LEGISLATIVE OUTLOOK
FALL GOLF CLASSIC - RESULTS
BUILDING SALES WITHOUT SPENDING
The next session of the Nebraska Unicameral will convene on January 5, 2011. The Unicameral operates on a two year cycle. Any bills introduced in the 2011 session and not acted on can still be considered in the 2012 session. Here are the some of the issues we expect to be addressed:

**Sales Tax**
With the tight budget we can expect some type of effort to broaden the sales tax base. Broadening the base usually does not impact restaurants as prepared food is already subject to sale tax.

**Unemployment Insurance and Workers Compensation**
We are not aware of specific efforts in the works but typically there are unemployment insurance and/or workers compensation bills introduced that we need to be watchful of and be prepared to take action on.

**Health Care**
We will be watching for an effort to address health care that focuses on how the national plan impacts the state and as a result Nebraska businesses and citizens.

**Immigration**
State Sen. Charlie Janssen of Fremont said he plans to introduce a bill similar to the Arizona bill next session. Arizona’s bill requires police to verify a person’s immigration status if there’s “reasonable” suspicion the person is in the U.S. illegally. There are at least ten other states considering similar legislation. Emotions run high on both sides of this issue. We will attempt to keep the discussion to facts rather than fears.

**Occupation Taxes**
The City of Lincoln and the City of Omaha recently enacted occupation taxes to be collected by restaurants. State law presently requires cities to get legislative approval to increase city sales tax but allows cities to enact and raise city occupation taxes. We will be investigating legislation to put some kind of state control on future city occupation taxes.

**Dram Shop**
This comes up nearly every year. The term “dram shop” refers to legislation that holds sellers/servers of alcohol liable for damage, injury, or death as a result of selling or serving an intoxicated person. Nebraska is one of the few remaining “non-dram shop” states. There have been numerous bills introduced over the last several legislative sessions to make Nebraska a dram shop state. To date, we have been successful in stopping them. However, each time someone is killed by a drunk driver, the momentum to make Nebraska a dram shop state grows. It especially grows when it is obvious that the seller served or sold to an intoxicated person and unfortunately there are a few who do.
Farmers Insurance Group
*Business Insurance*
Contact: Ken Richards
402.420.5355
The Nebraska Restaurant Association offers Farmers Insurance Group as its endorsed insurance provider for 2010. We are confident that Farmers Insurance Group will provide more comprehensive opportunities for our members.

Benefits Advantage LLC
*Health Insurance/Dental Insurance*
Contact: Lori Dunn or Michael Hall
402.420.2274

The Nebraska Restaurant Association Health Program covers employees and their family members with medical, prescription drug coverage, dental, disability and life insurance in one convenient plan.

Fishbowl
*E-Marketing Solutions*
Contact: Joe Gabriel
703.836.3421 x 230

Fishbowl has proven that targeted email marketing will generate more sales and increase guest frequency. Through a partnership with the Nebraska Restaurant Association and the National Restaurant Association, Fishbowl provides savings to current members.

Jackson Lewis LLP
*Legal Services*
Contact: Chad Richter
402.391.1991

Specializing in employment and labor laws, Jackson Lewis offers members a significant discount for legal services.

Heartland Payment Systems
*Credit Card / Payroll Processing*
Contact: Michael McCarville
402.551.9832

Heartland Payment Systems offers a full line of payment acceptance and payroll processing options designed specifically for association members. Local representation. Flexible, one-stop solution.

Nebraska.Statepaper.com
*Online Dining Guide*
Contact: David Hahn
402.403.1176

Nebraska.Statepaper.com is the premiere online dining guide of the Nebraska Restaurant Association. In addition to a free listing, members of the Nebraska Restaurant Association may receive additional discounts with enhanced listings and websites.

Hcareers
*Hospitality Job Board*
www.hcareers.com
800.832.3738

Advertise job openings with the leading job board in the hospitality industry. The Nebraska Restaurant Association is pleased to present our partnership with Hcareers to assist our members with recruiting qualified candidates within the hospitality industry.

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Ricardo’s Mexican Restaurant, Norfolk

JOHN GABEL, 1st Vice President
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DENIS HALL, 2nd Vice President
Fernando’s Café & Cantina, Omaha

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**National Restaurant Association Educational Foundation**

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www.nebraska-dining.org

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Nebraska Restaurants Recognized for Community Service
2010 Restaurant Neighbor Award Winners Announced

Four Nebraska restaurants have been selected as state winners of the 2010 Restaurant Neighbor Award that rewards community service and are now in the running for the prestigious national award. The Restaurant Neighbor Award was created by the National Restaurant Association to recognize restaurants that exemplify the industry’s philanthropic spirit.

The Nebraska winners are Runza Restaurants, daVinci’s, Grandmother’s and Lazlo’s Brewery & Grill/Fireworks.

