewing Co LLC DBA HWY 14 Brewing Co	121970-CKG
Beatrice	Bartlett, Rusty Bob DBA Beer's N Bones BBQ Roadhouse	122652-I
Beatrice	Coronado, Rogelio DBA Country Cookin Café	122495-C
Cambridge	Hannah, Diane N DBA Cambridge Lanes	121976-C
Falls City	Hinky Dinky Supermarkets Inc DBA Sunmart 734	121991-C
Grand Island	MTE LLC DBA Sportsman's Bar	121935-C
Grand Island	Sanchez, Rodrigo DBA Los Hermanos Market	122601-D
Hazard	Wilkinson, Pamela K DBA Roundtop Bar & Grill	121971-C
Lincoln	K & C Restaurant Inc DBA Koen Japanese BBQ & Sushi	122632-I
Lincoln	KJAM Pub Group LLC DBA Chamberlain's	122579-C
Lincoln	Nebraska Entertainment Inc DBA Edgewood Cinema	121961-I
Lincoln	Rowland Investments LLC DBA Luckies Lounge & Grill	122491-C
Lincoln	Whimol LLC DBA Canopy Street Market	122648-C
Mitchell	Flight Level LLC DBA GT Mart	122646-D
Nemaha	MJ's Market LLC DBA MJ's Market	122684-D
Omaha	Blackstone Seafood LLC DBA Butterfish	122649-C
Omaha	Fajitas LLC DBA Fajitas Bar & Grill	122465-I
Omaha	Kanger Chef Services LLC DBA Waterfall Lounge	122643-C
Omaha	Lake Park & Co LLC DBA Emery's Café	121936-C
Omaha	Lotus Market LLC DBA Bills BBQ & Convenience Store	122492-D
Omaha	NBH Grocery LLC DBA NBH Grocery	121996-D
Omaha	Ohana Helenihi Inc DBA Molly's Pub	122630-C
Omaha	Scout Dry Goods & Trade Inc DBA Scout Dry Goods & Trade	122626-I
Omaha	Shahi Omaha LLC DBA Shahi	121973-C
Papillion	MJL LLC DBA Good Life Sports Bar & Grill	121939-I
Wayne	Johnnie Byrd Brewing Company DBA Johnnie Byrd Brewing Co	122487-C
York	La Puerta De Carreta LLC DBA La Terraza Mexican Rest....	121975-I

RETAIL LICENSES ISSUED WITH NO LOCAL RECOMMENDATION

Schuyler	Casey's Retail Company DBA Casey's General Store 2716	122368-D
----------	---	----------

**LIQUOR CONTROL COMMISSION
PUBLIC MEETING AGENDA**

DATE: OCTOBER 9 & 10, 2018

TYPE OF BUSINESS:

LICENSING MATTERS

PAGE 2 RATIFIED

MANUFACTURING/WHOLESALE LICENSES ISSUED

Wayne	Nebraska State Colleges DBA Wayne State College	122397-V4
Wayne	Nebraska State Colleges DBA Wayne State College	122397-VW

MANAGER APPLICANTS ISSUED WITH LOCAL APPROVAL

Lincoln	Greenwood, Lori L	Eagles Frat Order 147	002345-C
Lincoln	Williams, Jason C	Greenfields	097525-C
Ralston	Benis, Stan J	Ralston Arena	100032-CK

SHIPPER LICENSES ISSUED

Canal Winchester, OH	Brewdog Brewing Company DBA Brewdog Brewing Co	122739-S1
Denver, CO	Infinite Monkey Theorem Inc DBA Infinite Monkey....	122729-S
Geyserville, CA	Trione Vineyards LLC DBA Trione Vineyards	122737-S1
Petaluma, CA	Natural Selections 357 LLC DBA The Crane Assembly	122735-S1
Richmond, CA	Grape Expectations Inc DBA Grape Expectations	122732-S
Saint Helena, CA	NAPA Vineland Winery LLC DBA Marciano Estate	122740-S1
Saint Helena, CA	Brown Estate Vineyards LLC DBA Brown Estate....	122730-S
Saint Helena, CA	Johnson, Randle DBA Calafia Wines	122731-S1
Saint Helena, CA	Round Hill Cellars Inc DBA Rutherford Wine Company	122733-S1
San Diego, CA	MHM Glass Etching Inc DBA McCarron Winery	122736-S1
Vernon, CA	Pacific International Liquor DBA Pacific International....	122734-S
Walla Walla, WA	Corliss Estate LLC DBA Corliss Estates	122738-S1

**LIQUOR CONTROL COMMISSION
PUBLIC MEETING AGENDA**

DATE: OCTOBER 9 & 10, 2018

TYPE OF BUSINESS:

LICENSING MATTERS

PAGE 3

1) SDL's with exemptions

See Attached List

Do you wish to ratify the SDL exemptions list?

YES

2) Class D 094806
Buck's Inc
DBA: Bucky's Express 96
9645 Ida Street
Omaha, NE 68122

Licensee was granted administrative approval to
transfer alcohol to Class D 070766
Buck's Inc
DBA: Bucky's Express 12
10202 Maple Street
Omaha, NE 68134

(See Attached)

Do you wish to ratify administrative approval?

YES

3) Class C 122000
Alma Main Street Pizza LLC
DBA: Main Street Pizza
802 Main Street
Alma, NE 68920

Applicant is requesting the waiver of
Rule 6-019.01S1 "minimum standards shall
require as least two restrooms for establishments
that provide on premise consumption of alcoholic
beverages."

