

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF AN )  
APPLICATION FOR A CLASS E )  
(BEER, OFF SALE ONLY) AND A )  
CLASS K (WINE ONLY) LIQUOR )  
LICENSE FOR SHOEMAKER'S )  
SOUTH TRUCK STOP, LOCATED )  
AT 1200 SALTILLO ROAD, IN ROCA, )  
LANCASTER COUNTY, NEBRASKA )

RESOLUTION NO. 99-437

*6 pages*

WHEREAS, NEB.REV.STAT. § 53-134 (Reissue 1984), 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 bottle club licenses . . . (7) upon receipt from the commission of the notice and copy of application as provided in section 53-131, the local governing body shall fix a time and place at which a hearing will be had and at which such 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 . . . . Such hearing shall be held not more than twenty-one days after the date of receipt of the notice from the commission and, after such hearing, the local governing body shall cause to be spread at large 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 thereupon 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 February 18, 1999, the Lancaster County Clerk received from the Nebraska Liquor Control Commission notice and a copy of the application of Shoemaker's South Truck Stop, for a Class E (Beer, Off Sale Only) and a Class K (Wine Only) liquor license, for the premises located at 1200 Saltillo Road, in Roca, 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, said public hearing was conducted on March 9, 1999; and

WHEREAS, the recommendations of the Lancaster County Engineer, the Lancaster County Sheriff's Department, and the Lincoln-Lancaster County Health Department were submitted, made a part of the record, and attached hereto as Exhibits "A", "B" and "C" respectively; and

WHEREAS, the applicant, David Shoemaker, testified in favor of approving the application; and

WHEREAS, at the public hearing, members of the County Board of Commissioners expressed a desire that the liquor license contain conditions restricting the display and sale of individual cans or bottles of alcoholic beverages; and

WHEREAS, at the public hearing the applicant stated he agreed that the licensed premises would not display for sale individual cans or bottles of alcoholic beverages in tubs of ice on the floor of the premises.

WHEREAS, on March 16, 1999, the County Board voted \_\_\_ to \_\_\_ to recommend approval of a Class E (Beer, Off Sale Only) and a Class K (Wine Only) liquor license and also recommend that the Commission consider placing the following conditions on the licensed premises:

1. Single cans and/or bottles of beer and/or malt liquor of less than thirty two ounces shall not be sold on the licensed premises.
2. Single cans and/or bottles of beer and/or wine shall not be displayed for sale in tubs of ice on the floor of the licensed area.

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 (Reissue 1984) it should and hereby does recommend to the Nebraska Liquor Control Commission that said application for a Class E (Beer, Off Sale Only) and a Class K (Wine Only) liquor license be approved for the above stated location with the recommended conditions.

AND, BE IT FURTHER RESOLVED that the Lancaster County Clerk be and hereby is directed to mail a copy of this Resolution to the Nebraska Liquor Control Commission by United States First Class Mail, postage prepaid, this 16th day of March, 1999.

DATED this \_\_\_\_\_ day of March, 1999, at the County-City Building, Lincoln, Lancaster County, Nebraska.

BY THE BOARD OF COUNTY COMMISSIONERS OF LANCASTER COUNTY, NEBRASKA

Robert L. Waldman  
Larry Hudkins  
Barbara Neesen  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED AS TO FORM this 16<sup>th</sup> day of March, 1999.

Diane M. Staab  
for GARY E. LACEY  
County Attorney

Lancaster

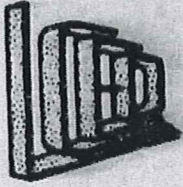
County

Engineering

Department

EXHIBIT A  
DON R. THOMAS - COUNTY ENGINEER

4




DEPUTY - LARRY V. WORRELL  
COUNTY SURVEYOR

FILED  
FEB 23 1999  
LANCASTER COUNTY CLERK  
99-310

DATE: February 22, 1999

TO: Susan Starcher  
County Clerk's Office

FROM: Larry V. Worrell   
County Surveyor

SUBJECT: APPLICATION FOR CLASS K AND E LIQUOR LICENSE  
SHOEMAKER'S SOUTH TRUCK STOP - SALTILLO ROAD

Upon review, this office has no direct objections to this submittal.

LWV/cm

# Office of the Sheriff Lancaster County

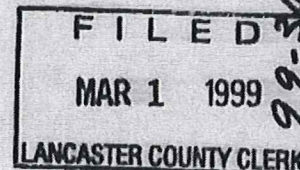
Terry T. Wagner  
Sheriff

William E. Jarrett  
Chief Deputy

555 South Tenth Street, Lincoln, Nebraska 68508  
Phone (402) 441-6500 Fax (402) 441-8320



February 26, 1999



Ms. Susan Starcher  
Lancaster County Clerk's Office  
County-City Building  
Lincoln, Ne 68508

Dear Ms. Starcher,

Re: Liquor License Application/ Shoemaker's South Truck Stop

This letter is in regards to an application for a Class E (Beer Off Sale Only) and a Class K (Wine Off Sale Only) liquor license for Shoemaker's South Truck Stop located at 1200 Saltillo Road, Lancaster County, Nebraska.

In examining the application submitted, David Shoemaker and Harley Shoemaker have no contacts that would constitute a reason for denial of the license. Marian Shoemaker has had no contacts with law enforcement in our jurisdiction.

Karen Shoemaker has an arrest and conviction by the Lincoln Police Department for violating an automatic signal in March of 1986. She was also contacted by the Lincoln Police Department for owning a dog without a license in January of 1985. There were no contacts with Karen Shoemaker that would constitute denial of the license.

The Lancaster County Sheriff's Office has found no statutory reason to recommend denial of this application.

Sincerely,

Terry T. Wagner  
Lancaster County Sheriff

EXHIBIT C

LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
INTER-DEPARTMENT COMMUNICATION

*gm*  
*99-310*  
*bx*  
FILED  
FEB 25 1999  
LANCASTER COUNTY CLERK

TO: Susan Starcher  
DEPARTMENT: City Clerk's Office  
ATTENTION:  
CARBONS TO: Scott E. Holmes  
E. H. File

DATE: February 12, 1999  
FROM: Leon F. Vinci, MPH  
DEPARTMENT: Consumer Services  
SUBJECT: Special Designated  
Permit

The Lincoln-Lancaster County Health Department has no objection to a Class K and Class E liquor license for Shoemaker's South Truck Stop located at 1200 Saltillo Road.