

Minutes
Cedar Creek Board of Trustees
June 6, 2006

The Cedar Creek Board of Trustees met at 7:00 p.m., on 6-06-06, at the Village Hall for a Public Hearing to consider an amendment to the Village Comprehensive Development Plan, pertaining to the permitted uses in the Transitional Agricultural District as defined in said Comprehensive Plan. Advance notice of the Public Hearing was given by publication in the Plattsmouth Journal and by posting in three public places in the village. Board members present: Bode, Ford, Swenson, Rydl. Absent: Muntz. A public Hearing was held on May 30, 2006 by the Cedar Creek Planning Commission to discuss the referred to amendment. The Planning Commission recommended approval by the Board of Trustees. After discussion by the Trustees, motion by Ford, second by Rydl, to waive the three required readings of Ordinance 2006-06. Bode yes, Ford yes, Swenson yes, Rydl yes, Muntz absent. Motion by Rydl, second by Swenson, to adopt Ordinance 2006-06. Bode yes, Ford yes, Swenson yes, Rydl yes, Muntz absent. Ordinance 2006-06 shall be in effect upon passage and posting according to law.

Motion By Rydl, second by Ford, to adjourn Public Hearing and open the regular session. All ayes. Time 7:07 p.m.

Chair Bode called the regular session to order at 7:08 p.m. Board members present: Bode, Ford, Swenson, Rydl. Muntz was absent.

Chair Bode introduced guest Coleen Arnold, who was requesting permission for a Fireworks Stand at 809 B Street. All necessary permits have been received from the State Fire Marshal and proof of insurance provided. The stand will be open for 5 days between June 25th and July 4th from approximately 8:00 a.m. to 11:00 p.m. A donation to either the Cedar Creek Volunteer Fire Department or to the Village Park will be considered by the license holder. Motion by Rydl, second by Ford, to allow for the sale of fireworks as requested. Vote: Bode yes, Ford yes, Swenson yes, Rydl yes, Muntz absent.

Motion by Ford, second by Rydl, to approve the minutes of the May 2, 2006 meeting as written and published. All ayes.

Treasurer's Report:

Account Balances: Checking \$35,395.15, Money Market \$29,665.11, Keno \$71,766.56
Claims: Rural Water #3..23.50 OPPD park..14.00 OPPD building..178.00 OPPD street lights..105.99 Alltel..87.53 Plattsmouth Journal..56.81 Jefferson Pilot..140.60 Eagle Services..150.00 Wiles Bros Fertilizer..44.41 All Flags etc..258.90 Earnies..123.66 P Welte..231.25 K Fuxa..983.27 Holiday Inn..419.59 R Duff..250.12 B Eklund..61.19 Ty's Outdoor Power & Service..84.73 Cass Co Sheriff..1214.88 B Reinsch..545.00 D Newton..508.43 G Bode..66.50 P Welte..235.33 Payroll..2335.93

Motion by Ford, second by Swenson, to approve the treasurer's report and pay all claims. All ayes. The board will request bids on a Rhino TW 96 (8') Rotary Cutter. The mower

was purchased new in 1993 at a cost of \$3,484. Bids will be considered at the July 11, 2006 meeting.

Police Report:

The Cass County Sheriff's Department reported 86.77 hours of patrol were logged for Cedar Creek during the month of May. There were eleven calls for service: Traffic/Reckless, two Assist Citizen, assist Fire Rescue Unit, three Disturbance/Loud Party, Medical Emergency/Illness, Check Suspicious, Abandoned 911, Traffic Other. The Board again requested the deputies issue citations to drivers of ATV's on public streets, and to drivers of golf carts without village permits.

Correspondence:

Lower Platte River Corridor Alliance Annual Airboat Tour. G. Bode and D Newton will attend on July 14, 2006.

League 2006 Municipal Accounting and Finance Conference, June 21 – 23, Holiday Inn, Kearney, Nebraska. No attendance.

Cass County Emergency Management Agency request for status report on jurisdiction compliance of NIMS certification courses. One board member has completed the certification. Fire Department members are to take the course.

League model ordinance on Sexual Predator Residency. Table to July.

Sarpy/Cass Department of Health and Wellness, notice of eligibility for a \$250 mini grant toward mosquito control. The village will purchase mosquito control briquettes or chemicals from the funds.