“We are proud to recognize these outstanding winners of the 2010 Restaurant Neighbor Award,” said Nebraska Restaurant Association Executive Director, Jim Partington. “Nebraska’s restaurants serve their communities every day by providing excellent food, enhancing quality of life, advancing opportunities for young people, and providing enjoyment to thousands of customers and visitors to Nebraska. Restaurants are not only good neighbors but important contributors to our state’s health and prosperity.”

Runza Restaurants partnered with TeamMates Mentoring Program. TeamMates works with school systems, administrators and teachers to identify at-risk children and teens and teaming them up with an adult mentor. Runza Restaurants donated 10% of their entire chain sales on March 30, 2010 to TeamMates.

daVinci’s has been committed to serving low-income families in the community through their annual Free Easter Dinner. Over the past 26 years, daVinci’s estimates that over 20,000 meals have been served to the people in Lincoln.

Grandmother’s CEO and President, Dean Rasmussen, started The Project Harmony Golf Tournament in 1995. Project Harmony is a nonprofit agency whose mission is to respond to the abuse of children. Their collaborative, child-focused approach ensures that children are not further victimized by the systems intended to protect them.

Lazlo’s Brewery & Grill/Fireworks designated the Juvenile Diabetes Research Foundation as its official charity. Over the past 10 years, Lazlo’s Restaurants have raised $300,000 for the foundation by sponsoring various fundraisers and giving guests the opportunity to donate.

A panel of industry leaders will select four national award recipients from the winners of participating states. The national winners of the 2010 Restaurant Neighbor Award will each receive a $5,000 contribution to continue their community programs. Both national and state winners will be recognized on the National Restaurant Association website.

For more information and to apply for the 2011 award, visit www.restaurant.org/community.
PIUS X HIGH SCHOOL PRESENTS OUTSTANDING ALUMNI AWARD TO TONY MESSINEO

On behalf of Pius X High School, Msgr. Liam Barr and Keith May presented the fourth annual Outstanding Alumni Award to Tony Messineo (’59), an owner of Valentino Restaurants, at the Friends of Pius X celebration on August 12.

According to Keith May, who nominated Tony, “Tony’s leadership and treatment of his employees and customers is a testament to his faith. Tony truly takes his faith to work with him and it is very much a part of his day to day efforts.”

A graduate of Pius X and the University of Nebraska, Tony and his brother Ron purchased a local restaurant in Lincoln - Valentino’s – in 1971. The two, along with their cousin, Mike Alesio, who joined them a year later, went on to expand that business and today Valentino’s has expanded to 39 restaurant locations in 6 states.

Throughout the years, Tony has been an ardent support of Pius X, helping with fundraising efforts. He’s also made significant contributions to the community. He has served on several boards and committees including the Wesleyan Board of Governors, Catholic Social Services, Teammates, Nebraska Restaurant Association Board, Rotary Board and Lincoln Lancaster County Health Department Board.

In addition, the Valentino’s chain has received numerous awards over the years. Tony has personally been awarded Restaurateur of the Year Award (1990), Catholic Social Services Cor Christi Award (1997), Angels of Madonna Award, Burgham Yates Citizenship Award (2002), Board of Health Regional Directors Award (2006), Cedars Home Recognition Award and 2008-2009 Lincoln Rotary #14 Rotarian of the Year.

Tony has been married to his wife, Carmen, since 1963. They have three children and seven grandchildren.

Cash-Wa Distributing and CEO Henning Recognized

It’s been a good summer for Cash-Wa Distributing Co., a 76-year-old Kearney business and Allied Member of the Nebraska Restaurant Association. Cash-Wa was recognized as the Nebraska Diplomats’ Industry of the year for its growth in jobs and capital gains. And its CEO, Tom Henning, was named a Kearney High School’s Distinguished Alumni!

The Nebraska Diplomats, whose members are business leaders from around the state, are a supporting arm of the Nebraska Department of Economic Development. They try to promote progress in business and recognize the accomplishments of businesses that make a difference in the state.

Cash-Wa CEO Tom Henning said the award is a reflection of the hard work and dedication of the company’s 530 workers. “We’ve got a lot of people who work their tails off. An award like this is really their award”.

Henning, a Kearney native, graduated high school in 1966 and earned a BS in Business Administration from UNL in 1971. He’s active in Kearney volunteer activities, as well as state and national organizations. As a distinguished alumnus, Henning was recognized for a small snapshot of his contributions which include serving on the University of Nebraska Foundation Board of Trustees, the Wells Fargo Bank Advisory Board, UNK Dean’s Advisory Board, the Kearney Area Chamber of Commerce, the Buffalo County Economic Development Council and the Kearney Area Community Foundation.

Henning and his wife, Mary, have two children, Chad and Michelle, who follow in their Dad’s footsteps in management and marketing at Cash-Wa. Tom and Mary have 6 grandchildren.

