

Minutes
April 7, 2009

The Cedar Creek Board of Trustees met in regular session on 4-07-09, at 7:00 p.m., at the Village Hall. Board members present: Muntz, Moses, Olson, McAllister. Absent: Winkler. 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 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 McAllister, second by Olson, to approve the 3-03-09 minutes as written and published. All ayes.

Treasurer's Report:

Account Balances: Checking \$25,378.56, Money Market \$31,120.73, Keno \$87,628.35
Claims: Rural Water #3..23.50 Plattsmouth Journal..163.84 Windstream..96.60 OPPD building..209.00 OPPD park..20.00 OPPD street lights..120.67 Lincoln National Life..155.40 Fuxa Enterprises..1300.00 Cass County Sheriff..1214.88 A Minahan..262.50 Payroll..1957.90 Earnies..5.41 JEO..1000.00 T Moses..400.09 D Baulish..75.00 P Koehler..2598.00 CAN Surety..50.00 Motion by Olson, second by Moses to approve the treasurer's report and pay all claims. All ayes.

Motion by Moses to approve Resolution 409, extending Cedar Creek's membership with the League Association of Risk Management with a three year commitment. Second by Olson. All ayes.

Police Report:

As reported by the Cass County Sheriff's Department, there were 10 calls for service in Cedar Creek during the month of March: Traffic/other, 2 Fire/Field, Hazards/Obstruction on RR Tracks, Accident, 2 Medical Emergencies/Illness, Dist/Juv out of control, Assist Fire/Rescue Unit, Assist Citizen. A resident requested the deputies patrol the lake area more often and be aware of vacant cabins. It was reported, several cabins had been broken into but not reported to the Sheriff's Department. The deputy advised to report all break ins or attempted break ins so as to document the incident. R. Moses informed the deputy, on a recent village survey there were a large amount of negative comments on deputies spending too much time sitting in their cars at the park or elevator and not patrolling the area. Comments were also made on children driving ATV's and Golf Carts and not being ticketed. A fine schedule of village ordinance violations was given to the deputy present. He is to inform the Department of village concerns.

Correspondence:

Legislative Bulletins from the League of Nebraska Municipalities.

Department of Roads, bridge inspection responsibility.

LARM announcement of asset distribution to members.

FEMA draft flood insurance rate maps. C. Paukert explained the procedure for adoption of the new maps. He informed the board, FEMA will hold a coordination meeting and there will be an opportunity for comments and questions regarding the report.

Information on the National Weather Service statewide drill on April 8, 2009.

Reports of Officers, Boards, and Committees:

Chuck Paukert reported on requirements to stabilize the river bank. He spoke to the Corps of Engineers and was given advice as to procedures to follow. Permits would be required from the Corps of Engineers, Fish and Wildlife, and the Lower Platte South Natural Resources District. An estimate of the work is at \$209,800.00, which would include rip rap, removal of trees, and excavating. A proposal of the work will be presented to the LPSNRD for consideration of financial assistance.

Unfinished Business:

Village Attorney, Angela Minahan, spoke with the State Fire Marshal's office and was informed the owner of Ault's Store had contracted with a company to remove the underground fuel tank at 101 East B Street, Cedar Creek. The Fire Marshal has given the owner a May deadline to remove the tank and if not complied with will be given to the Cass County Attorney for legal action. The property owner stated he did not own the tank, only the building and he hadn't decided if he will have it removed or filled. He requested financial assistance from the village. Financial assistance was denied. After further discussion, A. Minahan informed the board, the Fire Marshal is in control of the matter. Table to May.

A village survey was mailed to 320 Cedar Creek property owners. There were 113 surveys completed and returned. Items discussed at open meeting: Road repairs and possibility of need to raise taxes; Speeding and installing Children Playing signs; Golf Carts and ATV's being driven by children; Comments included with completed surveys. Complete results of the survey will be posted.

Building improvements have not begun. The electrical work will be done when the electricity is extended to the new sign. Sidewalk work will begin in April.

It was reported, the new village sign should be completed and installed in April or early May. Sheila Warren will be transplanting flowers from the garden to the park. A load of dirt will be added to the garden at the park.

Miscellaneous Business:

The board was informed, a mediation agreement was reached between the owners of Lot #138 and Lot #139 and the fence issue has been resolved.

JEO Drainage Study is 45% completed. Estimated date of completion is May 2009.

New Business:

A representative of Belino Fireworks, requested permission to sell fireworks from June 25, 2009 thru July 4, 2009 at 809 B Street, Cedar Creek. Proof of insurance and a current License for Sales of Fireworks from the State Fire Marshal's Office was presented. Motion by Moses, second by Olson to approve the request. All ayes.

LB 180 was discussed. The new law allows for partial reimbursement to municipalities for the cost of removal of abandoned buildings. Possible solutions for improving the appearance of the village was discussed. Legal steps to follow: take pictures of the property in violation of village code, file proper forms, and present to the Board for action.

D. Thiles requested action be taken against two of his neighbors who do not maintain their properties. He asked if the Board can hire the work done and file a lien against the property. He was informed they can, but all legal steps must be followed. The first step is to file a written complaint with the Board on a village form. Table to May.

Rollie Hansen, Village Maintenance, requested the Board purchase a power washer and ramps for maintenance of the new mower. Olson said it is better to brush off or blow off the grass then wash instead of using a power washer. The ramps will be looked into.

Park restrooms will be ordered from Don's Johns, if available, for the summer, otherwise will be ordered from Eagle Services. Ball field maintenance was discussed. Jeff Kerans will drag and maintain if someone will spray. The required chemicals will be purchased and applied by the village. Re seeding was discussed. No additional seeding will be done until the drainage study is completed. The lock on the ball field shed will be removed and a new lock installed with one key given to Jeff Kerans and one key to the village office.

Notice of a vacancy on the Planning Commission will be posted. Vacancy is due to the death of Dave Mohler. Table to May.

Motion by Olson, second by Moses, to appoint Marilyn Kerans to the Park Board and remove Dan Kerans from the Park Board. All ayes.

Permits:

1034 Platteview Drive, Addition. Approved by the Planning Commission. Approved by the Floodplain Manager. Motion by Moses, second by McAllister to approve the permit. All ayes.

In other business, a resident complained of a camper being occupied on Lot #303 and questioned as to where the sewage was being disposed of. At the request of the Board, the Village Attorney will send a letter to the property owner advising of village regulations.

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 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