Reports of Officers, Boards, and Committees:

Chair Bode reported on behalf of the Tree Board. Thirty one trees were donated and the majority of the trees will be planted at the intersection of Platteview Drive and Cedar Drive. Request to purchase additional trees for the park. Motion by Rydl, second by Ford, to purchase up to \$200 on trees for the park. All ayes. The Fire Department will allow the village maintenance personnel to use the old pumper for watering trees.

D. Rydl reported on costs to repair village streets. Cost for a 3 to 4 inch overlay at the T by the park would be approximately \$45,000. The cost could be less if a contractor had other work in the area. The area by the park was targeted because it was most requested in the 2006 Survey. After discussion, Board decision to research options and costs. Table.

Unfinished Business:

Prairie View Estates Final Plat. All required papers and documentation has been filed, approval given by the Planning Commission. Motion by Ford, second by Swenson, to approve the final plat of Prairie View Estates. Vote: Bode yes, Ford yes, Swenson yes, Rydl yes, Muntz absent.

Code violations were discussed by the Board. The village attorney explained actions the Board could take. D. Rydl offered to talk to the property owners who are in violation of village codes and report to the board at the July meeting. Table to July.

The board discussed the ongoing issue of dogs running at large. A Cass County Deputy informed the board, if someone feels threatened by an aggressive dog or a by a potentially dangerous dog, to call the Cass County Sheriff's Department and they will issue a citation to the pet owner, or depending on the situation may destroy the animal.

Ault's Store. The owners were notified of the County Building Inspector findings and were requested, by certified mail, to remove the porch roof that overhangs the sidewalk and to close off the open, storm damaged area. Owners will be contacted again and requested to comply. Table to July.

The Cass County Recycling Center will bring the county owned Tub Grinder to the Village Park to grind the accumulation of trees and brush that were to be burned. Due to storm cleanup, the pile had grown too large to burn. Chips will be dumped and leveled off on the area at the location of Platteview Drive and Cedar Drive. Cost of the project is approximately \$1300 and will take approximately two days. After the pile is chipped, signs will be posted that no further dumping will be allowed. Motion by Ford, second by Rydl, to utilize the county chipper, to haul the chips to village property at Platteview Drive and Cedar Drive, and to close the burn pile to any further use. All ayes.

Center for Rural Affairs Enterprise Assistance Project, tabled from May. Board decision to take no action.

Miscellaneous Business:

Jim Warren requested to address the Board regarding a letter he received from the Department of Environmental Quality on open burning at his property at 2063 Platteview Drive. The DEQ informed Mr. Warren, an anonymous complaint had been received on open burning without a permit and an accumulation of waste shingles and tar paper was reported at 2063 Platteview. He was informed of the regulations and requested to cease previous activities related to burning and dumping. Mr. Warren accused the Fire Chief of filing the complaint with the DEQ and complained that the Fire Department damaged his property. Warren requested the Village Board support him. Chair Bode advised Warren to take the issue up with an attorney if he felt it is necessary. After further discussion the board moved to other business.

B. Bohyslavsky is requesting a zone change on Lot #8, Block #3, from Residential to Commercial. He was informed, written procedures must be followed for the zone change to be legal. Item to go to the Planning Commission for consideration.

New Business:

Trustee Pam Swenson, quoted the Cedar Creek Comprehensive Development Plan on Non-Conforming General Intent and requested when considering a Building Permit, to

look at all property uses and setbacks to determine compliance. The Board is in agreement and when considering future building permits, will also look at septic system setbacks and sizes, and propane tank setbacks.

Permits:

Garage 18011 114th Street. Approved by the Planning Commission. Motion by Rydl, second by Swenson, to approve the permit application. All ayes.

In other business, complaints on the condition of the Fire Barn at the time of the primary election, were made. The possibility of the election site for Eight Mile Grove being changed was discussed. The board will get a dumpster for clean up of the Fire Barn and disposal of Village owned items no longer useable. Questions from the public: Will the village have a cleanup for residents? Chair Bode replied, due to abuse of the last clean up the village will not have another. Large amounts of illegal items were thrown in the dumpsters and on the ground and resulted in a high cost to the village. Question from a resident, will open burning still be allowed? Board reply, the Fire Chief has the authority to regulate open burning and to talk to him. Burning without a permit is allowed in an enclosed container with a screened lid. Burning regulations will be posted.

Due to the July meeting falling on July 4th, the meeting date will be changed to July 11th.

There being no further business to come before the board, motion by Ford, second by Rydl to adjourn. All ayes.

Mary C. Terry
Municipal Clerk/Treasurer