

MINUTES  
SEPTEMBER 6, 2005

The Cedar Creek Board of Trustees met in regular session on September 6, 2005, at 7:00 p.m., at the Village Hall. Advance notice of the meeting was given by posting in three public places in the village and by publication in the Plattsmouth Journal. The meeting was called to order by Chair Bode. Board members present: Bode, Ford, Muntz, Rydl. Absent: Swenson.

Motion by Ford, second by Muntz, to approve the minutes as written. All ayes.

**TREASURER'S REPORT:**

Account Balances: Checking \$32,483.76, Money Market \$29,277.19, Keno \$42,033.51  
Claims: Rural Water #3..23.50 Alltel..62.53 Plattsmouth Journal..75.61 OPPD  
park..16.00 OPPD building..111.00 OPPD street lights..103.13 Jefferson Pilot..141.20  
Eagle Services..150.00 Earnies..161.24 Ty's Outdoor Power & Service..36.99 Wiles  
Bros Fertilizer..46.73 Viking Office Products..77.25 P Welte..605.00 Asphalt &  
Concrete Co..1146.66 NE Clerks Assoc..10.00 R Larsen..218.50 C Paukert..274.58  
Cass Co Sheriff..1214.88 B Reinsch..2451.85 D Newton..541.50 G Bode..57.00  
Tractor Supply..410.00 Payroll..2376.44

Motion by Muntz, second by Ford, to approve the treasurer's report and pay all claims. All ayes. Motion by Ford, second by Muntz, to purchase DSL internet service for the office at \$29.95 per month. All ayes. Board decision to continue purchasing fuel locally and not purchase bulk. Board will inspect and determine ownership of trees property owners are requesting the village to remove at 112 Railroad Circle and 207 East B.

**POLICE REPORT:**

No deputy was in attendance. Written report stated 73.71 hours of patrol were logged for Cedar Creek during the month of August. There were ten calls for service: Disturbance/Loud Party, Vehicle Inspection, Alcohol/Tobacco Possession, Welfare Check, Theft from Outside, 2 Family Dispute, Trespassing, 2 Medical Emergencies.

**CORRESPONDENCE:**

Sarpy/Cass Department of Health and Wellness notice of funding approval for \$150 to be used toward mosquito control activities in Cedar Creek.

League Association of Risk Management Pool, program year 2005-2006, notice of contribution for the Village of Cedar Creek. Property and Casualty Program \$7,152, Workers Compensation Program \$1,445, Extended Participation 5% credit \$431, Total Contribution \$8,166.

Notice of joint annual LARM meeting and LARM Board meeting, Wednesday, September 21, 2005, at Kearney, Nebraska. Trustee Bob Ford will attend.

League of Nebraska Municipalities, 2005 Annual Conference, September 21-23, Kearney, Bob Ford will attend.

Letter from village attorney Bill Reinsch, to FEMA, in response to a letter from FEMA dated August 3, 2005 regarding a second complaint from Metzgers alleging a floodway violation at Fuxa Subdivision. Engineering reports were submitted, Brian Dunnigan of the Natural Resources agreed with the engineer report and stated all concerns raised by FEMA have been addressed.

**UNFINISHED BUSINESS:**

In the case of Metzger vs. Village, the village insurance pool, LARM, settled before court for a total payment to Metzgers of \$125,000. The decision to settle was based on the cost of attorney fees to that date and the possibility of additional payments. The Village does not admit to any guilt in regard to this case. Motion by Ford, second by Muntz, to accept the written agreement for settlement. Vote: Bode-yes, Ford-yes, Muntz-yes, Rydl-no, Swenson-absent. The agreement was signed by Chair Bode and returned to Attorney Reinsch.

Dave Rydl will paint parking lines on the north side of B Street.

B. Reinsch will contact the bankrupt cable company regarding the abandoned equipment.

A petition was received to change the street name of Diesel Lake Road to Cedar Lodge Road. Attorney Reinsch informed, the property is within the village one mile jurisdiction but entirely on private property. An ordinance would not be required, only board approval. Motion by Ford to approve the road name change. Second by Muntz. All ayes.

Ordinance 2005-04 Golf Carts & Atvs. The board was provided with information on use of golf carts in other communities, and recommended use and restrictions of ATV use. Chair Bode asked if the Board had questions on the proposed ordinance. B. Ford's recommendations: Applicant be 18 years or older, applicant must be a property owner in the Village of Cedar Creek and/or the one mile jurisdiction, applicant must be the owner of the cart or Atv being registered, speed limit of 25 mph, cost of registration to be determined by cost of stickers and expenses to the village, cannot be operated from sunset to sunrise. D. Rydl questioned if the Board was ready to adopt this ordinance when there is still a question of the legality of Atvs. After a lengthy discussion, the Board requested Attorney Reinsch review the proposed ordinance with the Cass County Attorney and get his opinion regarding the ordinance. Tabled.

**MISCELLANEOUS BUSINESS:**

Four proposals were received to construct a basketball court at the Village Park. Motion by Bode to accept the \$7,593.00 proposal from Paul Welte for a 74' x 42' court. No second. After further discussion, motion by Ford, second by Bode to accept the \$7,593.00 proposal from Paul Welte for a 74' x 42' court. Vote: Bode-yes, Ford-yes, Muntz-abstain, Rydl-yes, Swenson-absent. Motion passed.

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Chair Bode noted all new address signs had been installed at the lake area. The county did not furnish signs for the original town because addresses did not change. Motion by Ford, second by Muntz, to purchase signs for all original town residences. All ayes.

**NEW BUSINESS:**

Motion by Ford, second by Rydl, to approve the 2005-2006 Interlocal Agreement between Louisville Rescue and the Village of Cedar Creek at a cost to the village of \$3,250.00. All ayes.

The Board was informed, R. Moses would assist the village in removal of trees in the drainage ditch at the park.

Motion by Ford, second by Muntz, to permit and give license to Terry Peteriet to maintain public property which adjoins his Lot #181 and permission to plant trees on said property. All ayes.

In other business: Rural Water District #3 will repair the damage to Lakeview Drive; G. Bode will speak to a property owner on Lake #2 who has installed a No Trespassing sign on public property; D. Rydl will speak to the property owner of 1038 Platteview regarding parking and storing of items on village property.

There being no further business to come before the board, motion made by Ford to adjourn. Second by Muntz. All ayes.

Mary C. Terry  
Municipal Clerk/Treasurer