Excerpts from the Kearney Hub’s article by Kevin Hervert
kevin.hervert@kearneyhub.com
Member News

BREWSKY’S FOOD & SPIRITS CELEBRATES 20TH ANNIVERSARY

Brewsky’s Food & Spirits had its 20th Anniversary in August, 2010. Brewsky’s has four locations in Lincoln and two in Omaha. The original Brewsky’s, which opened in August, 1990, is at 16th & South Streets in Lincoln, NE, (just completely remodeled) while the most recent Brewsky’s opened in 2006 at 84th & Park Drive in Omaha, NE.

Brewsky’s was one of the original “sports bars” in this area, and of that bunch probably the last standing with the original ownership still intact. The term “sports bar” has come to be synonymous with a mix of bar and restaurant throughout the entire establishment, where families are comfortable dining in a “bar” atmosphere, with multiple TVs showing multiple sporting events.

In its 20 years of operations Brewsky’s has been recognized as “the” sports bar. It has been voted 1st Place Best Sports Bar in Omaha in the Omaha Magazine Readers Survey for 2008, 2009 and 2010, and was recently voted 1st Place Best Sports Bar in Lincoln in the KFOR Readers Survey for 2009. Its extensive menu was created by a Certified Executive Chef, and constantly evolves with new items and tastes. Among the favorites recognized in area competitions are Brewsky’s Buffalo Wings and homemade Chili.

Brewsky’s currently employs approximately 300 full- and part-time employees in Lincoln and Omaha, and is owned and operated by the original three owners, Brian Kitten, Jon Mumgaard and Jim Mumgaard.

Important Information from the National Restaurant Association

As we move closer to the elections and many of the issues related to the Labor and Workforce agenda move from the legislative to the regulatory arena, your National Restaurant Association is prepared to face these challenges head on. However, we cannot be successful without your help and, thus, we plan to keep you informed and request your feedback.

We are also planning to offer a monthly Labor and Workforce Webinar for different legal experts to highlight and explain some of the main issues in the regulatory and sub-regulatory agenda. Stay tuned for information on the first one to be held in October.

Finally, we would like to take this opportunity to highlight that the Department of Labor is preparing to propose regulations to expand recordkeeping and information sharing requirements under the Fair Labor Standards Act. The new requirements would mandate that employers provide written justification to all employees and independent contractors treated as exempt for purposes of the FLSA. The Department of Labor feels that this is needed “in order to enhance the transparency and disclosure to workers of how their pay is computed.”

We are meeting with other business trade associations to discuss the potential ramifications of such a regulation and to plan for a united business community front. We will make sure that the Webinar in October addresses this potential new regulation.

Angelo Amador | VP, Labor and Workforce Policy
National Restaurant Association
Amigos celebrated 30 years in business in June. Founded on June 17, 1980 by Roger and Janice Moore, Amigos first location was at 5500 O Street in Lincoln. Since then, Roger has been the recipient of a variety of awards including Restaurateur of the Year by the Nebraska Restaurant Association and Entrepreneur of the Year by the University of Nebraska College of Business Administration. Today, Amigos/Kings Classic has 30 stores throughout the state of Nebraska. Congratulations, Amigos, on 30 successful years!

Raising Cane’s held the annual “Stuff the Bus” campaign July 8th - August 4th. Customers were asked to bring in newly packaged school supplies to help pre-kindergarten through 12th grade children in Lincoln area schools be prepared for the upcoming school year. Education is a core focus of Raising Cane’s and they strongly believe in a solid education and the resources needed to complete it. Anyone who helped “Stuff the Bus” with Raising Cane’s was treated to a large freshly squeezed lemonade. Thank you to Raising Cane’s for giving back over 35% of profits during the past 3 years to the people of Lincoln!

On July 13, 2010, 67 Runza® locations in Central/Eastern Nebraska donated ten percent of sales to the American Red Cross Disaster Relief Fund. The American Red Cross and its volunteers have provided shelter, food, and emergency assistance to hundreds of Nebraska families affected by the recent flooding in the state. Thank you to Runza® Restaurants for helping Nebraskans in need!

Sysco Corporation announced in July that it had acquired Lincoln Poultry & Egg Co. The management team and employees of Lincoln Poultry will become employees of Sysco. Sysco is the global leader in selling, marketing and distributing food products to restaurants, healthcare and educational facilities, lodging establishments and other customers who prepare meals away from home. Its family of products also includes equipment and supplies for the foodservice and hospitality industries. Lincoln Poultry started as a fresh poultry and egg distribution business in 1957 and has successfully grown into a diversified broad line foodservice distributor. Lincoln Poultry serves more than 800 customers which are primarily located throughout the central United States.

“We’re very pleased to join the Sysco family,” said Kim Brown, Lincoln Poultry’s President. “We look forward to providing the same great service to our customers and showing them an even broader line of quality-assured foodservice products.”

