

Cedar Creek Board of Trustees

Minutes

7-11-06

The Cedar Creek Board of Trustees met in regular session at 7:00 p.m., on July 11, 2006, at the Village Hall. Advanced notice of the meeting was given by publication in the Plattsmouth Journal and by posting in three public places in the village. All Board members were present.

Motion by Swenson, second by Ford, to approve the minutes of the June 6, 2006 meeting as written and published. All ayes.

Treasurer's Report:

Account Balances: Checking \$37,724.58, Money Market \$29,713.87, Keno \$74,545.96
Claims: Rural Water #3..23.50 Plattsmouth Journal..22.44 Alltel..91.74 OPPD temp ser..219.50 OPPD park..14.00 OPPD bldg..178.00 OPPD st lights..105.99 Jefferson Pilot..140.60 Eagle Services..150.00 Asphalt & Concrete Materials..1466.64 P Welte..180.0 Cass County Dept of Roads..2715.00 Waste Mgt..297.42 JEO..250.00 Earnies 110.44 Cass Co Sheriff..1214.88 B Reinsch..125.00 D Newton..465.50 G Bode..114.00 Payroll..2291.05

Motion by Muntz, second by Swenson, to approve the treasurer's report and pay all claims. All ayes.

The Board was informed, no bids were received for the Rhino 8' Rotary Cutter. The Board will advertise for an additional month and request a minimum bid of \$1200 or best offer.

Police Report:

The Cass County Sheriff's Department reported 79.45 hours of patrol were logged for Cedar Creek during the month of June. There were nine calls for service: Traffic Other, Parking 24 hr, Vehicle Inspection, Assault/Misdemeanor, Welfare Check, Two Code Violations, Medical Emergency Illness, Assist Fire/Rescue Unit.

Correspondence:

League of Nebraska Municipalities, notice of new law to post a copy of the Open Meetings Act, in the meeting room.. Copy of the act is posted.

Southeast Nebraska Development District request for annual dues. Motion by Ford, second by Muntz, to pay the annual dues as requested. All ayes.

League of Nebraska Municipalities notice of temporary restraining order regarding petition circulators.

Reports of Officers, Boards, and Committees:

Trustee Bob Ford, also the coordinator of the Cedar Creek Website, requested Board approval to allow all Cedar Creek Lake Associations the opportunity to post information on the website. No objections from the Board. Bob Ford also reported on plans for Cedar Creek Day, to be held at the Village Park on August 5, 2006 from 12:00 p.m. to 5:00 p.m. Plans are being made for an "Old-fashioned Picnic in the Park" with games, food, and a Dixie Land Band. Tentative approval of \$1500 for expenditures was given, prizes will be purchased, and the Cedar Creek Fire Department offered to cook the meat. Bob Ford announced that volunteers are needed for the event and to help in preparing for the event. B. Smith addressed the Board and informed them of volunteer work he had

done for the community without recognition. The Board thanked him and conveyed their appreciation.

Unfinished Business:

Trustee Dave Rydl reported on the list of properties in violation of village code, those he had spoken to, and progress of bringing their properties into compliance with village code. The owner of Lot #35 was at the meeting and informed the Board he will continue to clean the property. D. Rydl verified the owner was cleaning the property up and had gotten rid of several items. Lot #170. Rydl spoke to the owner and was told, the shed will be removed around Labor Day. The property is being mowed. Lot #169. Rydl was unable to reach the owner. The property has been mowed and some improvements have been made to the house. Continue to monitor. 207 East B Street. Rydl did not speak to the property owner. The shipping container continues to be in violation with zoning regulations. An unsigned complaint against the condition of Lot #284 was received. After a lengthy discussion between board members on whether to accept unsigned complaints or to dismiss them, Village Attorney Bill Reinsch reminded the Board it was their job to look at the problem and determine if a violation exists. If there is a violation of village ordinances the Board has the responsibility to enforce the regulations regardless if there has or has not been a complaint signed. The owner of Lot #284 read aloud the complaints against him and commented on each. He feels he is being unfairly singled out, and that people dump things off in his yard without his permission. Board comments were: Weeds and grass must be cut back to under 12 inches; Nothing has been taken care of or if something is removed another item is moved in; Improvements to the house have not been made; The complaints are valid. The Board asked how long he needed to clean up the property, his reply was he will get it all taken care of this summer. The Board gave him a deadline of Labor Day 2006 to bring his property into compliance with village code. The condition of Ault's Store was discussed. The family had been notified by certified mail and contacted by phone of the immediate necessity to remove the porch roof and close the open area. G. Ault replied by phone and informed the clerk it would be taken care of and that he would be in Cedar Creek in July to take care of the problem. Clerk to check with P. Welte to verify that Aults hired him to remove the porch roof and close the open area. Table to August.

Cost of street repairs, table to August.

The Board asked the Fire Chief if open burning is allowed at this time. He answered, the only open burning allowed is for campfires and pits on beaches until further notice. Burning is allowed in an enclosed and covered container.

Ordinances and Resolutions:

The Board discussed if a Sexual Predator Residency Ordinance would apply to Cedar Creek. Daycares in the village need to be protected, and board opinion is to put the ordinance into effect. B. Reinsch will have the ordinance ready for the August meeting.

Miscellaneous Business:

Rezoning of Lot #8 Block #3 from Residential to Commercial. The Board was informed, only two Planning Commission members were present at the Planning Commission meeting on June 27th, a quorum was not present, so the item will have to go back to the Planning Commission before the Board can consider the rezone. Table to August.

New Business:

Motion by Ford, second by Rydl, to purchase a new motor for the Cedar Creek Volunteer Fire Department Pumper. Motor to have a valid warranty. All ayes.

Roger Gabel, representing OPPD, addressed the Board on establishing a new power line into the lake area. Plans for the new line were shown to the Board. Motion by Ford, second by Rydl, to approve the preliminary plans as shown. All ayes. Fire Department members asked Gabel if additional power could be installed at the Village Park when they put the new line through. He responded it would involve a larger circuit box which may violate floodplain regulations. The project of additional power at the Park will be looked into.

It was reported, the owner of Lot #173 had placed several junked items on the Platte River Berm which adjoins his property, and had been issued a citation by the Cass County Sheriff's Department. B. Reinsch stated his office could not prosecute the case because of Public Defenders being part of his Firm. He stated he will request the County Attorney review the issue or possibly have another attorney review the issue. The property owner was present at the meeting and was informed the fine for the ticket is \$500 per day until the violation is removed. Chair Bode stated location of the property line on the berm was not definite. Motion by Ford to have a survey completed to establish legal ownership. After a lengthy heated discussion, the motion died for lack of a second. The village attorney will proceed with legal procedures.

Permits:

1020 Platteview Drive Garage

Planning Commission did not have a quorum at their June 27th meeting. Construction on the Garage had already begun. Board discussion, to notify the property owner to stop construction until permit is acted on by the Planning Commission at their July 25th meeting and by the Village Board at their August 1st meeting. Clerk instructed to notify the Building Inspector and request the construction be red tagged.

There being no further business to come before the Board, motion by Muntz to adjourn. Second by Rydl. All ayes.

Mary C. Terry
Municipal Clerk/Treasurer

Planning Commission Meeting @7:00 p.m. 7-25-06 Village Hall

Board of Trustees Meeting @7:00 p.m. 8-01-06