

# **City of Scottsbluff, Nebraska**

**Monday, June 20, 2022**

**Regular Meeting**

## **Item Public Inp1**

**Council to discuss and consider action on making a recommendation to the Nebraska Liquor Control Commission naming Lacey H. McConkey as the Liquor License Manager of McDermid Management Co. LLC d/b/a Holiday Inn Express, 1821 Frontage Road, Scottsbluff, NE.**

Staff Contact: Kim Wright, City Clerk

079276

**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.nebraska.gov

Office Use

**RECEIVED**

**MAY 12 2022**

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

**FORM MUST BE COMPLETELY FILLED OUT IN ORDER FOR APPLICATION TO BE  
PROCESSED**

**MANAGER MUST:**

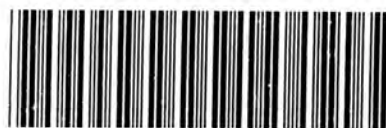
- ✓ Complete all sections of the application. Be sure it is signed by a member or corporate officer, corporate officer or member must be an individual on file with the Liquor Control Commission
- ✓ Fingerprints are required. See form 147 for further information, read form carefully to avoid delays in processing, 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 or print document from Secretary of State website 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, read form carefully to avoid delays in processing, 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



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Form 103  
Rev July 2018  
Page 1 of 6

**MANAGER APPLICATION  
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**MUST BE:**

- ✓ Include copy of US birth certificate, naturalization paper or current US passport
- ✓ Nebraska resident. Include copy of voter registration card or print out document from [Secretary of State website](#)
- ✓ Fingerprinted. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application
- ✓ 21 years of age or older

**Corporation/LLC information**

Name of Corporation/LLC: McDermid Management CO LLC

**Premise information**

Liquor License Number: 079276 Class Type C (if new application leave blank)

Premise Trade Name/DBA: Holiday Inn Express

Premise Street Address: 1821 Frontage Rd

City: Scottsbluff County: Scotts Bluff Zip Code: 69361

Premise Phone Number: (308) 632-1000

Premise Email address: hiexpressscottsbluff@yahoo.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. To see authorized officers or members search your license information here.

✓ Charles D. McDermid

**SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER**

(Faxed signatures are acceptable)



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

Last Name: McConkey <sup>*\* spouse*</sup> First Name: Lacee MI: H

Home Address: 120321 CR 34

City: Minatare County: Scotts Bluff Zip Code: 69356

Home Phone Number: (308) 641-4806

Driver's License Number & State: [REDACTED]

Social Security Number: [REDACTED]

Date Of Birth: [REDACTED] Place Of Birth: Scottsbluff, NE

Email address: laceemc21@gmail.com

Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)

☒ YES

☐ NO

**Spouse's information**

Spouses Last Name: McConkey First Name: Matthew MI: W

Social Security Number: [REDACTED]

Driver's License Number & State: [REDACTED]

Date Of Birth: [REDACTED] Place Of Birth: Oshkosh NE

**APPLICANT & SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST TEN (10) YEARS**  
**APPLICANT SPOUSE**

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
Minatare Nebraska	2000	2022			

### MANAGER'S LAST TWO EMPLOYERS

YEAR FROM	TO	NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2016	2022	Holiday Inn Express	Jennifer Heindold	(308) 632-3022
1996	2022	Pizza Hut	Barry Ingalls	(620) 874-4411

**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, **include traffic violations**. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

☒ 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
Lacey McConkey	3/2018	Kimball NE	Speeding	Guilty

**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):**

Pizza Hut, Scottsbluff Pizza Hut, Gering Pizza Hut, Kimball

**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: RB-0149609 Name on Certificate: Lacee H. McConkey

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Lacee McConkey	03/2022	Responsible Beverage Service Training

\*For list of NLCC Certified Training Programs see training

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
Lacee McConkey	6/17/96-	Pizza Hut
Managers / Area Coach	1/16/2022	1675 10 <sup>th</sup>
		Gering, NE 69341

5. Have you enclosed form 147 regarding fingerprints?

☒ YES

☐ NO

## PERSONAL OATH AND CONSENT OF INVESTIGATION

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.

***Applicant Notification and Record Challenge:*** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

Lacey McConkey  
Signature of Manager Applicant

Matthew McConkey  
Signature of Spouse

### ACKNOWLEDGEMENT

State of Nebraska

County of Scotts Bluff

The foregoing instrument was acknowledged before me this

6<sup>th</sup> day of May 2022  
date

by

Lacey McConkey  
Matthew McConkey

NAME OF PERSON BEING ACKNOWLEDGED

Sharisa Spehar  
Notary Public signature

Affix Seal

SHARISA SPEHAR  
General Notary - State of Nebraska  
My Commission Expires Oct 16, 2025

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**

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CONTROL COMMISSION**

**MM**

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.

**LM**

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.



