

BEFORE THE NEBRASKA LIQUOR CONTROL COMMISSION

In Re: Lazo, Juan Rene )  
El Tropico )  
201 E 5 Street )  
Lexington NE 68850 )  
On Suspension, Cancellation or Revocation of )  
Retail Class IBK-037623 Liquor License. )

ORDER

Now on the 5th day of February 2016, this matter came on for consideration before the Nebraska Liquor Control Commission, notice having been served upon the licensee to appear and respond to an administrative citation alleging that the license should be suspended, cancelled or revoked as more fully set out herein.

Upon consideration of all the evidence in this case, the Nebraska Liquor Control Commission finds:

1. That the licensee did, on or about January 30, 2016, permit the selling, dispensing or giving away of alcoholic liquor, to or for an individual being less than 21 years of age, in violation of Neb. Rev. Stat. Sec. 53-180 and/or 237-LCC6-019.01A of the Rules and Regulations of the Nebraska Liquor Control Commission.
2. That the license should be suspended for a period of five (5) days, with the option to pay a fine in lieu thereof.
3. That the licensee and all staff shall complete an approved alcohol server training program within sixty (60) days from the date of this Order and shall show certification with complying with the provision of 237-LCC14-004 of the Rules and Regulations of the Nebraska Liquor Control Commission.

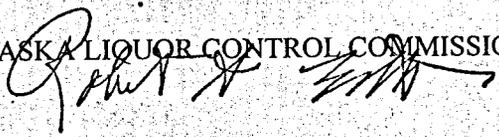
IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that the Retail Class IBK Liquor License of Lazo, Juan Rene, DBA – “El Tropico”, 201 E 5 Street, Lexington, Nebraska, should be, and the same hereby is, suspended for a period of five (5) days, such suspension to commence at the closing hour of business on the 26th day of June 2016, and to continue until the opening hour of business on the 2nd day of July 2016, with the option to pay a fine in lieu thereof. Additionally, that the licensee and all staff shall complete an approved alcohol server training program within sixty (60) days from the date of this Order and shall show certification with complying with the provision of 237-LCC14-004 of the Rules and Regulations of the Nebraska Liquor Control Commission.

IT IS FURTHER ORDERED that the notice of suspension shall be posted upon the premises, said notice to remain posted throughout the term of said suspension.

IT IS FURTHER ORDERED that the Licensee shall pay costs of this action, assessed in the amount of \$0.00.

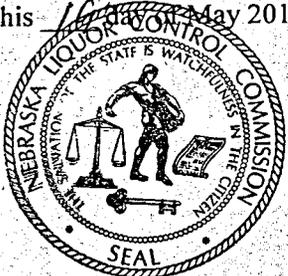
Dated this 19<sup>th</sup> day of May 2016.

NEBRASKA LIQUOR CONTROL COMMISSION



BY \_\_\_\_\_  
CHAIRMAN

I hereby certify this to be a true and correct copy of the original order entered herein, and further certify, that a copy was mailed by regular U.S. Mail to Lazo, Juan Rene, El Tropico, 201 E 5 Street, Lexington, NE 68850, on this 16<sup>th</sup> day of May 2016.

  
Executive Director



**Pete Ricketts**  
Governor

# STATE OF NEBRASKA

**NEBRASKA LIQUOR CONTROL COMMISSION**

**Hobert B. Rupe**  
Executive Director

301 Centennial Mall South, 5th Floor  
P.O. Box 95046

Lincoln, Nebraska 68509-5046

Phone (402) 471-2571

Fax (402) 471-2814 or (402) 471-2374

TRS USER 800 833-7352 (TTY)

web address: <http://www.lcc.ne.gov/>

May 19, 2016

Lazo, Juan Rene  
"El Tropic"  
201 E 5 Street  
Lexington NE 68850

Dear Licensee (s):

Enclosed herewith find closing notices setting forth the dates that your licensed premises are to be closed for the sale of alcoholic liquors.

These notices must be posted by you on your main entrances to your premises and remain there during the period of time you are closed.

The law provides that you may remain open for other business on days during which the sale of alcoholic liquors has been prohibited by your suspension. However, if you are licensed as a pickle card operator with the Nebraska Department of Revenue's Charitable Gaming Division, you cannot sell pickle cards during the period of your liquor license suspension, unless you have paid a fine in lieu of such suspension. Please be advised that the Nebraska Department of Revenue has the jurisdiction to impose its own penalties regarding your pickle card operator's license. If you have any questions, please contact the Charitable Gaming Division, Department of Revenue (402) 471-5937.

