

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 10, 2012
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

Commissioners present: Deb Schorr, Chair
Jane Raybould
Brent Smoyer

Commissioners absent: Bernie Heier, Vice Chair
Larry Hudkins

Others present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Brittany Behrens, Deputy County Attorney
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Angela Zocholl, County Clerk's Office

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 9:38 a.m.

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, December 20, 2011.**

MOTION: Smoyer moved and Raybould seconded approval of the minutes. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

2) **CLAIMS: Approval of all claims processed through Tuesday, January 10, 2012.**

MOTION: Smoyer moved and Raybould seconded approval of the claims. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

3) **SPECIAL PRESENTATION:**

A. Presentation of the County Sheriff Employee Awards for outstanding service in 2011.

Terry Wagner, County Sheriff, presented the awards.

- Melissa Straka (not present) received the Citizens Certificate of Merit for assisting in the apprehension of a fleeing suspect.
- Zachariah Brown, Ethan Childress and Derek Wagner (not present) received the Citizens Certificate of Merit for assistance in a boat fire and rescue at Branched Oak Lake.
- Deputy Michael Hansen received the Meritorious Service Award for assistance in a boat fire and rescue at Branched Oat Lake.
- Captain Gary Julfs received the Exceptional Duty Award for his work on the Sheriff's Office 150th Anniversary Book.

SPECIAL PRESENTATION CONTINUED:

- Deputy Billy Ziemer received the Exceptional Duty Award for hours spent coordinating various community functions, including the Special Olympics, the Trail Trec Community Ride and Region V Services.
- Deputy Bradley Sturdy received the Deputy Sheriff of the Year for Exceptional Duty Award for exceptional work on several cases while working as the Waverly deputy, including the recovery of a stolen ATV and two felony arrests.

4) **OLD BUSINESS:**

- A. **A political subdivision tort claim filed against Lancaster County Corrections by Gerald L. Andersen for lost property in the amount of \$500.**

Brittany Behrens, Deputy County Attorney, said no action would need to be taken since the claimant has withdrawn the tort claim. Lancaster County has provided him with a new oral stretch device to replace the missing one (Exhibit A).

5) **NEW BUSINESS:**

- A. **A resolution in the matter of County maintenance of the following roads in The Preserve at Cross Creek First Addition and The Preserve at Cross Creek Second Addition: Approximately 900 feet of South 64th Street, approximately 185 feet of Elderberry Court, approximately 825 feet of Winterberry Lane and approximately 810 feet of South 67th Street. (R-12-0001)**

Raybould thanked the County Engineer's Office for making sure the subdivision has fulfilled every obligation to qualify for County road maintenance.

MOTION: Raybould moved and Smoyer seconded approval of the resolution. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- B. **A utility relocation agreement between Lancaster County and Mid-America Pipeline Company of Greenwood in the amount of \$6,481 to relocate pipeline facilities for a grading project on Havelock Avenue from N. 162nd Street to N. 176th Street; Project C-55-J-403(2). (C-12-0001)**

MOTION: Smoyer moved and Raybould seconded approval of the agreement. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- C. **A utility relocation agreement between Lancaster County and Norris Public Power District in the amount of \$8,895.03 to relocate utility facilities to accommodate a bridge construction project on W. Sprague Road between SW 2nd Street and SW 14th Street; Project BR-3280(4) – Sprague East. (C-12-0002)**

MOTION: Smoyer moved and Raybould seconded approval of the agreement. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

NEW BUSINESS CONTINUED:

- D. **A utility relocation agreement between Lancaster County and Norris Public Power District in an estimated amount of \$115,004.50 to relocate power lines for a road rebuilding project on Denton Road from SW 12th Street to SW 56th Street; Project STPE-3305(9) – Denton East. (C-12-0003)**

MOTION: Raybould moved and Smoyer seconded approval of the agreement. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- E. **Approval of sale and warranty deed of County property to the City of Hickman per County Contract C-07-0360 for a part of Lot 84, irregular tract in the Southeast Quarter of Section 33, Township 8 North, Range 7 East of the 6th Principal Meridian, Lancaster County, Nebraska.**

MOTION: Smoyer moved and Raybould seconded approval of the sale and warranty deed. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- F. **Approval of sale and warranty deed of County property to the City of Hickman for a part of "Eastlawn Addition to the City of Hickman" located in the Northwest Quarter of Section 34, Township 8 North, Range 7 East of the 6th Principal Meridian, Lancaster County, Nebraska.**

