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 ,	re Director of the Nebraska Liquor Control Commission, do hereby c 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.

DATE: OCTOBER 9 & 10, 2018

TYPE OF BUSINESS: LICENSING MATTERS PAGE 1 RATIFIED

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			
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	

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	

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 Societ a liquor license due a small nin volunteers and is requesting a limitation of 12 SDL's at one I Building and the Two Rivers A buildings on this property that (See Attached Paperwork) Do you wish to allow this loca the over 12 SDL exemption lis	ne person board of waiver of the ocation. The Rybin Arena are two hold events.
	<u>YES</u>	

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	and 100% member listed the fo history: 8/2012 DUI	Sara A Cummings – president, corporate manager and 100% member listed the following criminal history:	
	Do you wish to set for hearing?	,	
	<u>NO</u>		
		_	
2) Class C 096732 C & RV LLC DBA: Misty's 3930 Village Drive Lincoln, NE 68516	Licensee was granted administrated transfer alcohol to Class CK 05 PRA Inc DBA: Misty's Steakhouse & E 200 N 11 Street Lincoln, NE 68508	9720	
	(See Attached)		
	Do you wish to ratify administr	rative approval?	
	YES		

DATE: OCTOBER 9 & 10, 2018

DATE: October 9th & 10th, 2018

TYPE OF BUSINESS: LEGAL MATTERS PAGE A

1. Class IB-104634

Val Fuller
"Fuller's Family Restaurant"
110 Norris Avenue
McCook NE 69001

110 Norris Avenue a compliance check on 7/28/2018. McCook NE 69001 (CI's 19 & 20, ID's not checked)

Lic since 12/13 No previous

12 DAYS SUSPENSION + TRAINING

Licensee has plead guilty selling alcohol to a minor during a

(Penalty Guideline indicates 10-20 days suspension)

2. Class I-118142

McCook Hotel Group LLC "Cobblestone Hotel & Suites" 1301 N Highway 83 McCook NE 69001 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 7/16 No previous

12 DAYS SUSPENSION + TRAINING

(Penalty Guideline indicates 10-20 days suspension)

3. Class I-093350

Loop Brewing Company LLC "Loop Brewing Company" 404 W A Street McCook NE 69001

Licensee has plead guilty to selling alcohol to minor during a compliance check on 7/28/2018. (CI's 19 & 20, ID's checked)

Lic since 11/11 No previous

10 DAYS SUSPENSION + TRAINING

(Penalty Guideline indicates 10-20 days suspension)

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.

12 DAYS SUSPENSION + TRAINING

(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

(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

<u>5 DAYS MANDATORY CLOSURE +</u> 20 DAYS SUSPENSION + TRAINING

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

DATE: October 9th & 10th, 2018

Licensee has plead guilty selling

alcohol to a minor during a

TYPE OF BUSINESS: LEGAL MATTERS PAGE C

1. Class C-091134

Unreel Events LLC
"Unreel Events"
4684 W Highway 30
North Platte NE 69101

Highway 30 a compliance check on 8/9/2018. atte NE 69101 (CI 19, ID not checked)

Lic since 8/11

Improper sell/purchase- 4/14 <u>12 DAYS SUSPENSION + TRAINING</u>

(Penalty Guideline indicates 10-20 days suspension)

2. Class B-077849

Ozzie's Inc.
"Ozzie's I-80"
I-80 & Highway 25
Sutherland NE 69125

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

Lic since 8/07 Minor- 4/5/2014

12 DAYS SUSPENSION + TRAINING

(Penalty Guideline indicates 10-20 days suspension)

DATE: October 9th & 10th, 2018

Licensee has plead guilty to selling

alcohol to minor during a compliance check on 8/9/2018.

(CI 19, ID not checked)

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

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

N. 1 NE COACE

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 <u>10 DAYS SUSPENSION + TRAINING</u>

(Penalty Guideline indicates 10-20 days suspension)

DATE: October 9th & 10th, 2018

TYPE OF BUSINESS: LEGAL MATTERS PAGE E

1. Class C-000865

Larry Ellis

"Sand Bar"

Highway 20

Merriman NE 69218

Licensee has plead guilty selling alcohol to a minor during a a compliance check on 6/5/2018.