You may be ordered by the Commission to complete a certified alcohol server training program. If you must complete training, please review the "Guidelines for Commission Ordered Training" insert enclosed.

Sincerely yours,

NEBRASKA LIQUOR CONTROL COMMISSION

  
Hobert B. Rupe  
Executive Director

HBR

Enclosures

**Janice M. Wiebusch**  
Commissioner

**Robert Batt**  
Chairman

**Bruce Bailey**  
Commissioner

**IMPORTANT - PLEASE READ**

To Licensee:

The Order of suspension, to which this Notice is enclosed, provides for a suspension of your license for a period of **five** days. State Law provides that you may either comply with the Order of suspension and be closed for the prescribed number of days or you may notify the Nebraska Liquor Control Commission and elect to pay a fine of **\$50** per day for the number of days of your suspension and remain open and continue the full operation of your establishment.

If you desire to pay a fine instead of being closed you must sign the below election notification request and mail it to the Nebraska Liquor Control Commission, P.O. Box 95046, Lincoln, Nebraska 68509, along with a certified or cashier's check, personal or business check, or U.S. money order made payable to the Nebraska Liquor Control Commission; the election notification must be received by the Nebraska Liquor Control Commission on or before **20th day of June, 2016**; if the election notification and full payment is not received by the above stated date then you must close your establishment for the sale of alcoholic liquor for the required number of days suspended.

**NEBRASKA LIQUOR CONTROL COMMISSION**

**ELECTION**  
**20th day of June, 2016**

**IBK-037623**

**Lazo, Juan Rene**  
**"El Tropico"**  
**201 E 5 Street**  
**Lexington NE 68850**

I, the undersigned licensee, do hereby elect to pay a fine of **\$250.00** in lieu of the suspension as directed by the Order of the Nebraska Liquor Control Commission.

\_\_\_\_\_  
Licensee's signature

(CERTIFIED or CASHIER'S CHECK, PERSONAL or BUSINESS CHECK, U.S. MONEY ORDER or CASH are acceptable.)

(Mail to Nebraska Liquor Control Commission, P.O. Box 95046, Lincoln, Nebraska 68509)

# CERTIFIED ALCOHOL TRAINING PROGRAMS

## PROGRAM CONTACT INFORMATION

- AAT**      AFFORDABLE ALCOHOL TRAINING      [www.liquorexam.com](http://www.liquorexam.com)  
 Class Room (on-site or- off-site call or email for schedule) or On-Line Course w/fee  
 Edward McLean      Email: [support@arbord.com](mailto:support@arbord.com) (512) 796-3842
- ARBOR**      ARBOR EDUCATION      <https://training.arbored.com/course/index.php?categoryId=9>  
 Tracie Malesa      On-Line Courses or Classroom setting w/fee      (402) 393-0119  
 Choose voice mail option 2 for certification
- AST**      ALCOHOL SERVER TRAINING      <http://ast53180.sharepoint.com>  
 Jim Avary      Classroom setting w/fee      [jimavary@centurylink.net](mailto:jimavary@centurylink.net) / (402) 677-2821  
 Spanish class available; Allowed to bring self-provided translator to class for other languages
- CARE**      CARE FOR SERVERS      <https://www.ahlei.org/Programs/Alcohol-Awareness/CARE-Online/>  
 Stacey Metz      On-Line Course w/fee      1-800-344-4381
- FBST/rbst**      RESPONSIBLE BEVERAGE SERVICE TRAINING      <http://fbstnebraska.unl.edu>  
 On-Line Course - no fee  
 UNL Office of Online & Distance Education      [ode-ppdev@unl.edu](mailto:ode-ppdev@unl.edu) / (402) 472-4340
- MIDWEST**      MIDWEST BARTENDERS SCHOOL      4957 N.W. Radial Hwy; Omaha, NE 68104  
 William Bade      Classroom setting w/fee      (402)551-2351
- PBRT**      POWER BARTENDER | REFINED TRAINING      <http://powerbartender.com>  
 Tommy Nguyen      Classroom Setting w/fee      (402) 620-6939
- PSCC**      PROFESSIONAL SERVER CERTIFICATION CORPORATION      [www.rservering.com](http://www.rservering.com)  
 Hannah Olsem      On-Line Course w/fee      1-800-432-4192
- RHC**      RESPONSIBLE HOSPITALITY COUNCIL      [www.lincoln.ne.gov/city/police/rhc/training.html](http://www.lincoln.ne.gov/city/police/rhc/training.html)  
 Tina Bretting      Classroom setting w/fee      \*select "Registration" for class dates (402) 441-7239
- SELLSERV**      SELLER SERVER ALCOHOL CERTIFICATION COURSES      [www.sellerserver.com](http://www.sellerserver.com)  
 Customer Service      On-Line Course w/fee or DVD Purchase      (866) 378-1587
- SERVSAFE**      SERVSAFE ALCOHOL NATIONAL RESTAURANT ASSOCIATION      [www.servsafe.com](http://www.servsafe.com)  
 Beth Haas      On-Line Course w/fee      (402) 488-3999
- SURESELL**      SURESELL NEBRASKA      [www.SureSellNow.com](http://www.SureSellNow.com)  
 Mark Dunlap      On-Line Course w/fee      (512) 343-2600 Ext 109
- TIPS**      TRAINING FOR INTERVENTION PROCEDURES      [www.gettips.com](http://www.gettips.com)  
 Nicole Seymour      Classroom or On-Line Courses w/fee      800-438-8477  
 Spanish speaking support & Classroom Course offered - Contact Matt Richmond ext.399