MOTION: Smoyer moved and Raybould seconded approval of the sale and warranty deed. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- G. **An amendment to a contract between Mid-Continent Safety, LLC, Lancaster County and the Lincoln-Lancaster County Public Building Commission for the annual supply of personal protective equipment and first aid supplies. The amendment provides for the replacement of a discontinued item as listed on Attachment A. (C-12-0004)**

MOTION: Raybould moved and Smoyer seconded approval of the amendment. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- H. **An affiliation agreement with Forest Institute School of Professional Psychology for students who will collect assessment instruments and data at Lancaster County correctional facilities. Term of the agreement is November 1, 2011, to October 31, 2012. (C-12-0005)**

MOTION: Raybould moved and Smoyer seconded approval of the agreement. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- I. **An amendment to County Contract C-05-0382 with CenterPointe for 9,000 square feet located in the Old Juvenile Attention Center at 2220 S. 10th Street. In consideration of the County's payment of \$18,578.38 for roof repair of the leased premises, CenterPointe agrees to a one-year extension of the lease term. The amendment extends the term of the lease to April 30, 2019. (C-12-0006)**

MOTION: Smoyer moved and Raybould seconded approval of the amendment. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

NEW BUSINESS CONTINUED:

- J. **A laboratory services agreement between LabOne, Inc., d/b/a Quest Diagnostics, Inc., Lancaster County and the City of Lincoln for laboratory testing services provided to the Lincoln-Lancaster County Health Department. The County will pay for services in accordance with the fees in Attachment 1. Term of the agreement is August 25, 2011, to March 31, 2012. (C-12-0007)**

Judy Halstead, Lincoln-Lancaster County Health Department Director, said Quest Labs previously had been providing no-cost services to the Health Department. As of last spring, Quest reassessed their no-cost services and began invoicing. Halstead said she worked with the City and County Budget Officers to utilize some unexpended Health Department funds; as a result, the first \$20,000 is covered for the period of March to August 2011. In the meantime, Brittany Behrens, Deputy County Attorney, has worked on a billing agreement with Quest in which only the Medicaid cost would be charged for the period of August 25, 2011, to March 31, 2012. This will allow time for Purchasing to bid the services, and a new contract will be brought forth around April 1. Schorr asked if Medicaid could be an applicable cost in the new contract. Halstead said the bid would be for the best price possible.

MOTION: Smoyer moved and Raybould seconded approval of the agreement. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- K. **An interlocal agreement between Sarpy County and Lancaster County to provide microfilming and scanning services. Sarpy County shall pay Lancaster County for microfilm imaging services at a rate of \$0.023 per image plus shipping costs. The term of the agreement is one year from the date of execution. (C-12-0008)**

MOTION: Smoyer moved and Raybould seconded approval of the agreement. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- L. **A grant contract with Fresh Start, Inc., to provide funding in the amount of \$10,000 for Fresh Start's Shelter Program. Term of the grant contract is July 1, 2011, to June 30, 2012. (C-12-0009)**

MOTION: Smoyer moved and Raybould seconded approval of the contract. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- M. **A grant contract with Lighthouse to provide funding in the amount of \$10,000 for Lighthouse's After School Program. Term of the agreement is July 1, 2011, to June 30, 2012. (C-12-0010)**

MOTION: Smoyer moved and Raybould seconded approval of the contract. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- N. **An amendment to County Contract C-10-0438 between Feinstein Institute for Medical Research and Lancaster County, on behalf of the Community Mental Health Center, for the "Recovery After the Initial Schizophrenia Episode" (RAISE) project. The amendment changes the term of the agreement to September 21, 2011, to September 20, 2012, and sets the funding at \$23,102.12 for the new term. (C-12-0011)**

NEW BUSINESS CONTINUED:

MOTION: Raybould moved and Smoyer seconded approval of the amendment. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- O. **A subcontract between the Feinstein Institute for Medical Research and Lancaster County, on behalf of the Community Mental Health Center, in the amount of \$47,696.35, for products and services provided for the "Recovery After the Initial Schizophrenia Episode" (RAISE) project. Term of the agreement is September 21, 2011, to September 20, 2012. (C-12-0012)**

