

RECEIVED

JAN 06 2011

LANCASTER COUNTY  
CLERK

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF AN APPLICATION FOR )  
A CLASS D (BEER, WINE, DISTILLED )  
SPIRITS, OFF SALE ONLY), LIQUOR LICENSE )  
FOR CASEY'S RETAIL COMPANY, d/b/a )  
CASEY'S GENERAL STORE #2967, AND A )  
CORPORATE MANAGER LIQUOR LICENSE )  
APPLICATION FOR TINA KRINGS IN )  
CONNECTION WITH THE CLASS D LIQUOR )  
LICENSE FOR CASEY'S RETAIL COMPANY, )  
d/b/a CASEY'S GENERAL STORE #2967, )  
LOCATED AT 10000 S 158<sup>TH</sup>, BENNET, )  
LANCASTER COUNTY, NEBRASKA )

RESOLUTION NO. R-11-0006

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 but within the county 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 such 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 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 November 17, 2010, the Lancaster County Clerk received from the Nebraska Liquor Control Commission notice and a copy of the Application of Casey's Retail Company for a Class D (Beer, Wine, Distilled Spirits, Off Sale Only) liquor license, for the premises located at 10000 S 158<sup>th</sup>, Bennet 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, public hearings were held on January 4, 2011 and January 11, 2011; and

WHEREAS on January 11, 2010, the County Board voted to recommend approval of said Application for a Class D liquor 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 D (Beer, Wine, Distilled Spirits, Off Sale Only) liquor license and a Corporate 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 11 day of January, 2011.

DATED this 11 day of January, 2011.

BY THE BOARD OF COUNTY  
COMMISSIONERS OF LANCASTER  
COUNTY, NEBRASKA

APPROVED AS TO FORM  
this 11 day of  
January, 2011.

  
for JOE KELLY  
Lancaster County Attorney

  
  
  
  