Grandmother’s Restaurant & Bar in Lincoln has recently reopened their dining room after an extensive remodel. Built in 1984, the familiar Lincoln restaurant at the corner of 70th and A Streets specializes in a wide variety of made from scratch menu items. Their Sunday Buffet has been named Lincoln’s best Sunday Buffet for 10 consecutive years. Congratulations to Grandmother’s!

Valentino’s of Columbus, located at 3100 23rd St., hosted a fundraiser for the Scotus Central Catholic cheerleaders. Valentino’s donated 10 percent of all dine in, takeout and delivery sales to the Scotus cheerleaders. The proceeds will go toward a cheer clinic the girls will be attending in Kansas City. Go, Valentino’s!
Rotella’s Bakery Family would like to thank all the restaurants that have helped make our bakery become successful.

6949 South 108th St. 402/592-6600
LaVista, NE  68128 Fax:  402/592-2989

Rotella’s Bakery Family would like to thank all the restaurants that have helped make our bakery become successful.

NRA Allied Award of the Year Recipient.
**Watch Your Step: Glassware**

Glassware is common throughout the food service industry. It is found in the kitchen, dish wash area, bar, and food service areas so the potential for glassware injuries must continually be on the mind of everyone in the operation.

Broken glassware in the kitchen must be cleaned up immediately to prevent injuries to employees or contamination of food being prepared for patrons. Any time that glassware is broken in the food preparation area, it is imperative that any potentially contaminated food products be discarded immediately to reduce the potential of injuries to patrons consuming the food.

When glassware is broken in the patron service area, all employees must know that it is a priority to not only address any possible spilled liquid but to investigate the extent to which any glassware may have traveled. Explore the possibility of contamination of patrons’ food or beverages as well as possible sharp shards or slivers of glass on the floor. Taking the precaution of replacing a guest’s food or drink will demonstrate your concern for your customer and will most likely build loyalty with the customer or other customers sitting nearby who saw the glass breaking.

Bar glasses and bar stock containers are another source of potential broken glassware. Since more ice is used in the bar area, it is important to locate ice makers and ice bins away from service and bar glass washing areas. This will help reduce the potential of glass in the ice which could cross contaminate the drinks of others in the bar area. Similar clean up and replacing of customers’ drinks applies in the bar as well as in the food service areas.

Any time there is alcohol service, management needs to keep in mind that over-served patrons can become unruly or lack self-control. In these cases, the patrons could use the glassware as a weapon or projectile. All bar and liquor service employees must be aware of the condition of the patrons that they are serving and alert management when they perceive the potential of an out-of-control patron. Management must act immediately in these instances to avoid catastrophic results.

As you can see, glassware in the food service industry can present certain risks to employees and to customers. Employee training is the key to controlling and reducing the potential impact of incidents or accidents involving glassware.

**Winning The Best Customers with Social Marketing**

Topics such as Social Marketing, the new economy and profiting in the new economy dominated the theme of this year’s Industry Outlook from the National Restaurant Association.

This news should not take anyone by surprise. Online social marketing is an essential part of any establishment’s marketing mix. Social marketing consists of many different activities of which you can be apart. Whether you’re sending an email, posting a blog or buying advertising space, you are building your brand awareness and recognition to an ever shrinking customer base. The key to success then is to find the best new customers out there and to retain your best, most loyal customers.

Word of mouth has moved online, and more consumers use the Web to browse menus, make reservations, and get recommendations from other diners. Restaurants’ use of email, internet and mobile messaging in marketing efforts is also a growing trend.

Social media will become more critical to restaurant marketing this year. A good plan and solid understanding of those tools, including Facebook, Twitter and others, can help operators mitigate the economic environment.

Contact me today at 402.875.1281 or email to andy@newdigitalgroup.com and let’s talk about some ideas that might work for you. New Digital Group is the provider of the official dining guide for the Nebraska Restaurant Association.
Save the date and DO NOT MISS the 17th Annual OktoBeerfest on Thursday, October 21st from 6:00 p.m. to 9:00 p.m. at the Lancaster Event Center in Lincoln!

The Nebraska Restaurant Association has partnered with the Nebraska State Stroke Association (NSSA) and Sertoma Clubs of Lincoln to provide refreshments and ticket sales for this exciting annual event.

WE NEED YOUR HELP! For every ticket that a member of the Nebraska Restaurant Association sells we will receive $12.50. The money raised from OktoBeerfest will go to the Nebraska ProStart® program, our high school curriculum that directly impacts the future of the hospitality industry.

There are 3 ways that Nebraska Restaurant Association members can participate in OktoBeerfest:

1. Display posters and sell OktoBeerfest tickets in your restaurant. Sell tickets to your friends and family. Sell tickets to your neighbors. For every ticket YOU SELL the ProStart® program of Nebraska gets $12.50!

