

Minutes
8-05-08

The Cedar Creek Board of Trustees met in regular session on August 5, 2008, at 7:00 p.m., at the Village Hall. Board members present: Muntz, Olson, Swenson, Ford. Moses was absent. Advance notice of the meeting was given by posting in the village and by publication in the Plattsmouth Journal. The notice stated, said meeting shall be open to the public, the agenda is available for public inspection at the village hall, and the agenda is not to be enlarged later than twenty four hours prior to the scheduled meeting except for items of an emergency nature.

Motion by Swenson, second by Ford, to approve the minutes of the July 1, 2008 meeting as written and published. All ayes.

Treasurer's Report:

Account Balances: Checking \$46,983.29, Money Market \$30,967.68, KENO \$70,696.38
Claims: Rural Water #3..23.50 Plattsmouth Journal..86.68 Windstream..100.98 OPPD building..209.00 OPPD park..17.00 OPPD street lights..113.31 Lincoln National Life..155.40 Eagle Services..300.00 NAPA..270.52 Stander Ace Hardware..5.58 Earnies..305.46 Ty's Outdoor Power..94.62 Asphalt & Concrete Materials..731.38 P Welte..90.00 League of Municipalities..1672.00 Cass County Sheriff..1214.88 A Minahan..200.00 Robert's Electric..1205.90 Payroll..3071.19 C Paukert..320.00 M Terry..120.82 Motion by Ford, second by Olson, to approve the treasurer's report and pay all claims. All ayes.

Police Report:

As reported by the Cass County Sheriff's Department, 73.16 hours of patrol were logged for the Village of Cedar Creek during the month of July. There were nine calls for service, two citations were issued, and two warnings.

Correspondence:

League of Nebraska Municipalities opinion on ordinances prohibiting harboring, housing, or hiring of illegal aliens.

Reports of Officers, Boards, Committees:

Chuck Paukert, Village Floodplain Manager, reported on the final draft of the Lower Platte South NRD Multi-jurisdictional Hazard Mitigation Plan of which Cedar Creek is involved. After the Plan is approved, flood mitigation projects may be eligible to receive 75% federal cost share. Project examples are drainage improvements, storm shelters, bridge improvements and a number of other possible mitigation activities. C. Paukert also reported on the progress of financial reimbursements relating to FEMA Disaster #1770. FEMA conducted a site visit on 7-09-08 with the village clerk. All areas of concern were reviewed. If approved, FEMA would reimburse 75% of village expenditures and the state would reimburse 12%. The village will be notified of FEMA decision. C. Paukert also reported on long term mitigation project eligibility. It was also

reported, the railroad bridge east of Cedar Creek has debris under it. BNSF will be notified.

Unfinished Business:

B Street improvements. Table.

Fine Waiver Schedule. Table.

Drainage problems were discussed at length by the Board. Areas of concern are the culvert at B Street and Walnut, the culvert at A Street and Walnut, Park Drainage, and the Floodgate. Not discussed was the drainage at Main and Railroad, table to September. A. Minahan recommended a drainage study be completed and suggested contacting SENDD for information on financial assistance. SENDD will be contacted and local engineers will be asked for their opinions on the proposed projects. Table to September.

The League Association of Risk Management recommends construction of a berm around the existing fuel tank to protect the area from contamination in case of a spill. Maintenance will be instructed to construct the recommended berm.

With the approval of the Village Board and the Village Attorney, the following items are to be removed from the monthly agenda under unfinished business: (1) Ault's Store. Red Tag will remain and would be an issue if owners were to apply for a building permit; (2) Ault's Store. Fuel Tank issue has been given to the State Fire Marshal for action; (3) Shipping Container Injunction. Case has been scheduled for District Court. (4) Railroad Quiet Zone. After months of research, no solution has been reached.

Village Sign. Table to September.

New Business:

An email received from the owners of Lot #139 regarding the fence of their neighbors at Lot #138. All Board members and the Village Attorney were given copies. B. Ford inquired if the Board could be guilty of selective enforcement. A. Minahan responded, it would be a different issue if the fence were above the required height, or if not within the property lines, but to claim a view being obstructed is subjective and the Board would have no first hand knowledge. The owners of Lot #138 have been notified by mail of the existing ordinance.

At the request of a local resident, the issue of banning Pit Bulls was discussed. P. Swenson stated, before we can address that we don't have any means of enforcing our animal ordinances and have no animal control. There are other regulations that already take care of the problem, such as confinement and the leash law. She stated she would like for the Board to consider looking into contracting with another town for animal control. If the animal is dangerous or aggressive the Cass County Sheriff's Department can be called. Licensing of pets was discussed. Information on licensing will be provided to the Board at the September meeting.

A written complaint was received on the condition of Lot #16. The property owner was present and announced he will bring the property into compliance and will return to the September meeting.

Permits:

Lot #48 Fuxa Addition Dwelling. Permit approved by the Floodplain Manager and approved by the Planning Commission .Motion by Swenson, second by Ford to approve the permit. All ayes.

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

I the undersigned Municipal Clerk/Treasurer, hereby certify the forgoing is a summary of all matters discussed at the August 5, 2008 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 Meetings Act is posted in the village meeting room and is accessible to the public.

Mary C. Terry
Municipal Clerk/Treasurer