

City of Scottsbluff, Nebraska

Monday, June 15, 2020

Regular Meeting

Item Public Inp1

Council to make a recommendation to the Nebraska Liquor Control Commission naming Doug Ferreyra as the Liquor License Manager of Wal-Mart Inc., dba Wal-Mart 867, 3322 Avenue I, Scottsbluff.

Staff Contact: Kim Wright, City Clerk



Pete Ricketts
Governor

STATE OF NEBRASKA
NEBRASKA LIQUOR CONTROL COMMISSION

Hobert B. Rupe
Executive Director
301 Centennial Mall South, 5th Floor
P.O. Box 95046
Lincoln, Nebraska, 68509-5046
Phone (402) 471-2571
Fax (402) 471-2814 or (402) 471-2374
TSR USER 800-833-7252 (TTY)
Web Address <http://www.lcc.nebraska.gov/>

May 21, 2020

To: CITY CLERK OF SCOTTSBLUFF
Email: COMPLIC@WAL-MART.COM
Manager Name: DOUG FERREYRA
Licensee Name: WALMART INC
Licensee Trade Name (DBA): WALMART 867
License Number: D-057128
Date Due: 07-06-2020

I have attached a copy of a new corporate manager application that was submitted to the Nebraska Liquor Control Commission. Please complete the following information below to indicate your recommendation. Send back to Mary Beth Olson at mary.olson@nebraska.gov or fax to (402) 471-2814. If you have questions concerning this matter, please contact our office at (402) 471-4893.

_____ APPROVED
_____ NO LOCAL RECOMMENDATION
_____ DENIED

COMMENTS: (YOU MAY ATTACH MINUTES AND/OR ADDITIONAL NOTES)

Clerk Signature: _____ Date: _____

MBO

Janice M. Wiebusch
Commissioner

Bruce Bailey
Chairman

Harry Hoch
Commissioner

An Equal Opportunity Employer

**MANAGER APPLICATION
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov

Office Use

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MAY 15 2020

**NEBRASKA LIQUOR
CONTROL COMMISSION**

Manager must:

- Complete all sections of the application. Be sure it is signed by a **corporate officer**, corporate officer must be an individual on file with the Liquor Control Commission
- Fingerprints are required. See Form 147 for further information, this form **MUST** be included with your application.
- Provide a copy of one of the following: US birth certificate, naturalization papers or current US passport (even if you have provided this before)
- Be a registered voter in the State of Nebraska, include a copy of voter card with application

Spouse who will not participate in the business, spouse must:

- Complete the Spousal Affidavit of Non Participation Insert (must be notarized). The non-participating spouse completes the top half; the manager completes the bottom half. **Be sure to complete both halves of this form.**
- Need not answer question #1 of the application

Spouse who will participate in the business, the spouse must:

- Sign the application
- Fingerprints are required. See Form 147 for further information, this form **MUST** be included with your application.
- Provide a copy of one of the following: birth certificate, naturalization papers or current US passport (even if you have provided this before)
- Be a registered voter in the state of Nebraska, include a copy of voter card with application
- Spousal Affidavit of Non Participation Insert **not** required



Form 103
REV JAN 2015
Page 1 of 6

**MANAGER APPLICATION
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
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**NEBRASKA LIQUOR
CONTROL COMMISSION**

MUST BE:

- ✓ **Citizen of the United States. Include copy of US birth certificate, naturalization paper or current US passport**
- ✓ **Nebraska resident. Include copy of voter registration in the State of Nebraska**
- ✓ **Fingerprinted. See Form 147 for further information, this form **MUST** be included with your application.**
- ✓ **21 years of age or older**

Name of Corporation/LLC: Walmart Inc.

Premise Information:

Liquor License Number: 057128 **Class Type** D (If new application leave blank)

Premise Trade Name/DBA: Walmart 867

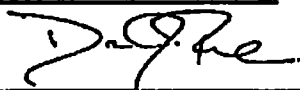
Premise Street Address: 3322 Avenue I

City: Scottsbluff **County:** Scotts Bluff **Zip Code:** 69361867

Premise Phone Number: 308-632-2666

Email address: complic@wal-mart.com

The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. Click on this link to see authorized individuals.
http://www.lcc.ne.gov/license_search/licsearch.cgi



SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER
(Faxed signatures are acceptable)

Form 101
REV JAN 2015
Page 2 of 4

Manager's information must be completed below. PLEASE PRINT CLEARLY.