(CI 18, ID not checked)

Lic prior to 1986 <u>12 DAYS SUSPENSION + TRAINING</u> Minor- 6/11

(Penalty Guideline indicates 10-20 days suspension)

2. Class C-111077

Cheema Capital LLC

"Thrifty's Gas & Liquor #3"

105 Bell Road

Bridgeport NE 69336

Licensee has plead guilty to selling alcohol to a minor during a compliance check on 5/23/2018.

(CI 18, ID not checked)

Lic since 3/15
No previous

12 DAYS SUSPENSION + TRAINING

(Penalty Guideline indicates 10-20 days suspension)

3. Class I-017259

Crofton Lakeview Golf Assn

"Crofton Lakeview Golf"

55256 Highway 121

Crofton NE 68730

CI 16, ID checked)

See attached

Lic since 7/89

No previous 5 DAYS SUSPENSION + TRAINING

(Penalty Guideline indicates 10-20 days suspension or HALF)

DATE: October 9th & 10th, 2018

TYPE OF BUSINESS: LEGAL MATTERS PAGE F

1. Class DK-115369

Bohemian One Stop LLC "Bohemian One Stop" 88199 Highway 14 Verdigre NE 68783 Licensee has plead guilty selling alcohol to a minor during a a compliance check on 7/23/2018. (CI 16, ID not checked)

Lic since 12/15 No previous 12 DAYS SUSPENSION + TRAINING

(Penalty Guideline indicates 10-20 days suspension)

2. Class C-083715

Paso Holdings LLC "Red Carpet Inn" 9305 S 145 Street Omaha NE 68138 Licensee has plead guilty to selling alcohol to a minor during a compliance check on 7/13/2018. (CI 19, ID checked)

Lic since 4/09

10 DAYS SUSPENSION + TRAINING

Allow consumption on unlicensed premise- 10/11

(Penalty Guideline indicates 10-20 days suspension)

3. Class C-079663

Hy-Vee Inc. "Hy-Vee Drugstore" 8404 N 30 Street Omaha NE 68112 Licensee has plead guilty to selling alcohol to minor during a compliance check on 7/12/2018. (CI 19, ID not checked)

Lic since 2/08 No previous **7 DAYS SUSPENSION + TRAINING**

(Penalty Guideline indicates 10-20 days suspension or HALF)

DATE: October 9th & 10th, 2018

TYPE OF BUSINESS: LEGAL MATTERS PAGE G

1. Class C-121352

Kahoots LLC

"Kahoots"

alcohol to a minor during a a compliance check on 5/24/2018.

Ogallala NE 69153

Licensee has plead guilty selling alcohol to a minor during a compliance check on 5/24/2018.

(CI's 18 & 19, ID's not checked)

See attached

Lic since 6/17 No previous

12 DAYS SUSPENSION + TRAINING

(Penalty Guideline indicates 10-20 days suspension)

2. Class D-096503

Bosselman Pump & Pantry Inc.

"Pump & Pantry 46"

Licensee has plead guilty to selling alcohol to a minor during a

3901 S Lincoln Avenue compliance check on 6/15/2018. York NE 68467 (CI's 17 &18, ID's checked)

See attached

Lic since 11/11

No previous <u>5 DAYS SUSPENSION + TRAINING</u>

(Penalty Guideline indicates 10-20 days suspension)

3. Class I-122219

Carrier Entertainment LLC Licensee has plead guilty to

"Nowhere Bar" delinquent credit.

2050 Cornhusker Highway

Lincoln NE 68521

Lic since 4/18 <u>3 DAYS SUSPENSION</u>

Intoxicated- 3/18

(Penalty Guideline indicates 3 days suspension)

DATE: October 9th & 10th, 2018

TYPE OF BUSINESS: LEGAL MATTERS PAGE H

- 1. Legislative letter discussion
- 2. Request for Attorney General's opinion. <u>YES</u>

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