MOTION: Smoyer moved and Raybould seconded approval of the subcontract. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- P. **An amendment to County Contract C-11-0030 between Ferrellgas, Lancaster County and the City of Lincoln for annual requirements of propane. The amendment renews the agreement for an additional one-year term from January 1, 2012 to December 31, 2012. (C-12-0026)**

MOTION: Smoyer moved and Raybould seconded approval of the amendment. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- Q. **An amendment to County Contract C-11-0095 between Otte Oil & Propane, Lancaster County and the City of Lincoln for annual requirements of propane. The amendment renews the agreement for an additional one-year term from January 1, 2012 to December 31, 2012. (C-12-0027)**

MOTION: Smoyer moved and Raybould seconded approval of the amendment. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- R. **An agreement with the Connecting Links to provide substance use evaluation services for Community Corrections. The County will pay up to \$125 per participant should the participant not pay within 30 days. Term of the contract is January 1, 2012 to June 30, 2013. (C-12-0028)**

Kim Etherton, Community Corrections Director, said this is a grant-related contract that also covers substance abuse evaluations in the jail as needed. She was concerned that one of the current providers would not be able to provide services within the next year, so she wanted another agreement in place.

Schorr inquired about the percentage of participants that do not pay the service fee within 30 days. Etherton said generally the fee is rolled into the accounts of drug court participants and is paid before graduation. The other participants are grant funded and do not pay.

MOTION: Raybould moved and Smoyer seconded approval of the agreement. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- S. **A recommendation from the Purchasing Agent and the County Engineer to award a contract to CONTECH Construction Products, Inc., in the amount of \$25,977.77 for miscellaneous sizes of corrugated metal pipe for culverts. (B-12-0001)**

NEW BUSINESS CONTINUED:

MOTION: Smoyer moved and Raybould seconded approval of the recommendation. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- T. **A recommendation from the Purchasing Agent and the Request for Proposal (RFP) Selection Committee to award a contract to BVH Architects for space planning services at the current adult detention facility. Total cost of the service is not to exceed \$30,000. (B-12-0002)**

Bob Walla, Assistant Purchasing Director, said this is the preliminary design before going to a design architect and construction mode. He said a layout would be presented to the Board at the staff meeting on Thursday, January 12.

MOTION: Raybould moved and Smoyer seconded approval of the recommendation. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- U. **A political subdivision tort claim filed against Lancaster County by Dukhan Mumin for an alleged warrantless search of his cell phone. Mr. Mumin is seeking compensatory and punitive damages in an undisclosed amount.**

Brittany Behrens said the County Attorney's Office has no additional information and recommended denial.

MOTION: Smoyer moved and Raybould seconded denial of the tort claim based on the County Attorney's recommendation. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- V. **A political subdivision tort claim filed against Lancaster County by Dukhan Mumin for a child support order allegedly entered in violation of Nebraska statutes. Mr. Mumin is requesting the refund of all money plus interest collected pursuant to the child support order.**

Brittany Behrens said Mumin alleged he did not receive proper notice of his child support order. She provided a copy of the divorce decree ordering child support to Wesley Kitt (Dukhan Mumin), which noted Kitt (Mumin) was present at the hearing (Exhibit B).

MOTION: Smoyer moved and Raybould seconded denial of the tort claim based on the County Attorney's recommendation and the supporting documentation. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- W. **The setting of the salary of Ashley Bohnet, Deputy Lancaster County Attorney, in the amount of \$56,000 per year, effective January 3, 2012.**

Doug Cyr, Deputy County Attorney, introduced Ashley Bohnet and explained she would be working on parental termination and law violation cases. Bohnet discussed her background and experience.

MOTION: Smoyer moved and Raybould seconded approval of the salary. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

NEW BUSINESS CONTINUED:

X. A request from the Personnel Policy Board to revise the Overtime Pay Policy Personnel Policy Bulletin.

Doug McDaniel, City-County Personnel Director, said the revision eliminates references to Lancaster Manor, mirrors language in the current contract with the FOP (Fraternal Order of Police) for overtime purposes and updates the web address.

MOTION: Smoyer moved and Raybould seconded approval of the request. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

Y. Executive Session – Pending Litigation

The Chair announced the item would be held until the end of the meeting.