Last Name: Ferreyra First Name: Doug MI: D
Home Address (include PO Box if applicable): 2970 Monument Shadows
City: Gering County: Scottsbluff Zip Code: 69341
Home Phone Number: 308-644-3001 Business Phone Number: 308-632-2666
Social Security Number: _____ Drivers License Number & State: _____
Date Of Birth: 02/04/1968 Place Of Birth: Scottsbluff, NE
Email address: dougferreyra@hotmail.com

☒ YES

☐ NO

Spouses Last Name: Ferreyra First Name: Jodi MI: K
Social Security Number: _____ Drivers License Number & State: _____
Date Of Birth: 10/02/1968 Place Of Birth: Scottsbluff, NE

| CITY & STATE | YEAR FROM | YEAR TO | CITY & STATE | YEAR FROM | YEAR TO |
|----------------------|-------------|-------------|-------------------|-------------|-------------|
| <u>Gering, NE</u> | <u>2018</u> | <u>2020</u> | <u>Gering, NE</u> | <u>2001</u> | <u>2020</u> |
| <u>Lexington, NE</u> | <u>2015</u> | <u>2018</u> | | | |
| <u>Gering, NE</u> | <u>2001</u> | <u>2015</u> | | | |
| | | | | | |
| | | | | | |

| YEAR FROM TO | NAME OF EMPLOYER | NAME OF SUPERVISOR | TELEPHONE NUMBER |
|-----------------|------------------|--------------------|---------------------|
| 1988 2020 | Wal-Mart | Mike Graddy | 1-508-440-3739 |

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

☒ YES ☐ NO

If yes, please explain below or attach a separate page.

| Name of Applicant | Date of Conviction (mm/yyyy) | Where Convicted (City & State) | Description of Charge | Disposition |
|-------------------|------------------------------|--------------------------------|-----------------------|------------------|
| 1 | | | | |
| Doug Ferreyra | 09/1996 | Scottsbluff, NE | Failure to Yield | Fine / Diversion |
| | | | | |
| | | | | |
| | | | | |

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

☒ YES ☐ NO

IF YES, list the name of the premise(s):

Wal-Mart Lexington, NE

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business?

☒ YES ☐ NO

4. List the alcohol related training and/or experience (when and where) of the person making application.

*NLCC Training Certificate Issued: N/A Name on Certificate: _____

| Applicant Name | Date (mm/yyyy) | Name of program (attach copy of course completion certificate) |
|----------------|-------------------|--|
| | | |
| | | |
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| | | |
| | | |
| | | |

*For list of NLCC Certified Training Programs see www.lcc.nc.gov/traininginfo.html

Experience:

| Applicant Name / Job Title | Date of Employment: | Name & Location of Business: |
|----------------------------|------------------------|------------------------------|
| | | |
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5. Have you enclosed Form 147 regarding fingerprints?

☒ YES ☐ NO

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has **NO** interest directly or indirectly, a spousal affidavit of non participation may be attached.

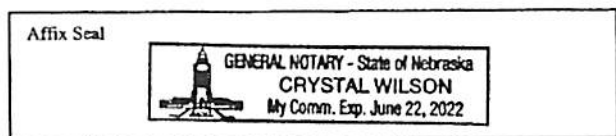
The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

Douglas D. Ferrerya Jodi K. Ferrerya
Signature of Manager Applicant Signature of Spouse

ACKNOWLEDGEMENT

State of Nebraska Scotts Bluff
County of The foregoing instrument was acknowledged before me this
March 19, 2020 by Douglas & Jodi Ferrerya
date name of person acknowledged

Crystal Wilson
Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

**SPOUSAL AFFIDAVIT OF
NON PARTICIPATION INSERT**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
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MAY 15 2020

**NEBRASKA LIQUOR
CONTROL COMMISSION**



I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will not have any interest, directly or indirectly in the operation of the business (§53-125(13)) of the Liquor Control Act. I will not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices, represent myself as the owner or in any way participate in the day to day operations of this business in any capacity. The penalty guideline for violation of this affidavit is cancellation of the liquor license.