2. Get your restaurant involved in OktoBeerfest! Booth reservations are available for the event. Provide samples of your food or beverages to OktoBeerfest guests!

3. Provide gift cards or other donations for the silent auction!

Whichever way you choose to participate you will be publicly supporting two great programs: the Nebraska Restaurant Association’s ProStart® program and the Nebraska State Stroke Association. In exchange for your participation in the 17th Annual OktoBeerfest, you will receive two complimentary tickets as well as FREE advertising by Mark Taylor and Judy a La Carte on KFOR 1240 AM.

This is a great way to showcase your restaurant AND support the Nebraska ProStart® program to hundreds of people. Last year over 850 people attended OktoBeerfest and this year we are hoping to top 1100!

Contact Beth Haas at beth_haas@windstream.net or 402.488.3999 to purchase tickets or for more information on how to participate.
Kevin Knudson & Sons

Ambassador Flight:
Chad Winter, Jeff White, Jim Otto, Jim Partington

Lincoln Poultry & Davinci's

Cash-Wa Team

Champions:
Randy Daehling, Doug Volzke, Al Kamrath, Skip Semin

Champion Flight 2nd Place:
Jim Gilllick, Nick Donohue, Santiago Escobar, Jim Gibson

Presidential Flight:
Bill Zupancic, Tim King, Mike Hall, Travis Green

Mixed Team Flight
Coca Cola:
Gary Thesis, Dave Kula, Danielle Edelman, John Wade
Congratulations to our tournament champions!

Thank you to our Sponsors! Without your continued support we would not be able to continue to represent, educate and promote our members. We appreciate your generosity.

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Hole in One Sponsor
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Dean Foods
Lincoln Journal Star
Omaha Steaks
Runza

Beverage Sponsors
Aqua Systems
Double Eagle
Miller K&Z
Pepsi

Poker Hole Winner
Gene Knoche

Putting Contest Winner
Randy Daehling

Pin Prize Winners
Hole #1 Longest Putt made on the Green - Sam Hardy
Hole #2 Longest Drive in the Fairway - Paul Neesen
Hole #3 Closest to pin on the first shot - Jay Sterns
Hole #4 Longest Drive in the Fairway - Ken Richards
Hole #5 Longest Putt made on the Green - Jon Mumgaard
Hole #6 Closest to Pin in 2 shots - Jay Lagge
Hole #7 Closest to pin from any shot off the green - Jenny Unruh
Hole #8 Closest to Pin on First Shot - Tom Knudson
Hole #9 Longest Putt made on the Green - Tom Manning
Hole #10 Closest to the pin in 2 shots - Herb Mast
Hole #11 Longest putt made on the green - Eric Hanke
Hole #12 Closest to the pin on the first shot - John Gabel
Hole #13 Longest putt made on the Green - Al Kamrath
Hole #14 Closest to the pin in 2 shots - Santiago Escobar
Hole #15 Longest Drive in the fairway - Red Meyer
Hole #16 Closest to pin on first shot - Mike Cooper
Hole #17 Longest putt made on the Green - Jim Gibson
Hole #18 Closest to pin in 3 shots - Kelly Knudson

Mixed Team Flight Winners
Coca Cola America
Danielle Edelman
John Wade
Dave Kula
Gary Theis

Ambassador Flight
Jeff White – Aqua Systems
Chad Winter – Beatrice Valentino’s
Jim Otto – Nebraska Retail Federation
Jim Partington – Nebraska Restaurant Association

Presidential Flight
Travis Green – Dish
Mike Hall – RHD Financials
Tim King – Dean Food
Bill Zupancic – Dean Food

Championship Flight
Champions
Retired ConAgra Team
Al Kamrath
Skip Semin
Randy Daehling
Doug Volzke

2nd place
Double Eagle Team
Jim Gillick
Jim Gibson
Nick Donahue
Santiago Escobar
When: Thursday, November 11th, 2010
Where: Embassy Suites, Omaha - LaVista
“The Fedora II Room”
Time: 9:00 a.m. – 1:00 p.m.
Lunch will be provided

Agenda

Chad Richter - Jackson Lewis, LLC
Health Care Reform and YOU
9:00 a.m. - 10:00 a.m.

Jim Partington - Executive Director, Nebraska Restaurant Association
Legislative Issues Impacting Your Restaurant
Immigration Reform
10:00 a.m. - 11:00 a.m.

Ken Richards - Farmers Insurance Group
How to Develop an Effective Loss Prevention Program
11:00 a.m. - 12:00 p.m.

FREE Lunch and Roundtable Discussion - Noon

At the end of the meeting, there will be time for your questions and ideas.
WE want to hear from YOU what WE can do better!

