

Minutes
May 5, 2009

The Cedar Creek Board of Trustees met on 5-05-09, at 7:00 p.m., at the Village Hall. Board members present: Winkler, Olson, McAllister. Absent: Muntz, Moses. Advanced notice of a Public Hearing and Regular Session was given by posting in the village and by publication in the Plattsmouth Journal. The notice stated, said meetings 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. The scheduled Public Hearing will be postponed to June 2, 2009 due to the absence of two board members. Regular meeting called to order at 7:00 p.m. by Chairman Pro Tempore John Winkler.

Motion by Olson, second by McAllister, to approve the minutes of the 4-04-09 meeting as written and published with the correction of date on last page. All ayes.

Treasurer's Report:

Account Balances: Checking \$21,919.92, Money Market \$31,120.73, Keno \$88,533.19
Claims: Rural Water #3..23.50 Windstream..97.00 OPPD building..209.00 OPPD park
20.00 OPPD street lights..119.61 Lincoln National Life..155.40 Fuxa
Enterprises..140.00 Asphalt & Concrete Mat..772.20 Wiles Bros Fertilizer..656.50
Stander Ace Hardware..22.98 Cross Dillon Tires..467.21 Ferrellgas..1209.59 Ty's
Outdoor Service..53.00 Don's Johns..100.00 P Welte..180.00 Asphalt & Concrete
Mat..825.00 Cass County Sheriff..1214.88 A Minahan..250.00 Earnies..81.39
JEO..1484.57 P Koehler..2142.00 Payroll..2366.08 Motion by Olson, second by
McAllister to approve the treasurer's report and pay all claims. All ayes. R Hansen
requested the board check if the new mower could be traded for a side discharge mower.
Item will be added to the June agenda. J.R. Olson requested possible purchase of a new
tractor be added to the June agenda.

Police Report:

As reported by the Cass County Sheriff's Department, 68.02 hours of patrol were logged for Cedar Creek during the month of April. There were 5 calls for service: Special Services, Terroristic Threats, Abuse, 2 Medical Emergencies. Three traffic warning citations were issued.

Correspondence:

League of Nebraska Municipalities Legislative Bulletins.

Sarpy/Cass Department of Health & Wellness information on available mini grant for West Nile Virus Prevention. The village will apply for the mini grant. Funding, if received, will be used toward the purchase of necessary chemicals.

Reports of Officers, Boards, and Committees: Chuck Paukert reported on village trees needing trimmed and on scheduling a Spur 13H cleanup. He also reported, a meeting

regarding the new floodplain maps will be held May 21st in Plattsmouth. There have been no new developments in the stabilization of the river bank.

Unfinished Business:

Fuel tank at 101 East B Street. A. Minahan reported she was told by the State Fire Marshal, the property owner had been given a deadline to remove or fill the unused underground fuel tank. If the work is not completed by the property owner as directed, the Fire Marshal will contact the Cass County Attorney for legal action. A. Minahan directed the Board to monitor any activity.

Deputy Fire Marshal, Bill Sherman, notified the village of the illegal location of the village fuel tank. State law requires the tank to be 50 feet from any building and 100 feet off the property line. Table to June meeting.

Miscellaneous Business:

Dan Fricke of JEO reported on the progress of the drainage study. Three problem areas are included in the study: (1) Culvert at B Street and Walnut Street. Culvert clogs with debris after heavy rains and floods B Street. The culvert is state owned. (2) Drainage of ditch at Walnut Street and A Street. Ditch does not drain, culvert will be needed to be lowered. (3) Village Park. The Park fills with water due to water coming into the park from a culvert on the west and also the floodgate to the east. The study will provide possible solutions and cost estimates. Final report to be presented to the Board at the June 2, 2009 meeting.

Motion by Olson, second by McAllister, to appoint John Mohler to the Planning Commission. All ayes.

New Business:

Written complaint was received on the condition of the property at 2051 Sunset Drive. Pictures of weeds and debris on the property were reviewed by the Board. Referenced ordinance violations discussed. Motion by McAllister, second by Olson, to declare by resolution, a nuisance exists at Lot #287, and to notify the property owners of a nuisance existing on the property, and request the nuisance be removed. All ayes.

Written complaint was received on the condition of the property at 4028 Lakeview Drive. Pictures of debris and piles of junk and old wood were reviewed by the Board. Referenced ordinance violations discussed. Motion by McAllister, second by Olson, to declare by resolution, a nuisance exists at Lot #284, and to notify the property owner of a nuisance existing on the property, and request the nuisance be removed. All ayes.

Motion by McAllister, second by Olson, to prepare a written resolution deeming the property 2051 Sunset Drive and 4028 Lakeview Drive as nuisances and to incorporate the language of the violation complaint form within the resolution, and authorize the chairman to sign said resolution. All ayes.

Written complaint was received on dogs running at large, chasing pedestrians, and fighting with a leashed dog. Owner of the dogs at 2089 Sunset Drive was notified of the violations by certified mail and requested to comply with village code. Violations will be monitored.

Permits:

4026 Lakeview Drive Addition. Floodplain Manager approved. Planning Commission recommends approval if septic system is in compliance. After discussion, motion by McAllister to approve the permit. Second by Olson. All ayes.

1044 Platteview Drive Addition. Floodplain Manager approved with the request contractors contact him before construction. Planning Commission recommends approval. Motion by McAllister, second by Olson, to approve the permit on condition all floodplain regulations are complied with. All ayes.

In other business, A. Minahan notified property owners at 6002 Cosson Drive, that occupation of a camper on their property was in violation of village code without a conditional use permit. The property owner has not obtained the permit form. Request by Winkler to add to the June agenda for action. It was also reported, campers and unlicensed vans were being stored on separate lots in the same area. Table to June.

There being no further business to come before the Board, motion by McAllister 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 5-05-09 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