6) **CONSENT ITEMS:** *These are routine business items that are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:*

A. Receive and place on file the December 2011 monthly report for the following:

- 1. Clerk of the District Court**
- 2. County Assessor/Register of Deeds**
- 3. County Clerk**
- 4. Records & Information Management**

B. Right-of-way contracts between the County Engineer and the following:

- 1. Charles and Lia Langston, in the amount of \$1,950, located at SW 14th Street and W. Sprague Road; Project BRO-3280(4) (C-12-0013) (C-12-0014)**
- 2. Judeen Oelling, in the amount of \$605, located at SW 14th Street and W. Sprague Road; Project BRO-3280(4) (C-12-0015)**
- 3. Nickolas and Rae Ann Fraley, in the amount of \$515, located south of Mill Road on N. 40th Street; Project CP-G-44 (C-12-0016)**
- 4. Richard and Dolores Kreiner, Co-Trustees, in the amount of \$1,716.50, located north of Bluff Road on N. 40th Street; Project CP-G-51 (C-12-0017)**
- 5. John Spader, in the amount of \$163, located east of N. 70th Street on Mill Road; Project CP-G-248 (C-12-0018)**
- 6. Dale and Helen Maahs, Trustees, in the amount of \$11,483.75, located on Havelock Avenue between N. 162nd Street and N. 176th Street; Project C55-J-403(2) (C-12-0019) (C-12-0020) (C-12-0021)**
- 7. Kimberly Gift, in the amount of \$275, located north of W. Roca Road on SW 29th Street; Project CP-T-187 (C-12-0022)**
- 8. Lynda Parde and Ricky Rohrs, in the amount of \$235, located west of S. 68th Street on Firth Road; Project CP-X-206 (C-12-0023)**
- 9. Larry and Mary Rademaker, in the amount of \$145, located on Firth Road between S. 54th Street and S. 68th Street; Projects CP-X-206 and CP-X-208 (C-12-0024) (C-12-0025)**

CONSENT ITEMS CONTINUED:

- C. **Setting of public hearings for Tuesday, January 24, 2012, at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:**
1. **Comprehensive Plan Amendment No. 11001 (Add language to encourage more options for creation of small lots in the Agricultural (AG) District)**
 2. **Comprehensive Plan Amendment No. 11002 (Amend language to specify that "build-through" standards should only apply to areas within the City of Lincoln's three-mile jurisdiction)**
 3. **Comprehensive Plan Amendment No. 11003 (Designation of commercial and industrial uses at Highway 2 and Highway 43/South 162nd Street)**
 4. **Comprehensive Plan Amendment No. 11005 (Transportation Chapter/Long Range Transportation Plan)**
 5. **Comprehensive Plan Amendment No. 11006 (Add introductory language)**

MOTION: Smoyer moved and Raybould seconded approval of the consent items. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- 7) **PUBLIC COMMENT:** Those wishing to speak on items relating to County business not on the agenda may do so at this time.

No one appeared for public comment.

8) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, January 12, 2012, at 8:30 a.m., in Room 113 on the first floor of the County-City Building.**
- B. **The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, January 17, 2012, at 9:30 a.m., in Room 112 on the first floor of the County-City Building.**
- C. **The Lancaster County Board of Commissioners will hold a public hearing on Tuesday, January 17, 2012, at 9:30 a.m., in the County Commissioners Hearing Room on the first floor of the County-City Building regarding the sale of property generally located at S. 68th Street and Wagon Train Road, legally described as Lots Seven, Eight, Nine, Ten, Eleven, Twelve, Block Five, East Lawn Addition, except that portion of Lots Seven through Twelve retained for additional road right-of-way purposes, in Hickman, Lancaster County, Nebraska.**
- D. **The Lancaster County Board of Commissioners will hold a public hearing on Tuesday, January 24, 2012, at 9:30 a.m., in the County Commissioners Hearing Room on the first floor of the County-City Building regarding the purchase of property owned by Alfred Benesch & Company, located at 825 J Street, Lincoln, Lancaster County, Nebraska.**

ANNOUNCEMENTS CONTINUED:

- E. The Lancaster County Board of Commissioners meeting is broadcast live. It is rebroadcast on Tuesday and Saturday on 5 City-TV, Cable Channel 5. In addition, the meeting may be viewed on Nebraska On Demand Time Warner Channel 411 and on the internet at www.lancaster.ne.gov. Click on 5 City-TV Video on Demand.
- F. The County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.

The Chair recessed the meeting at 10:25 a.m.