Mark your calendars for
Thursday, November 11th from 9 a.m. – 1 p.m.
and make your reservation to have lunch on us!
Email bnielson@windstream.net or call 402.488.3999 Ext. 2.
Five Ways to Build Sales without Spending a Dime

Building and maintaining sales has been a challenge over the past 18 months. Many businesses have resorted to short term incentives to entice diners. These tactics have included couponing, prix fixe menus (a collection of pre-determined items presented as a multi course meal at a set price), dirt cheap happy hours and a slew of other expensive and potentially damaging tactics. There is one area that is rarely exploited and is absolutely free: infrequent and new guests who are dining in your restaurant.

Statistically, 60 to 80 percent of sales come from repeat guests. What about the other 20 to 40 percent? Those sales are comprised of infrequent and new guests. Yet few restaurants have a strategy to convert those infrequent/new guests into lifelong, passionate guests. Crunch the numbers. If a restaurant has sales of $1 million per year and a $25/guest check average, there are 40,000 guest visits in one year. If even 20 percent of those visits are from infrequent/new guests, then that pool is comprised of 8,000 guests. If you get one more visit from each of those infrequent/new guests, then you produce an additional $200,000 in sales (8,000 guests x $25/guest).

Here are five ways to increase sales and turn infrequent and new guests into lifelong advocates of your restaurant.

1. Have an on-floor sales plan every shift. There is only one place to generate sales at your restaurant: at the point of contact between the server and the guest. Your manager’s number one priority is to manage a great shift. Specifically, each manager should have a sales plan for every server/bartender for each shift. The plan should include but not be limited to performance, guest check average, sales of appetizers, desserts, beverages, specials and guest comments.

2. Provide a superior guest experience. Nearly 94 percent of companies believe guest service has a direct impact on sales. Eighty percent of companies believe they deliver a superior guest experience. Wow! That puts 8 out of 10 restaurants above average! There is one big problem: from guests’ perspective, only eight percent agree. There is a gap between what the owner/manager believes and what the guest knows to be true. Every interaction at your restaurant is judged through the same lens. Inconsistent messaging between team members and the guest creates a variance (gap) in the level of service. Bussers, front desk, kitchen staff and managers have the same impact on the guest experience as the server at the table. Focus the entire team on flawless execution to be truly superior.

3. Ensure every employee creates a memorable experience. According to Gallup polling, an engaged guest provides a 23 percent premium and those not engaged provide a 13 percent discount. Profits double with engaged guests. The startling fact is it’s not about the food! Guests are five times more likely to return if they have a memorable experience with an employee. Seventy-eight percent of satisfied guests will not return to your restaurant. They must be emotionally satisfied, and that takes a memorable experience with an employee. Managers should touch every table to gather guest comments, and identify and engage every guest without being intrusive.

4. Give your guests something to talk about. Rarely do you hear someone rave about their fantastic washer and dryer. These appliances do the job well, but there is no reason to rave about washing and drying a load of laundry in less than an hour. Ninety-three percent of people claim word of mouth is one of the most reliable information sources. In an average week there are 10 conversations between people regarding food and dining and eight conversations regarding beverage. What story do you want your guests to tell their friends?

5. Say “Thank You!” and invite the guest back. Guests are 75 percent more likely to return to your restaurant if they receive a legitimate, heartfelt “thank you.” This never goes out of style and three out of four people think enough about being thanked that they’ll come back sooner. Be sincere in the message your team sends when a guest is on the way out. Make sure they focus on the return visit. By the time the guest leaves, managers should ensure infrequent/new guests are recognized and invited back.

Use these five ways to drive sales without spending a dime, and you’ll see your sales grow exponentially.

Rick Braa is a Washington Restaurant Association Consulting Network consultant. He is the founder/principal of Braa Associates, LLC. Rick focuses on helping restaurants improve profitability and driving sales.
How to Stop Accessibility Lawsuits Before They Stop You; What Small Businesses Should Know About the ADA

When was the last time you measured the slope of the curb ramp leading from your parking lot to your facility? Do you have the International Symbol of Accessibility on your storefront and bathroom door? Does it include Braille? Have you recently measured the access aisles of your parking spaces?

If you have not checked your facility for compliance with the Americans with Disabilities Act accessibility guidelines, essentially a Congressional-imposed building code, a “professional” plaintiff may do it for you. While prevalent on the coasts for many years (one plaintiff in California filed over 400 lawsuits netting more than $800,000) accessibility lawsuits are growing in popularity throughout the Midwest. During the past 12 months, one Nebraska plaintiff alone has filed more than 11 lawsuits. Prevention and an early, aggressive defense in the event of a lawsuit will decrease and may even eliminate the risk that your business will be the next bulls-eye.

ADA Accessibility Guidelines
Congress enacted the ADA in 1990. Title III of the ADA sets standards for access to public accommodations and commercial facilities for people with disabilities. It prohibits discrimination based on disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation by any person who owns, leases (or leases to) or operates a place of public accommodation.

