BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

CORPORATE MANAGER LIQUOR LICENSE APPLICATION OF DALE LILYHORN IN CONNECTION WITH A CLASS Y LIQUOR LICENSE FOR WHISPERING VINES WINERY, LLC, D/B/A WINDCREST WINERY, 3110 W BRANCHED OAK RD, LANCASTER COUNTY, NEBRASKA	)	RESOLUTION NO. R-19-0039

WHEREAS, Neb. Rev. Stat. § 53-134 (2016 Supp.), provides, in part, that:

> The local governing body of any city or village with respect to licenses within its corporate limits and the local governing body of any county with respect to licenses not within the corporate limits of any city or village but within the county shall have the following powers, functions, and duties with respect to retail, craft brewery, microdistillery, and entertainment district 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, except that failure to comply with this provision shall not void any license issued by the commission. If the commission refuses to issue such a license, the cost of publication of notice shall be paid by the commission from the security for costs.

WHEREAS, on or about April 8, 2019, the Lancaster County Clerk received from the Nebraska Liquor Control Commission notice and a copy of the Manager Application of Dale Lilyhorn in connection with a Class Y liquor license for Whispering Vines Winery, LLC d/b/a Windcrest Winery, 3110 W Branched Oak Rd, Lancaster County, Nebraska;

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;

WHEREAS, within forty-five days of receipt of said application from the Nebraska Liquor Control Commission, a public hearing was held on May 7, 2019; and

WHEREAS on May 7, 2019, the County Board voted to recommend approval of said Manager Application;

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 Manager liquor license be approved for the above stated location;

AND, BE IT FURTHER RESOLVED, that the Lancaster County Clerk is hereby directed to mail a copy of this Resolution to the Nebraska Liquor Control Commission by United States First Class Mail, postage prepaid, this 7th day of May, 2019.

DATED this 7th day of May, 2019.

BY THE BOARD OF COUNTY COMMISSIONERS OF LANCASTER COUNTY, NEBRASKA

APPROVED AS TO FORM
this 7th day of May, 2019.

Deputy County Attorney
for PAT CONDON
Lancaster County Attorney