

Minutes
October 7, 2008

The Cedar Creek Board of Trustees met in regular session on October 7, 2008, at 7:00 p.m., at the Village Hall. All Board members were present. 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 Ford, second by Olson, to approve the 9-02-08 minutes as written and published. All ayes.

Motion by Swenson, second by Olson, to approve the minutes of the 9-16-08 Budget Hearing as written and published. All ayes.

Treasurer's Report:

Account Balances: Checking \$59,979.00, Money Market \$31,032.23, Keno \$74,848.57
Claims: Rural Water..23.50 Plattsmouth Journal..326.40 Windstream..100.88 OPPD building..209.00 OPPD park..17.00 OPPD street lights..113.00 Lincoln National Life Insurance..155.40 Eagle Services..300.00 Earnies..152.60 Stander Ace Hardware..16.47 Wiles Brothers Fertilizer..181.05 Cross Dillon Tires..80.27 Asphalt & Concrete Material..745.80 Asphalt & Concrete Material..738.10 Southeast Area Clerks..20.00 B Staben..625.23 P Koehler..1298.50 P Swenson..1.50 Cass County Sheriff..1214.88 A Minahan..512.50 LARM..8443.00 Payroll..2957.58

Motion by Moses, second by Ford, to approve the treasurer's report and pay all claims. All ayes. Motion by Swenson, second by Ford, to designate Home State Bank in Louisville, Nebraska as the village depository for fiscal year 2008-2009. All Ayes.

Police Report:

None received.

Reports of Officers, Boards, and Committees:

Chuck Paukert, Village Floodplain Manager, informed the Board, another spur cleanup had been completed which fulfills the obligation to the state. Paukert also reported on attendance of a training workshop conducted by the NE Department of Natural Resources and the Federal Insurance Service Office. The training was for procedures to follow in completing requirements to change the community rating system class, which determines the cost of flood insurance within the community. Cedar Creek has 133 flood policies for a value of \$101,000 in premiums. A lower CRS rating of 9 would reduce the premiums by approximately \$40 annually. C. Paukert will report as additional information becomes available.

Unfinished Business:

Drainage issues tabled to November, awaiting information from JEO.

Village Sign, table.

Motion by Ford, second by Swenson, to adopt Resolution 101, declaring the properties of Lot #282, Lot #284, and Lot #287, nuisances pursuant to Cedar Creek Code 2-603.

Vote: Moses yes, Olson yes, Swenson yes, Ford yes, Muntz yes. Attorney Minahan will notify the property owners of the Board's decision and request abatement of the nuisances. Table to November.

A lengthy discussion was held on payment of the Louisville Rescue Agreement. Louisville requests \$6,350 for the annual agreement. Cedar Creek has requested documentation of the number of rescue calls made to Cedar Creek during fiscal year 2007-2008 and documentation of expenses to the squad. No documentation has been received. Motion by Ford, second by Moses, to send one fourth of the requested amount to the City of Louisville, along with a letter explaining the remainder of the requested amount will be paid when the requested reports are received by Cedar Creek, and the agreement is to be changed to include submittal of quarterly reports be made by Louisville to Cedar Creek. Vote: Moses yes, Olson yes, Swenson yes, Ford yes, Muntz yes. A. Minahan will notify the City of Louisville of the Board's decision.

Miscellaneous Business:

Removal of shipping containers, table to November.

Motion by Swenson, second by Ford, to extend the Snow Removal Contract with Fuxa Enterprises an additional year with no changes to the contract. All ayes.

Ordinances:

Motion by Ford, second by Moses, to waive the three required readings of Ordinance 2008-02. Vote: Moses yes, Olson yes, Swenson yes, Ford yes, Muntz yes. Motion by Ford, second by Swenson, to adopt Ordinance 2008-02, A FINE WAIVER SCHEDULE FOR FINES OR VIOLATIONS OF THE VILLAGE OF CEDAR CREEK ORDINANCES. Vote: Moses yes, Olson yes, Swenson yes, Ford yes, Muntz yes. Ordinance 2008-02 shall be published in pamphlet form and shall take effect and be in full force from and after its passage and approval.

Ordinance 2008-03 Nuisance Ordinance as recommended by Municipal Code Services. After discussion and advice from the Village Attorney, decision was made to keep the existing ordinance as is.

New Business:

Motion by Swenson, second by Olson, to allow the Louisville Cheerleaders to hold the annual Halloween Event at the Village Park on October 25, 2008, from 5:00 p.m. to 9:00 p.m. All ayes.

Motion by Swenson, second by Ford, to allow \$1,500 for the Cedar Creek Volunteer Fire Department's purchase of a flat bed truck. Vote: Moses yes, Olson yes, Swenson yes, Ford yes, Muntz yes.

R. Moses informed the Board, several vehicles are speeding on Railroad Street and asked if the speed limit could be reduced. The Board is in agreement, speed limits should be reduced in several residential areas due to the number of children in the area. Table to November.

Discussion was held on placement of a culvert on village property at 207 East B Street without village knowledge or permission. It is unknown if the culvert is attached correctly to the original culvert or if it would restrict drainage. Also, the driveway at the location was started without a permit and does not comply with village regulations. Attorney Minahan will notify B. Bohuslavsky of the violations and request he remove the culvert and submit a permit application for the planned work to the Planning Commission for recommendations.

Motion by Olson, second by Moses, to plant grass at the west end of Railroad Street on a portion of the street not open to thru traffic. All ayes.

Permits:

1008 Platteview Drive, Addition. Planning Commission had concerns of setback to the west side lot line and size of septic system. Floodplain Manager approved with the condition, common wall of home to addition shall not be more than passage. In discussion, owners stated they are removing two bedrooms and adding two bedrooms so septic requirements would be the same. Setback to the west lot line is at 9 feet instead of the required 10 feet. Adjoining property owners gave written permission to build at 9 feet. Motion by Moses to approve along with the letter from Bunnell. Second by Olson. Vote: Moses yes, Olson yes, Swenson no, Ford no, Muntz yes. Permit approved with conditions.

There being no further business to come before the board, motion by Ford 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 10-07-08 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