Title III contains two separate standards regulating building accessibility. The first pertains to facilities existing before January 26, 1993, and requires removal of architectural barriers where removal is “readily achievable” and able to be carried out without much difficulty or expense. The second pertains to facilities constructed or altered after January 26, 1993, and requires that facilities be readily accessible and comply with the accessibility guidelines.

Grandfathering
Many businesses are under the mistaken impression that if they owned or leased their building since before January 26, 1993, and have not made substantial physical changes to their premises, they are “grandfathered” under Title III, i.e., they have no obligation to make their business ADA accessible. The language of the ADA, however, applies to “existing” public businesses and requires that they remove structural barriers “where such removal is readily achievable.” Even when not readily achievable, the business must provide access “through alternative methods if such methods are readily achievable.”

What Can a Plaintiff Recover?
Under the ADA, a plaintiff alleging a business has failed to make the physical changes necessary to comply with the ADA can seek only injunctive, or non-monetary, relief. Plaintiffs typically request an injunction against the business to make it accessible to persons with disabilities. A few plaintiffs would also request a temporary injunction or restraining order to shut the doors of a business pending ADA compliance. Normally, this type of request is simply included for shock value.

In addition to injunctive (nonmonetary) relief, the ADA allows an award of attorney’s fees to successful plaintiffs. Attorney’s fees, costs, expert fees, and litigation expenses can quickly amount to tens of thousands of dollars. Some states, such as California and Washington, have statutes prescribing a formula for damages that apply to each offense. Many states even set a minimum award, such as $4,000 in California.
Defense Guide
With some variation, the blueprint for disability accessibility lawsuits is similar. First, an out-of-state law firm finds a disabled individual in a city or state. In Nebraska, the plaintiff was Ms. Wheelchair Nebraska 2008, Lorinda Brown. The law firm then directs the plaintiff “tester” to visit various retail establishments, shopping malls and restaurants. During the visit, the tester takes measurements and makes observations about the parking spaces, the curb ramps, the interior and restrooms. Often, these are done while accompanied by an expert or a trained paralegal from the out-of-state law firm.

Once the visit is completed, the law firm inputs the data into a template lawsuit that has been used and refined throughout tens, if not hundreds, of prior court appearances. The firm then retains a local attorney to file the lawsuit on its behalf in federal or state court, normally promising a cut of the fees for minimal work. The lawsuit typically alleges the business is in violation of the ADA and is discriminatory against disabled individuals. The lawsuit asks that the plaintiff be awarded attorney’s fees, costs, expert fees, and litigation expenses and may ask that the business be shut down pending compliance.

The first step for a defendant after being served (or before, if your attorney routinely monitors court filings) is to review the lawsuit for alleged ADA accessibility violations. Each allegation is typically described in detail, with catch-all language to allow for other violations to be added later. A site visitation should be conducted to determine precisely the alleged accessibility barriers. Determine which alleged violations are your responsibilities, which are the responsibilities of the landlord, and which may be that of a third party (i.e., other store owner). It is advisable to tender the lawsuit to the landlord and insurance carrier.

Next, have an architect or a code-consultation firm perform an ADA-accessibility study on each alleged violation. Following the report, immediately fix the accessibility barriers alleged where compliance is readily achievable. Common claims involve signage, doorknobs, and missing handrails, which are easy to fix and can be done at a low or no cost. Immediately fixing the alleged barriers is not only the right thing to do, but it causes the plaintiff’s case to become moot. A moot case early in the lawsuit may yield immediate results, including the likelihood of an early, low-money settlement, and, potentially, an early dismissal, saving thousands in defense and settlement costs. In fact, courts are growing impatient with plaintiffs who insist on pursuing a case after the alleged violations have been fixed.

After fixing the alleged violations, have the architect or code-consultant prepare a follow-up report showing compliance, highlighting each allegation in the lawsuit. The report should include photographic proof.

After successfully removing the barriers, a low or no money settlement will likely follow. Make sure that any settlement agreement releases all claims and contains a confidentiality clause.

Prevention
Often, the first time a landlord or business owner learns it is not ADA-compliant is when it is served with the lawsuit. Business owners agree that if they were notified of noncompliant conditions before a lawsuit, they would cure the defects as soon as possible. That, however, would deprive the attorneys and plaintiffs of much sought-after fees, which seems to be the actual goal of accessibility lawsuits (although the attorneys and plaintiffs would tell you differently).

If you have not been sued, take the opportunity to hire a code-consultation firm or architect specializing in ADA accessibility to visit your facility and conduct a review. Many fixes can be low or no cost – sometimes it is as easy as moving a few tables or adjusting the height of a sign. These fixes will make your facility more accessible to disabled individuals, deter professional plaintiffs, and save potentially tens of thousands of dollars in liability and defense costs.

In addition to lowering barriers to your facility and encouraging access, pre-lawsuit abatement or immediate post-lawsuit elimination of accessibility barriers may prevent a litigation windfall at the expense of your business.
Love it again and again.