Signature of **NON-PARTICIPATING SPOUSE**

Matthew McConkey

Print Name



Signature of **APPLICANT**

Lacey McConkey

Print Name

State of Nebraska, County of Scotts Bluff

The foregoing instrument was acknowledged before me

this 6<sup>th</sup> of May 2022 (date)

by Matthew McConkey  
Name of person acknowledged  
(Individual signing document)



Notary Public Signature

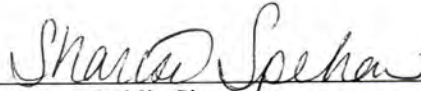
SHARISA SPEHAR  
General Notary - State of Nebraska  
My Commission Expires Oct 16, 2025

State of Nebraska, County of Scotts Bluff

The foregoing instrument was acknowledged before me

this 6<sup>th</sup> of May 2022 (date)

by Lacey McConkey  
Name of person acknowledged  
(Individual signing document)



Notary Public Signature

SHARISA SPEHAR  
General Notary - State of Nebraska  
My Commission Expires Oct 16, 2025

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



**PRIVACY ACT STATEMENT/  
SUBMISSION OF FINGERPRINTS /  
PAYMENT OF FEES TO NSP-CID**

NEBRASKA LIQUOR CONTROL COMMISSION  
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**THIS FORM IS REQUIRED TO BE SIGNED BY EACH PERSON BEING FINGERPRINTED:  
DIRECTIONS FOR SUBMITTING FINGERPRINTS AND FEE PAYMENTS:**

- **FAILURE TO FILE FINGERPRINT CARDS AND PAY THE REQUIRED FEE TO THE NEBRASKA STATE PATROL WILL DELAY THE ISSUANCE OF YOUR LIQUOR LICENSE**

- Fee payment of **\$45.25 per person** **MUST** be made **DIRECTLY** to the Nebraska State Patrol;  
It is recommended to make payment through the **NSP PayPort** online system at [www.ne.gov/go/psp](http://www.ne.gov/go/psp)  
Or a check made payable to **NSP** can be mailed directly to the following address:

**\*\*\*Please indicate on your payment who the payment is for (the name of the person being fingerprinted) and the payment is for a Liquor License\*\*\***

The Nebraska State Patrol – CID Division  
4600 Innovation Drive  
Lincoln, NE 68521

- Fingerprints taken at NSP LIVESCAN locations will be forwarded to NSP – CID  
*Applicant(s) will not have cards to include with license application.*
- Fingerprints taken at local law enforcement offices may be released to the applicants;  
*Fingerprint cards should be submitted with the application.*

***Applicant Notification and Record Challenge:*** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedures for obtaining a change, correction, or updating a FBI identification record are set forth in Title 28, CFR, 16.34.

**\*\*\*\*Please Submit this form with your completed application to the Liquor Control Commission\*\*\*\***

Trade Name Holiday Inn Express

Name of Person Being Fingerprinted: Lacee McConkey

Date of Birth: [REDACTED] Last 4 SSN: [REDACTED]

Date fingerprints were taken: 3/28/2022

Location where fingerprints were taken: 4500 Ave I Scottsbluff, NE 69361

How was payment made to NSP?

☒ NSP PAYPORT ☐ CASH ☐ CHECK SENT TO NSP CK #                     

My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago? YES ☐

Lacee McConkey  
SIGNATURE REQUIRED OF PERSON BEING FINGERPRINTED

FORM 147  
REV JUNE 2021



General	Credential	Number	Earned	Expires
Lacey H Mcconkey 120321 cr 34 Minatare NE 69361	STATE ALCOHOL	RB-0149609	03-24-2022	03-24-2025



# Memo

**To:** Mayor and Council  
**From:** Kevin E Spencer, Chief of Police  
**CC:** liquor file  
**Date:** June 9, 2022  
**Re:** Manager application- Lacey H. McConkey – Holiday Inn Express, License C - 079276, 1821 Frontage Rd Scottsbluff, NE 69361

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This applicant, Lacey H. McConkey, was investigated for suitability as the Holiday Inn Express liquor license manager. Lacey reported one conviction for speeding in March of 2018 in Kimball County. I did not find any unreported convictions. I discovered nothing prohibiting Lacey from holding a manager's position under the license.

I contacted Lacey by telephone on Thursday, June 9, 2022, to discuss her application. Lacey explained the Holiday Inn Express' rules and procedures related to alcohol sales. Lacey said that the Holiday Inn Express serves keg beer and wine only, Monday thru Thursday, from 5:00 P.M. to 7:00 P.M. Lacey told me that they card any customer to verify age, that she does all of the ordering and the inventory, adding that they do have a born-on calendar to help employees determine the age. Lacey further explained that she has two hostesses that serve the alcohol and are required to attend an online alcohol service training. Lacey said she completed the Responsible Beverage Service Training in March of this year.

Lacey is also scheduled to appear before the Liquor License Holders' Investigatory Board on Wednesday, June 15, at 2:00 P.M.

Respectfully,

Kevin E Spencer  
Chief of Police  
City of Scottsbluff