The Chair reconvened the meeting at 10:26 a.m.

RETURNING TO ITEM 5Y:

MOTION: Smoyer moved and Raybould seconded to enter executive session for the purpose of pending litigation and to protect the public interest at 10:26 a.m.

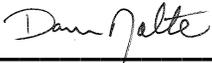
The Chair restated the motion for the record.

ROLL CALL: Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

MOTION: Smoyer moved and Raybould seconded to exit executive session at 10:47 a.m. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

9) **ADJOURNMENT**

MOTION: Smoyer moved and Raybould seconded to adjourn the Board of Commissioners meeting at 10:47 a.m. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.



Dan Nolte
Lancaster County Clerk



**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JANUARY 10, 2012
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY
BOARD OF COMMISSIONERS MEETING**

Commissioners present: Deb Schorr, Chair
Jane Raybould
Brent Smoyer

Commissioners absent: Bernie Heier, Vice Chair
Larry Hudkins

Others present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Brittany Behrens, Deputy County Attorney
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Angela Zocholl, County Clerk's Office

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 10:25 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, December 20, 2011.**

MOTION: Raybould moved and Smoyer seconded approval of the minutes. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

2) **ADDITIONS AND DEDUCTIONS TO THE TAX ASSESSMENT ROLLS (See attached additions and deductions)**

MOTION: Raybould moved and Smoyer seconded approval of the additions and deductions. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

3) **MOTOR VEHICLE TAX EXEMPTION APPLICATIONS**

CenterPointe, Inc.
Cristo Rey Catholic Church of Lincoln
City Impact
Connecting Pointe Church of the Nazarene
The Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints
Oak Lake Evangelical Free Church
School Sisters of Christ the King
Sisters of St. Francis

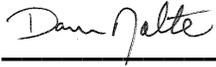
MOTOR VEHICLE TAX EXEMPTION APPLICATIONS CONTINUED:

**St. Mark's United Methodist Church
St. Paul's Lutheran Church**

MOTION: Raybould moved and Smoyer seconded approval of the motor vehicle tax exemption applications. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

4) **ADJOURNMENT**

MOTION: Smoyer moved and Raybould seconded to adjourn the Board of Equalization meeting at 10:26 a.m. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.



**Dan Nolte
Lancaster County Clerk**



LANCASTER COUNTY CORRECTIONS GRIEVANCE/TORT WITHDRAWAL FORM

EXHIBIT
A

I, Gerald Anderson, hereby withdraw my Grievance/Tort Claim, Control Number JT 11-28 filed on, (date) 10/20/2011, and request that it be processed and/or considered no further. In executing this request, I represent that my action is taken freely and voluntarily and is in no way the result of any threats, coercion, promises, or inducements of any kind. My request is made solely for the following reason(s): _____

Oral stretch device ordered / replaced and in medical area

Signature: Gerald Anderson Date: 12-22-11

Witness: Brenda Fisher

WESLEY KITT,

DOCKET 460 PAGE 9

Petitioner,
LANCASTER COUNTY

v.

DECREE

'91 NOV 12 P3:13

VICKY KITT,

Respondent
CLERK OF
DISTRICT COURT

On this 12th day of November, 1991, this matter came on for hearing. Petitioner was present, but was not represented by an attorney. Respondent, having been served and being aware of the hearing, did not appear, nor was she represented.

1. Petitioner has been a resident of the state of Nebraska for more than one year prior to filing of the Petition.

2. The Court has jurisdiction over both parties and over the subject matter of the action.

3. The marriage is irretrievably broken and should be dissolved, every reasonable effort at reconciliation having been made without success. Each party shall keep his or her own property that is now in their respective possession; each shall pay his or her own debts. The Respondent is a fit person to have the custody of the minor child, and it would be in the best interest of the minor child for Respondent to have custody of him. Petitioner is granted reasonable rights of visitation. Petitioner shall pay, to the Clerk of the District Court, child support in the amount of \$50, commencing December 1, 1991. Petitioner's release from incarceration shall be deemed a substantial and material change of circumstances; and Respondent may, if she wishes, request the Court to review the matter of child support.

MICRO FILMED

NOV 12 1991

CLERK DISTRICT COURT
LANCASTER COUNTY

NO. 2572

Dated this 12th day of November, 1991.

BY THE COURT:

[Signature]

11-18-91
CUCAS

[Handwritten mark]