

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF AN APPLICATION FOR)
A CATERING LICENSE FOR WUNDERROSA)
L.L.C., d/b/a WUNDERROSA WINERY)
IN CONNECTION WITH THE CLASS Y (FARM)
WINERY) LIQUOR LICENSE FOR)
WUNDERROSA L.L.C, d/b/a WUNDERROSA)
WINERY LOCATED AT 2361 WITTSTRUCK)
ROAD, ROCA, LANCASTER COUNTY,)
NEBRASKA)

RESOLUTION NO. R-09-0083

WHEREAS, Neb. Rev. Stat. §53-124.12, provides, in part, that:

The holder of a license to sell alcoholic liquor at retail issued under subdivision (5) of section 53-124, a craft brewery license, a microdistillery license, or a farm winery license may obtain an annual catering license as prescribed in this section. The catering license shall be issued for the same period and may be renewed in the same manner as the retail license, craft brewery license, microdistillery license, or farm winery license.

...

(3) [T]he local governing body and the commission shall process the application in the same manner as provided in section 53-132;

and

WHEREAS, Neb. Rev. Stat. § 53-134, provides, in part, that:

[T]he local governing body of any county with respect to licenses not within the corporate limits of any city or village, shall have the following powers, functions, and duties with respect to retail, craft brewery and microdistillery licenses . . . (7) upon receipt from the commission of the notice and copy of application as provided in section 53-131, to fix a time and place for a hearing at which the local governing body shall receive evidence, either orally or by affidavit, from the applicant and any other person, bearing upon the propriety of the issuance of a license. Notice of the time and place of such hearing shall be published in a legal newspaper in or of general circulation in such city, village, or county one time not less than

seven and not more than fourteen days before the time of the hearing. Such notice shall include, but not be limited to, a statement that all persons desiring to give evidence before the local governing body in support of or in protest against the issuance of such license may do so at the time of the hearing. Such hearing shall be held not more than forty-five days after the date of receipt of the notice from the commission and, after such hearing, the local governing body shall cause to be recorded in the minute record of their proceedings a resolution recommending either issuance or refusal of such license. The clerk of such city, village or county shall mail to the commission by first-class mail, postage prepaid, a copy of the resolution which shall state the cost of the published notice . . . ;

and

WHEREAS, on or about September 23, 2009, the Lancaster County Clerk received from the Nebraska Liquor Control Commission notice and a copy of the Application of WunderRosa, L.L.C. d/b/a WunderRosa Winery, for a catering license, in connection with a Class Y (Farm Winery) liquor license, for WunderRosa L.L.C., d/b/a WunderRosa Winery located at 2361 Wittstruck Road, Roca, Lancaster County, Nebraska; and

WHEREAS, the Board of County Commissioners of Lancaster County set a time and place for a public hearing on said application, and published in the Lincoln Journal Star, notice of said public hearing as required by law; and

WHEREAS, within forty-five days of receipt of said application from the Nebraska Liquor Control commission, public hearings were held on October 13, 2009; and

WHEREAS on October 13, 2009, the County Board voted to approve said Application for a catering license.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, that pursuant to the provisions of Neb. Rev. Stat. § 53-124.12 and § 53-134, it should and hereby does recommend to the Nebraska Liquor Control Commission that said

application for a catering license be issued for the above stated location.

AND, BE IT FURTHER RESOLVED, that the Lancaster County Clerk is directed to mail a copy of this resolution to the Nebraska Liquor Control Commission by United States First Class Mail, postage prepaid, this 13th day of October, 2009.

DATED this 13th day of October, 2009.

BY THE BOARD OF COUNTY
COMMISSIONERS OF LANCASTER
COUNTY, NEBRASKA

APPROVED AS TO FORM
this 13th day of
October, 2009.


for GARY E. LACEY
County Attorney