Enjoy the Coke. Recycle the bottle.
Member News

Show Your Nebraska Restaurant Association Pride Winner!

Pat Mueller, owner of Traditions Inn in Columbus, is the first winner of the “Show Your Pride” campaign initiated by the Nebraska Restaurant Association in 2010. Pat invests in the Nebraska Restaurant Association and here’s why she would encourage other restaurateurs and industry professionals to join.

“The Nebraska Restaurant Association has been there for us since day one. Richard Lutz (past Executive Director) consulted with us before we opened and helped us with our business planning. The information he provided ranged from credit card processing to health and safety issues and is a valuable resource. We appreciate the representation on legislative issues that the Association gives to small businesses. The newsletters keep us up to date with industry happenings, and we have enjoyed socializing with other restaurateurs at annual events.

Our investment in the Nebraska Restaurant Association has more than paid for itself over the years. Plus, it was great to have a free registration for the National Restaurant Association show in Chicago.

“Thanks again to the members, staff and volunteers of the Nebraska Restaurant Association!”

SHOW YOUR PRIDE!

The Nebraska Restaurant Association is continuing its “Show Your Pride” campaign to encourage you to display your member decal. Your decal is one way to show your customers that you are committed to the highest standards of hospitality industry professionalism and customer care.

To participate, take a digital photo of you (with staff or customers!) beside your decal displayed prominently in your business. Tell us why you invest in your membership in the Nebraska Restaurant Association and why you would encourage other restaurateurs and industry professionals to join.

We’ll select one photo each quarter, and the restaurant selected will receive a $50.00 Visa gift card and will be featured in the next edition of the Main Course.

Email your photos to bnielson@windstream.net. Thank you for supporting membership in the Nebraska Restaurant Association!
Good things come from Sysco

Fresh Meats • Dairy Products
Fresh Produce • Frozen Foods
Seafood • Poultry
Canned & Dry Goods • Beverages
Chemical Products • Janitorial Supplies
Equipment • Paper Products
Disposables • Other Supplies

Comprehensive Solutions For Building Your Business
Calendar of Events
Find updates online at www.nebraska-dining.org

October 6th
Cash-Wa Distributing Annual Fall Food Show
Lancaster Event Center – Lincoln
Contact CWD at 402.466.3663

October 17th
Omaha Restaurant Association Hall of Fame Dinner
Institute of Culinary Arts at Metropolitan Community College – Omaha
Contact Jennie Warren at 402.493.4739

October 19th
Sysco Fall Food Show
Embassy Suites – LaVista

October 21st
OktoBeerFest
Lancaster Event Center – Lincoln
Contact Beth Haas at 402.488.3999 ext. 1

November 11th
Nebraska Restaurant Association Round-Table
Embassy Suites – LaVista

December 1st
Gingerbread House Competition
ProStart Fundraiser
Contact Beth Haas at 402.488.3999 ext. 1

December 10th
Attention Allied Members!
Deadline for 2011 Buyer’s Guide Submission

December 24th
Christmas Eve
Offices Closed

SERVSAFE Calendar

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Welcome New Members!

Allied Members

Farmer’s Insurance
Ken Richards
3100 “O” Street Suite 3
Lincoln, NE 68510
Marnie Littler
11605 W Dodge
Omaha, NE 68154
Reggie Powell
406 N 130th Street #200
Omaha, NE 68154
Keith Rasmussen
300 W Madison Ave.
Norfolk, NE 68701

Heritage Financial Services
Daniel Pierce
6940 “O” Street Suite 314
Lincoln, NE 68510

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Service that waddles along doesn’t cut it. You need POS that handles orders better, faster, and smarter. With real-time alerts on speed-of-service and other information you need to know.

Fully integrated with kitchen production and inventory control that delivers a low total cost of ownership. For thousands of Quick Service Restaurant operators around the world, MICROS POS is increasing business volume and efficiency, even in Antarctica. How cool is that!

The best route to success is the one with the most traffic.
Farmers Insurance Group has been exclusively endorsed by the Nebraska Restaurant Association to offer full coverage protection for your restaurant.

As one of the nation’s leading insurers of restaurants, Farmers offers you across the board protection. Farmers coverages are designed with your industry in mind and allow you to select the policy package and options that fit your business.

Farmers Insurance provides a full menu of insurance products including:

- Workers’ Compensation
- Property
- Liability
- Commercial Auto
- Commercial Umbrella
- Employment Practices Liability

Service Standards
You’ll Appreciate

Farmers HelpPoint Services
This award-winning, responsive claims group simplifies the claims process for you, giving you round the clock access and expert claims handling.

Competitive and flexible pricing
We offer you a customized rate for your policy that reflects your business distinct characteristics.

Your Safety Connection
Farmers offers you loss control and safety programs that help you meet legal requirements and improve employee awareness.

Ask about Farmers Workers’ Compensation Dividend Program