

**AGENDA ITEM
REQUEST/JUSTIFICATION FORM**
(To be completed by requesting Department)
Forward all requests to Sharon Bourke, LC2 Civic Center
**DEADLINE SUBMITTAL IS 3:00 P.M. WEDNESDAY
BEFORE THE TUESDAY MEETING**

II
H-1

Agenda item: Consent – Tort Claim
(i.e. Consent/Recognition-Proclamation/Presentation/Public Hearing/Committee, etc.)
Date to be on agenda: August 9, 2016

Exact wording to be used for the agenda: Daniel A. Esch, County Clerk, presenting claim of the following pursuant to the Nebraska Political Subdivisions Tort Claims Act: Bernard Fraction

Action requested: Refer to County's Risk Manager for review and determination.

Amount requested: \$ none requested Object Code: N/A

Is item in current year's budget? N/A Yes No

Does this item commit funds in future years? Yes No X

If yes, explain: N/A

If an agreement or contract, has the County Attorney reviewed and approved? N/A Yes No

Previous action taken on this item, if any: None

Recommendations and rationale or action: Refer to County's Risk Manager for review and determination.

Will anyone speak on behalf of this item, if so who? N/A

If this is a rush agenda item, please explain why: N/A

Submitted by (Name & Dept.): Daniel A. Esch, County Clerk *DAE* Ext. 7150

Date submitted: August 3, 2016

List Attachments: Claim Letter, Letter of Receipt
(Attach resolution and all pertinent documentation; i.e. contract, agreement, memorandums, etc.)

Certified resolutions can be obtained at the County Clerk's website:
<http://www.douglascountyclerk.org/county-board-recornds/search-for-resolutions>

<i>Completed by receiving office</i>		
Received in Administrative Office:	Date	Time
	8/3/16	

July 28 2016

RECEIVED

2016 AUG -1 A 11: 52

Mr. Dan Esch DANIEL A. ESCH
CLERK/COMPTROLLER
DOUGLAS COUNTY, NE

My name is Bernard Fraction I Have a Complaint against Dennis Rookstool a County Employee. My Complaint is as follows on 4-4-13 Randy James Handed in Forged Certified Mail Return Receipts, that were not complete, in order to obtain a Tax deed to my property. Dennis Rookstool Handed over a Tax deed with out personal notice, according to state statues 77-1832. Can your office please look in to this I Have Suffered a greate deal as a result of this Illegal act The property is located at 3026 Lafayette Av. in Omaha, Ne please advise me on what can be done

Sincerely

Bernard Fraction

P.S. As a result I loss 40 years of Contents and Every thing Else that was on the property Cars and Equipment. also Health issues related as well.

600 So 27th street
Omaha Ne 68105 Apt 1005

402-718-7638

Tax Lien Shocks Longtime Business Owner

Updated: Mon 5:01 PM, Mar 16, 2015

RECEIVED

2016 AUG -3 A 11: 52



DANIEL A. ESCH
CLERK/COMPTROLLER
DOUGLAS COUNTY, NE

Two longtime North Omaha business owners are worried about what the future holds. That's because someone they've never met now holds a deed to their properties.

It's not barbecue but tax liens that a mysterious Lincoln investment group has been gobbling up and now it holds a treasurer's deed on Jim's Rib Haven property. Jim's owner Lois Thompson said, "I'm worried about him trying to take my property which he's already done I suppose."

In a dispute over valuation, Jim's Rib Haven didn't pay a \$4,000 delinquent property tax bill and Vandelay Investments bought the lien.

That came as news to Lois and her family. Nephew James Overton said, "We hadn't been notified of any of the stuff that's actually been done. No certified letters, no mailings, no contacts."

Vandelay sent Lois notice by certified mail to her home not the business. She wasn't home and it came back unsigned and unclaimed.

Lois says she's scraped together tax money now but worries it's too late.

Customer and City Councilman Ben Gray plans to contact Vandelay Investments. Councilman Gray said, "I think there are ways we can work with the holder of the note and see what we can do."

Fact Finders found Vandelay Investments of Lincoln purchased 200 tax liens in Douglas County since 2008. The Treasurer's office has record of certified mail sent to each property owner and a notice filed in the Daily Record newspaper.

County Property Tax Manager Dennis Rookstool said, "We have not seen anything fishy. They have been conducting themselves within the laws of Nebraska and everything is legit."

Vandelay bought the tax lien on Willie Brown's garage and offered to sell it back with interest tacked on the price. Brown said, "I think they were trying to make a profit on the taxes I was delinquent on is what they were trying to do."



onyourside@wowt.com

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RECEIVED

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DANIEL A. ESCH
CLERK/COMPTROLLER

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OK	RESULT
2	PAGES SENT
00:42	TIME USE
08/01 11:25	ST. TIME
914024711014	DESTINATION ID
1354	DESTINATION TEL #
	TX/RX NO
	TRANSMISSION OK

*** TX REPORT ***	



DANIEL A. ESCH
DOUGLAS COUNTY CLERK / COMPTROLLER
SHERI K. LARSEN
CHIEF DEPUTY DOUGLAS COUNTY CLERK

August 4, 2016

Bernard Fraction
600 S. 27th Street, Apt 1005
Omaha, NE 68105

Re: Tort Claim

To Whom It May Concern:

This letter is to inform you that the Douglas County Clerk's office is in receipt of your tort claim.

Said claim will be placed on the Douglas County Board of Commissioners' meeting agenda; to be held on Tuesday, August 9, 2016; at 9:00 a.m. in the Legislative Chamber of the Omaha-Douglas Civic Center, 1819 Farnam Street, Omaha, NE.

At that time, the Board will be asked to refer this claim to the Douglas County Risk Manager for review and determination. You will be notified in writing once the Board has referred your claim to the Risk Manager.

If you have any questions, please do not hesitate to contact me at (402) 444-6764.

Sincerely,

Ellen M. Sechser
Administrative Assistant
Douglas County Clerk's Office