

Minutes
March 3, 2009

The Cedar Creek Board of Trustees met in regular session on 3-03-09, at 7:00 p.m., at the Village Hall. Board members present: Winkler, Moses, Olson, McAllister. Absent: Muntz. Chair Pro Tempore John Winkler conducted the meeting. 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, 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 McAllister, second by Moses, to approve the 2-03-09 minutes as written and published. All ayes.

Treasurer's Report:

Account balances: Checking \$30,109.41, Money Market \$31,110.16, Keno \$85,915.22
Claims: Rural Water #3..23.50 Plattsmouth Journal..93.14 Windstream..98.93 OPPD building..209.00 OPPD park..20.00 OPPD street lights..121.87 Lincoln National Life 155.40 Fuxa Enterprises..650.00Cass County Sheriff..1214.88 A Minahan..525.00 Payroll..1779.42 Reliable Office Supply..227.06 All Flags..252.03 Earnie's..22.76 Municipal Code Services..150.00 Stander Ace Hardware..10.49 Cedar Creek Post Office..168.00 JEO..4513.43 Motion by McAllister, second by Moses, to approve the treasurer's report and pay all claims. All ayes.

Police Report:

As reported by the Cass County Sheriff's Department, 69.39 hours of patrol were logged for Cedar Creek during the month of February. There were six calls for service: Traffic/Speeders, Medical Emergency Illness, 2 Assist Citizen, Vehicle Inspection, Assist/KLIV. It was noted, the rescue call on 2/05/09 was at Diesel Lake and should not be included in Cedar Creek calls also the call was answered by Gretna and Springfield not Louisville.

Correspondence:

Legislative Bulletins from the League of Nebraska Municipalities.

Information from the Lower Platte South Natural Resources District. The Lower Platte River Basin is fully appropriated (all available water resources have be allocated.), however there will be no impact to Cedar Creek as local wells are not in the hydrological connected area and do not rely on surface water.

Notice of the Great American Cleanup from March 1 through May 31st. A cleanup of Spur 13H will be scheduled to correspond with these dates.

Unfinished Business:

Motion by Moses, second by Olson, to appoint Dan Kerans to the vacant position on the Park Board. All ayes.

At the request of the Board, Village Attorney Minahan contacted the State Fire Marshal's office regarding fuel tanks at 101 East B Street in Cedar Creek, and inquired if the UST Inspection requirements of April 13, 2007 had been complied with by the property owner. It was noted, a Deputy Fire Marshal was in Cedar Creek on 2-12-09, but no written response had been received. A. Minahan will ask the County Attorney if their office has had any communication with the Fire Marshal regarding this matter. Table.

A survey of all Cedar Creek property owners was mailed requesting opinions of various ongoing agenda items. A total of 328 surveys were mailed. Results of the survey will be discussed at the April meeting.

Building improvements. Table.

Miscellaneous Business:

Trustee J. Winkler informed the Board he will be traveling to Washington, D.C. within the next week and will discuss with Senator Nelson's office possible financial assistance with village projects.

The monthly report from JEO, regarding the Drainage Improvement Evaluation, was discussed. Land surveys have been completed and the project is ahead of schedule. Estimated date of completion of the evaluation is May 2009.

The Board received copy of the completed results of the Keno audit for the period of October 1, 2005 through September 30, 2008. The audit was conducted by the Nebraska Department of Revenue and found there were no discrepancies of village records or accounts. Mary Terry, Municipal Clerk/Treasurer, is the village Keno representative.

New Business:

Written complaint was received from the owner of Lot #139, of a fence on Lot#138. The complaint stated, the fence blocks the view of a portion of the lake. After discussion between the property owner, board and village attorney, motion by Moses, second by McAllister, to temporarily close regular session and enter into executive session to discuss legal issues. All ayes. Time 7:20 p.m. Motion by Moses, second by McAllister, To exit executive session and resume regular session. Time 7:30 p.m. All ayes. Motion by McAllister, for the village attorney to notify the property owner of Lot #138, their fence is in violation of village ordinance and failure to bring the fence into compliance could result in legal action by the village or by civil action by their neighbor. Second by Moses. Vote: Moses yes, Olson yes, McAllister yes, Winkler yes, Muntz absent.

In other business, Attorney Minahan related to the Board, comments by B. Cover on the Louisville Rescue District boundaries and choices available for rescue services. Louisville is the closest squad available and therefore the most reasonable choice for service. However, Board members are concerned about the steady increase in the amount of the contract which is now at \$6,350.00. The matter will be discussed by the Board during budget preparation.

There being no further business to come before the board, motion by Moses to adjourn.
Second by McAllister. All ayes.

I the undersigned Municipal Clerk/Treasurer, hereby certify the forgoing is a summary of all matters discussed at the 3-03-09 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