I acknowledge that I am the applicant of the non-participating spouse of the individual signing below. I understand that my spouse and I are responsible for compliance with the conditions set out above. If, it is determined that my spouse has violated (§53-125(13)) the commission may cancel or revoke the liquor license.

Jodi K. Ferreyra
Signature of **NON-PARTICIPATING SPOUSE**

Jodi K. Ferreyra
Print Name

Douglas D. Ferreyra
Signature of **APPLICANT**

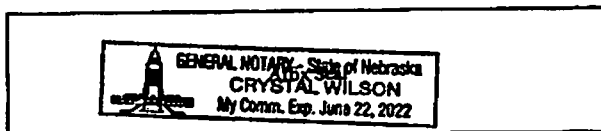
Douglas D. Ferreyra
Print Name

State of Nebraska, County of Scotts Bluff

The foregoing instrument was acknowledged before me
this March 19, 2020 (date)

by Jodi K. Ferreyra
Name of person acknowledged
(Individual signing document)

Crystal Wilson
Notary Public Signature

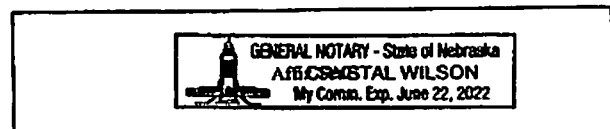


State of Nebraska, County of Scotts Bluff

The foregoing instrument was acknowledged before me
this March 19, 2020 (date)

by Douglas Ferreyra
Name of person acknowledged
(Individual signing document)

Crystal Wilson
Notary Public Signature



In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format.

FORM 116
REV NOV 2016
Page | 1

**CERTIFICATE
OF COMPLETION**

This certificate is awarded to

DOUG FERREYRA

for successfully completing

Alcohol Sales Training

July 10, 2019

Completion Date



Sam's Club



Licensing Compliance
702 SW 8th Street, Dept 8916
Bentonville, AR, 72716
Mailstop 0500
jessica.burns@walmart.com
Phone: 479-258-7034
Fax: 479-204-9864

May 14, 2020

To Whom It May Concern,

RE: Liquor License Manager Change

Please find the attached manager change paperwork and attachments for Walmart

#867. License#:057128. If you have any questions or concerns please feel free to give me a call.

Sincerely,

Jessica Noyes

Licensing Compliance Specialist

RECEIVED

MAY 15 2020

NEBRASKA LIQUOR
CONTROL COMMISSION

Memo

To: Rick Kuckkahn, City Manager
From: Kevin E Spencer, Chief of Police
CC: liquor file
Date: June 8, 2020
Re: Manager Application – Doug D. Ferreyra, Walmart Inc. 3322 Ave I Scottsbluff, NE License number D-57128

The applicant, Doug Ferreyra, was investigated for suitability as the manager of Walmart's liquor license. Nothing was discovered that would prohibit him from holding a manager's position under the license. Doug disclosed receiving a Failure to Yield citation in Scottsbluff in 1996, nothing further was found.

Doug explained Walmart's processes relating to their handling of alcohol. Doug told me that all of Walmart's employees have to take an alcohol class every six months no matter their job responsibilities. Doug further explained, that any of the employees are expected to run a register if needed so they all have to complete the course. Doug told us that the alcohol vendors complete an order and then present it to the store manager for approval. The vendors then put their own products on the shelf with the overstock in a specific area of the warehouse that is under surveillance. Doug said that anyone selling alcohol to a minor would be terminated. Doug said that the registers prompt the clerk to check identification once alcohol is scanned, adding, if a customer is at a self-checkout the transaction is stopped until a host can approve the sell.

Wal-Mart currently has a robust video system that covers most areas in the store and parking lot. Wal-Mart is open from 07:00 am to 08:30 pm, except for Tuesdays they open at 06:00 am for senior and handicapped shopping.

I have found no information that would indicate that Doug Ferreyra is not fit, willing and able to manage the Wal-Mart Liquor License.

Respectfully,



Kevin E Spencer
Chief of Police
City of Scottsbluff