

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

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LANCASTER COUNTY
CLERK

IN THE MATTER OF AN APPLICATION FOR)
A CLASS CK (BEER, WINE & DISTILLED)
SPIRITS, ON & OFF SALE), LIQUOR)
LICENSE AND CATERING LICENSE FOR))
JASPER'S L.L.C., d/b/a JASPER'S, AND A)
CORPORATE MANAGER LIQUOR LICENSE)
APPLICATION FOR MICHAEL G. FRANKLIN)
IN CONNECTION WITH THE CLASS CK)
LIQUOR LICENSE AND CATERING LICENSE)
FOR JASPER'S L.L.C. d/b/a JASPER'S, LOCATED)
AT 13940 O STREET, SUITE 7, 8 AND 9)
LINCOLN, LANCASTER COUNTY, NEBRASKA)

RESOLUTION NO. R-10-0058

WHEREAS, Neb. Rev. Stat. § 53-134 (Reissue 2004), 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 and craft brewery 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, 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, on or about June 23, 2010, the Lancaster County Clerk received from the Nebraska Liquor Control Commission notice and a copy of the Application of Jasper's L.L.C., d/b/a Jasper's, for a Class CK (Beer, Wine & Distilled Spirits On and Off Sale) liquor license and catering license, for the premises located at 13940 "O" Street, Suite 7, 8 and 9, Lincoln, Lancaster County, Nebraska; and

WHEREAS, on or about June 23, 2009, the Lancaster County Clerk received from the Nebraska Liquor Control Commission notice and a copy of the Application for Corporate Manager of Michael G. Franklin, in connection with a Class CK (Beer, Wine & Distilled Spirits On and Off Sale) liquor license and catering license, for Jasper's L.L.C., d/b/a Jasper's, for a Class CK (Beer, Wine & Distilled Spirits On and Off Sale) liquor license and catering license, for the premises located at 13940 "O" Street, Suite 7, 8, and 9, Lincoln, Lancaster County, Nebraska; and

WHEREAS, pursuant to the requirements of Neb. Rev. Stat. § 53-134, 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 July 13, 2010, and July 27, 2010; and

WHEREAS on July 27, 2010, the County Board voted to approve said Applications for a Class CK liquor license, catering license and corporate manager.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, that pursuant to the provisions of Neb. Rev. Stat. § 53-134, it should and hereby does recommend to the Nebraska Liquor Control Commission that said applications for a Class CK (Beer, Wine & Distilled Spirits On and Off Sale) liquor license and catering license and a Corporate Manager liquor license are hereby approved 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 27 day of July, 2010.

DATED this 27 day of July, 2010.

BY THE BOARD OF COUNTY
COMMISSIONERS OF LANCASTER
COUNTY, NEBRASKA

Bob Schorr
Chris Atkinson Jr.
Hedkins voted nay
Workman Absent
Hester Absent

APPROVED AS TO FORM

this 27 day of
July, 2010.

Gary E. Lacey
for GARY E. LACEY
County Attorney