(See Attached Waiver)

Do you wish to waive this requirement?

YES

**LIQUOR CONTROL COMMISSION
PUBLIC MEETING AGENDA**

DATE: OCTOBER 9 & 10, 2018

TYPE OF BUSINESS:

LICENSING MATTERS

PAGE 4

- 1) Class I 122493
DBA: Westend
1529 S 203 Street
Suite 1
Omaha, NE 68022

Raechel N VanBuskirk – corporate manger and
Zachory D VanBuskirk – spouse only
listed the following criminal history:

Raechel: DUI 10/2009
Zachory: DUI 04/2009

Do you wish to set for hearing?

NO

- 2) Washington County Ag Society
23656 US HWY 30
Arlington, NE

Washington County Ag Society does not hold
a liquor license due a small nine person board of
volunteers and is requesting a waiver of the
limitation of 12 SDL's at one location. The Rybin
Building and the Two Rivers Arena are two
buildings on this property that hold events.

(See Attached Paperwork)

Do you wish to allow this location to be listed on
the over 12 SDL exemption list?

YES

**LIQUOR CONTROL COMMISSION
PUBLIC MEETING AGENDA**

DATE: OCTOBER 9 & 10, 2018

TYPE OF BUSINESS:

LICENSING MATTERS

PAGE 5

- 1) Class C 121986
Papa Mike's LLC
DBA: Papa Mike's
170 Tilden Street
Richland, NE 68601

Sara A Cummings – president, corporate manager
and 100% member listed the following criminal
history:

8/2012 DUI
9/2012 Insufficient funds check

Do you wish to set for hearing?

NO

- 2) Class C 096732
C & RV LLC
DBA: Misty's
3930 Village Drive
Lincoln, NE 68516

Licensee was granted administrative approval to
transfer alcohol to Class CK 059720
PRA Inc
DBA: Misty's Steakhouse & Brewery
200 N 11 Street
Lincoln, NE 68508

(See Attached)

Do you wish to ratify administrative approval?

YES

NEBRASKA LIQUOR CONTROL COMMISSION-PUBLIC MEETING AGENDA

DATE: September 11th and 12th, 2018

TYPE OF BUSINESS: LEGAL MATTERS

PAGE B

1. Class IB-042755

David Fjelseth & Carol Blackman
"Rocket Inn"
Main Street
Indianola NE 69034

Licensee has plead guilty to selling alcohol to a minor during a compliance check on 7/28/2018. (CI's 19 & 20, ID's not checked)

Lic since 2/99
Extend credit- 4/02
Gambling device-5/05
Minor- 4/06
Minor-6/10
Open container after hours- 10/10
Open container after hours-1/11-Letter
Intoxicated- 1/11-Letter
Unsanitary conditions- 10/13

12 DAYS SUSPENSION + TRAINING

(Penalty Guideline indicates 10-20 days suspension)

2. Class B-045144

R & C Petroleum Inc.
"Timesaver #07"
3220 Jeffers Street
North Platte NE 69101

Licensee has plead guilty to selling alcohol to a minor during a compliance check on 8/9/2018. (CI 19, ID checked)

Lic since 8/99
Minor-6/03
Minor-11/06
Minor- 3/13/2015
Minor- 11/17/2017

**5 DAYS MANDATORY CLOSURE +
20 DAYS SUSPENSION + TRAINING**

(Penalty Guideline indicates 5 days mandatory closure + 20 days suspension)

NEBRASKA LIQUOR CONTROL COMMISSION-PUBLIC MEETING AGENDA

DATE: October 9th & 10th, 2018

TYPE OF BUSINESS: LEGAL MATTERS

PAGE D

1. Class D-016233

Doris Howard & Jamie Scholtz
"Starting Gate Liquors"
1807-09 W A Street
North Platte NE 69101

Licensee has plead guilty to selling alcohol to minor during a compliance check on 8/9/2018. (CI 19, ID not checked)

Lic since 10/88
Minor-4/92
Minor-6/97
Fail/use ID book- 6/97
Minor-5/06
Minor-1/08
Minor- 9/08
Minor- 10/9/2015
Minor-9/25/2016

10 DAYS MANDATORY CLOSURE + 32 DAYS SUSPENSION + TRAINING

(Penalty Guideline indicates 10 days mandatory closure + 30 days suspension)

2. Class D-088637

Walgreen Company
"Walgreens 10892"
533 S Lincoln Avenue
York NE 68467

Licensee has plead guilty to selling alcohol to a minor during a compliance check on 6/15/2018. (CI's 17 & 18, ID's checked)

Lic since 5/10
No previous

10 DAYS SUSPENSION + TRAINING

(Penalty Guideline indicates 10-20 days suspension)

NEBRASKA LIQUOR CONTROL COMMISSION-PUBLIC MEETING AGENDA

DATE: October 9th & 10th, 2018

TYPE OF BUSINESS: LEGAL MATTERS PAGE H

1. Legislative letter discussion

2. Request for Attorney General's opinion. **YES**

Attorney General's opinion #06002 states that a Class Y (Farm Winery) license may not acquire an additional retail license. The Commission has allowed Class Y licenses to acquire other limited production licenses (Class L: Craft Brewery and Class Z: Craft Distillery) but restricted the ability of those types from acquiring an additional retail license even though it is allowed under the Class L and Class Z license rights. The Commission has been requested to review its policy and or to seek further review from the Attorney General's office on the interplay of the previous opinion and the ability to acquire additional licenses.

3. Executive Session- RE: Personnel Issues
