

Minutes
October 2, 2007

The Cedar Creek Board of Trustees met in regular session on 10-02-07, at 7:00 p.m., at the Village Hall. All Board members were present. Advance notice of the meeting was given by posting in three public places in the village and by publication in the Plattsmouth Journal.

Motion by Moses, second by Swenson, to approve the September minutes as written and as published. All ayes.

Treasurer's Report:

Account Balances:

Checking \$39,742.23, Money Market \$30,549.71, Keno \$50,262.38

Claims: Rural Water #3..23.50 Plattsmouth Journal..103.66 Windstream..96.29 OPPD pump..19.00 OPPD building..176.00 OPPD street lights..108.96 Eagle Services..220.00 Lincoln National..125.80 Cass County Sheriff..1214.88 A Minahan..754.00 LARM property/casualty..6329.00 LARM wk comp..1064.00 Earnies..112.52 Linder Tire..12.00 Fuxa Construction..120.00 P Koehler..1245.50 C Paukert..95.59 NE Municipal Clerks Assoc..15.00 Stander Ace Hardware..3.50 Payroll..2641.96

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

Motion by Ford, second by Moses, to approve purchase of new flags for B Street, up to a total cost of \$300 for the entire purchase. All ayes.

Police Report:

The Cass County Sheriff's Department reported 80.38 hours of patrol were logged for Cedar Creek during the month of September. There were seven calls for service: Check Suspicious, Traffic Other, Auto Theft/No Key/Truck, Telephone Harassment, Theft/Other \$50-\$200, Assist Citizen, Abuse/Physical. One warning was issued for speeding.

Correspondence:

Nebraska Department of Roads, programs available to municipalities.

Sarpy/Cass Health, mosquito spraying financial assistance.

Reports of Officers, Boards, and Committees:

Laurie Rydl, representing the Haunted Hollow Committee, addressed the Board and requested approval for the Louisville High School Cheerleaders to organize the event due to lack of adult volunteers. L. Rydl stated 10% of the proceeds would go to the Village Park Fund. Motion by Swenson, second by Ford, to allow the Louisville High School Cheerleaders to organize the 2007 Haunted Hollow as a fundraiser for their group, with 10% of the proceeds to be deposited in the Village Park Fund. All ayes.

Chuck Paukert, Village Floodplain Manager, reported on training he attended on changes to Elevation Certificates, Flood Insurance Rate Maps, and other FEMA regulations.

Administrative procedures for the execution of the National Flood Insurance Program, were presented to the Board for adoption by C. Paukert. Village Attorney, A. Minahan, stated she would put the motion into resolution form, to be adopted at the November meeting.

Unfinished Business:

Ault's Store. D. Hansen stated, they had changed the proposed use of the building from a business to storage only. They want to take care of the red tag by including the construction in the planned addition. Hansen stated, the Planning Commission is hung up on the planned business. Planning Commission tabled the project at their 9/25/07 meeting after the property owner walked out of the meeting. After a lengthy discussion on setbacks, variances, use of building, water hookups, removal of fuel tank, Chair Muntz stated he did not want to table the permit again. B. Ford said he would like it to be on record that he is and will continue to be opposed to the construction being too close to the neighboring property even though they may have approval from the adjoining property owner, because the village ordinances need to be enforced. Chair Muntz stated the permit will be discussed later on the agenda.

D. Muntz stated the Cedar Creek Fire Department received a permit from the Department of Environmental Quality to burn the pile of brush and wood located at the intersection of Main Street and Railroad Street. The pile will be burned if a waiver is signed by B. Bohuslavsky, for release of liability in case of damage to a barn on his property. Bohuslavsky was given a copy of the waiver and told the pile will be burned at 8:00 a.m. on October 13, 2007 if the waiver is signed.

Village Attorney informed the Board, Ben Bohuslavsky was served with legal papers prior to the meeting regarding the injunction filed in District Court on placement of illegal shipping containers.

Chair Muntz stated, letters were sent to property owners requesting street trees be trimmed to 14 feet above the streets. Muntz stated several people were trimming their trees as requested. The Board will follow up in a month. A property owner stated there were trees along Lakeview Drive that hang into the street and are owned by the village. He was informed, village ordinance states the property owner is responsible and they have been sent a letter.

Two proposals were given to the Board on a new sign for the village. After discussion, total price will be researched further. Table to November.

Miscellaneous Business:

Motion by Ford, second by Swenson, to designate Home State Bank in Louisville, Nebraska as the village depository. All ayes.

The Snow Removal Contract was discussed. R. Moses stated he will not be submitting a proposal this year. As requested by the Board, the availability of the contract will be posted. Table to November. The manager of Maria's requested contractors not pile the snow along B Street or on private property without permission of the property owner.

Motion by Ford, second by Swenson, to appoint Monty McAllister to the Planning Commission. Vote: Moses yes, Olson yes, Swenson yes, Ford yes, Muntz yes. M. McAllister was present and accepted the appointment. B. Bohuslavsky accused the clerk of holding back his letter of interest for the position on the Planning Commission and not giving it to the Board. B. Ford informed Bohuslavsky that the Board did receive the letter. Muntz stated McAllister was better qualified for the position.

New Business:

Motion by Swenson, second by Moses to allow the property owner of Lot #43, permission to occupy a camper on the property for a period of 6 months while constructing a house. All ayes.

D. Ambrose, 1008 Platteview, had requested to be on the agenda. No representation present. No action.

OPPD had contacted the village office regarding a possible problem with drainage at Prairie View Estates. D. Muntz will contact OPPD and request more information.

Permits:

101 East B Street Addition Permit was tabled by the Planning Commission. Attorney Minahan informed the Board they could not take any action on the permit without a recommendation by the Planning Commission. Minahan recommended, the Planning Commission and Trustees have a Special Meeting to resolve the issues. At the request of the Board, a special meeting will be set up with the Planning Commission in accordance with available dates. Notice will be given to members and posted.

In other business, it was noted Fuxa Addition needs a street sign for Madison Circle and East Platteview Drive. A sign will be ordered. A complaint was received on the condition Rural Water District #3 left a street after connection. Attorney Minahan will contact the Water District. There being no further business to come before the board, motion by Moses to adjourn. Second by Olson. All ayes.

I, the undersigned Municipal Clerk/Treasurer, hereby certify the foregoing is a summary of all matters discussed at the 10-02-07 meeting of the Board of Trustees and was available to the public within ten working days. All proceedings were contained in the agenda for at least twenty four hours prior to said meeting. A current copy of the State of Nebraska Open Meeting Act is posted in the Village Meeting Room and is accessible to the public.

Mary C. Terry
Municipal Clerk/Treasurer