

Minutes  
November 6, 2007

The Cedar Creek Board of Trustees met in regular session on 11-06-07, at 7:00 p.m., at the Village Hall. Board members present: Muntz, Moses, Olson, Ford. Absent: Swenson. 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 Ford, second by Moses, to approve the October 2<sup>nd</sup> and October 4<sup>th</sup> minutes as written and as published. All ayes.

Treasurer's Report:

Account balances: Checking \$34,356.59, Money Market \$30,608.09, Keno \$51,468.48  
Claims: Rural Water #3..23.50 Windstream..95.86 Plattsmouth Journal..187.06 OPPD building..123.00 OPPD park..19.00 OPPD street lights..108.96 Eagle Services..230.00 Lincoln National Ins..125.80 Cass Co Sheriff..1214.88 A Minahan..425.00 Earnies..121.76 All Flags..144.91 Reliable Office Supply..251.23 Payroll..2564.59  
Fire Dept. General Balance: 1994.11 Motion by Olson, second by Moses, to approve the treasurer's report and pay all claims. All ayes.

Motion by Moses, second by Ford, to approve the reimbursement to the Cedar Creek Volunteer Fire Department for purchase of a defibrillator for \$2279.10 and for training at the cost of \$720.00. All ayes.

Motion by Ford, second by Moses, to purchase a new tire for the village tractor. All ayes.

The Board was informed, two large white tables are missing from the fire barn. Also missing are approximately 50 chairs and a large white cooler.

At the request of the Board, the portable satellites will be removed from the park for the winter.

Police Report:

The Cass County Sheriff's Department reported 78.56 hours of patrol were logged for Cedar Creek during the month of October. There were seven calls for service: Traffic Other, Disturbance/Civil Dispute, Assist Other Agency, Assist Citizen, Alarm/False, Medical Emergency, Animal/Dog. Four citations were issued: Arson, Theft, Criminal Mischief, No Valid Registration. Two warnings were issued: Speed, No Brake Lights.

Correspondence:

Invitation from the Cass County Commissioners to attend a Planning Retreat at the Cass County Exposition Center at the Fairgrounds, on November 20, 2007, from 7:00 p.m. until 8:30 p.m. Trustee Bob Ford will attend.

Legislative Report from Municipal Code Services, Inc., and sample ordinances. Ordinances will be reviewed by Attorney Minahan. Table to December.

Reports of Officers, Boards and Committees:

Laurie Rydl reported on the "Haunted Hollow" at the Village Park on October 27<sup>th</sup>. The event was organized by the Louisville Cheerleaders and proceeds go to the cheerleaders organization, a profit of \$1000. A check in the amount of \$100 was presented to the Board to be deposited in the Park Fund. L. Rydl reported the large park shed had been cleaned and the group is storing items in the smaller shed which will be padlocked. A key to the shed will be located at the village office.

Unfinished Business:

Chair Muntz announced, items one and two will be discussed later in the meeting.

The Board discussed street repairs made by Rural Water District #3. Attorney Minahan has spoke to the District Manager and to the District Attorney. Problem areas are to be repaired by the Water District. Areas will be monitored.

An additional quote for a village sign was presented to the Board for consideration. Discussion was held on proposed height, width, and including the memorial board and bell in the design. R. Moses will contact area contractors for proposals. Table to December.

Ordinances and Resolutions:

Resolution #117 Administrative Procedures for Village of Cedar Creek, NE, For the execution of the National Flood Insurance Program (NFIP). A resolution which will update the existing administrative procedures, introduced by Ford, second by Moses. Vote to approve: Moses yes, Olson yes, Swenson absent, Ford yes, Muntz yes.

Miscellaneous Business:

Advertisement for a snow removal contractor was posted. Two proposals were received. One from Ed's Tree and Lawn Service in Louisville, and one from Fuxa Enterprises in Cedar Creek. After discussion, motion by Moses to accept the proposal from Fuxa Enterprises at \$650.00 for any snow removal between 2 and 5 inches and an additional charge of \$70.00 for each consecutive inch over 5. Second by Ford. Vote: Randy abstain, J.R. yes, Pam absent, Bob yes, Dan yes. The contract will be written to cover the fiscal year 2007-2008.

New Business:

Chuck Paukert, Floodplain Manager Certification Classes, table to December.

Question arose to duration of ATV permits. Board decision is to require the permits be renewed in January of each year.

The Board was informed, dogs and cats in the area have been reported as possibly being poisoned. The Sheriff's Department has been notified but no evidence or proof provided.

Lake #1 Association requested the Lake #1 Park be mowed one more time before winter. The Board is in agreement, the village maintenance personnel will mow the park. Moses asked if something could be worked out with the association to allow the village to use the location to collect storm damaged trees in exchange for mowing the property. Table to December.

Tabled items: Railroad Quiet Zone, no additional news. Cable Shed, A. Minahan will attempt to contact the owner.

Motion by Ford to exit regular session. Second by Moses. Vote: Moses yes, Olson yes, Swenson absent, Ford yes, Muntz yes. Motion by Ford to enter into executive session for the purpose of discussing legal issues related to items 1 and 2 of Unfinished Business. Second by Moses. Vote: Moses yes, Olson yes, Swenson absent, Ford yes, Muntz yes. Time 7:40 p.m. Motion by Olson, second by Moses, to exit executive session and return to regular session. Vote: Moses yes, Olson yes, Swenson absent, Ford yes, Muntz yes. Time 7:50 p.m.

Chair Muntz stated, going back to Unfinished Business Item #1, Ault's Store. There has been no activity on the building permit. After discussion of the illegal burn pile located at the intersection of Main and Railroad, Attorney Minahan informed the Board, the Village has the right to go ahead and burn the pile. It is located on village property and if anything on any adjoining properties were to burn accidentally, it would be dealt with. The Fire Department has a permit from the Department of Environmental Quality to burn the pile. The controlled burn will take place November 24<sup>th</sup>. The adjoining property owner has been requested to move all machinery and wood chips away from the pile before the 24<sup>th</sup>. The adjoining property owner refuses to sign a hold harmless agreement pertaining to the burn.

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 11-06-07 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