**NSP/RBAS**      NEBRASKA STATE PATROL / RESPONSIBLE BEVERAGE ALCOHOL SERVER

The Nebraska State Patrol conducts certified training on a limited basis only. Training is not available in all areas and is not done on a regularly scheduled basis. Please check with your local troop area office for possible training program availability.

**State Headquarters – Lincoln**  
 (402) 471-8494  
 Sergeant Lonnie Connelly  
[lonnie.connelly@nebraska.gov](mailto:lonnie.connelly@nebraska.gov)

**Troop E – Scottsbluff**  
 (308) 632-1292  
 Investigator Tami Otto  
[tami.otto@nebraska.gov](mailto:tami.otto@nebraska.gov)

*The NLCC is not affiliated or associated with any training program or company / institution offering training programs; NLCC staff is not able to provide any assistance regarding the training programs.*

**You MUST contact the program's customer service phone number, email or website shown above for any questions about or assistance with the various programs.**

# **GUIDELINES FOR COMMISSION ORDERED TRAINING**

As the result of a Nebraska Liquor Control Commission (NLCC) Hearing and per the enclosed Order, **the licensee(s), all employees and management**, who may be called upon to sell or serve alcohol, are required to complete a NLCC Certified Alcohol Server Training Program ***and register*** this training with our office within **60 days of the date of the order**.

You are also required to submit a list of all staff that serve and/or sell alcohol in your establishment via e-mail to [david.kirwan@nebraska.gov](mailto:david.kirwan@nebraska.gov) or fax to (402) 471-2814 or by mail **within 30 days of the date of the order**.

If the required information is not received in our office by the end of the 60 day period, your file will be forwarded to our Legal Division for further action before the Commission, resulting in possible suspension/fine, cancellation or revocation of your liquor license and additional hearing costs.

## **You are responsible for:**

- **Making your own arrangements with and completing one (1) of the programs on the attached list.**
- **Submitting a photocopy of the "Certificate of Achievement", "Certificate of Course Completion", "Certificate of Completion" or similar documentation received from the program to our office.**  
**(Provide your Liquor License number to assure proper processing!)**  
**AND**
- **Remitting payment of a processing fee of \$10.00 per certificate.**

The Commission has defined "**all employees**" to mean anyone who, in the course of their duties, **MAY** be called upon to serve or sell alcohol products or check ID's. This typically would include: all management team members, hosts or hostesses, wait staff, bar tenders, security & door personnel, cashiers, etc. and possibly bus staff.

Employees who would **NEVER** be in the position of selling or serving alcohol do not need to be included in your list of employees. This might be kitchen staff (cooks, prep-staff, dishwashers and, again, possibly bus staff), retail stockers, customer service staff and check out baggers (provided they never act as cashiers), etc.

Training completed within the last 3 years does not have to be repeated (but it is recommended), **however** the training will need to be registered with our office if not previously submitted.

If the licensee or employee has a NLCC Training Certification, issued within the last 3 years, they do not need to be re-certified with our office, however repeat training is recommended as a refresher and reminder.

If there are any questions, please feel free to contact Dave Kirwan via email at [david.kirwan@nebraska.gov](mailto:david.kirwan@nebraska.gov) (preferred) or call (402) 471-4831.