

Minutes  
10-06-09

The Cedar Creek Board of Trustees met in regular session on October 6, 2009, at 7:00 p.m., at the Village Hall. Board members present: Muntz, Moses, Olson, McAllister. Winkler 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 Moses, second by McAllister to approve the 9-01-09 and 9-15-09 minutes as written and published. All ayes.

Treasurer's Report:

Account Balances: Checking \$49,464.44, Money Market \$31,179.44, Keno \$87,651.04. Claims: Rural Water #3..23.50 Plattsmouth Journal..209.02 Windstream..103.40 OPPD building..180.00 OPPD park..20.00 OPPD street lights..120.13 Lincoln National Life Insurance..155.40 Dons Johns..200.00 Cass County Sheriff..1214.88 A Minahan... 362.50 Payroll..2498.57 Earnies..99.50 Reliable Office Supplies..140.34 Curb it.. 649.80 LARM..5869.00 LARM..1556.00 P Koehler..1368.00 J Peacock..425.00 P Welte..309.80 Motion by Moses, second by Olson, to approve the treasurer's report and pay all claims. All ayes.

Motion by Moses, second by Olson, to approve the Louisville Home State Bank as the village depository for fiscal year 2009-2010. All ayes.

A notice to bidders for purchase of a Backhoe/Loader was advertised in the Plattsmouth Journal and posted in three public places in the village. One contractor responded to the advertisement. Jon Bunger of Diesel Power Equipment Company in Omaha, presented specifications on three pieces of equipment for Board consideration. Costs, warranties, and each piece of equipment were discussed in detail. After a lengthy discussion, Jon Bunger invited Board members to inspect the equipment and test drive. Lease and rental options and the state contract were also discussed. The equipment will be inspected. Table to November.

Police Report:

As reported by the Cass County Sheriff's Department, 81.31 hours of patrol were logged for Cedar Creek during the month of September. There were seven calls for service: DWI, Abandoned Vehicle, Disturbance/Loud Activity, Abuse/Other, Check Suspicious, Vehicle Inspection, Burglar/Residence. Three citations were issued: Drug Paraphernalia Use/Possess, Operating Motor Vehicle during suspension, DUI 1<sup>st</sup> Offense. One warning was issued for speeding. Board requested deputies watch for speeders coming into Cedar Creek on B Street.

Reports of Officers, Boards, and Committees:

C. Paukert announced, there will be a Spur 13H cleanup on October 17<sup>th</sup>, volunteers welcome. Also, reminder to Board members of a scheduled meeting on October 8<sup>th</sup>, at 11:00 a.m., with the U.S. Army Corp of Engineers, Department of Fish and Wildlife, and Game and Parks, relating to the Platte Riverbank Stabilization project.

Unfinished Business:

It was reported, landscaping around the new signs has been completed. Lights are to be adjusted. Prices on building interior painting, tile work, and duct work will be obtained before the November meeting.

Followup on letter to owner of Lot #AA. The owner has licensed all vehicles and mowed as requested.

Followup on letter to owner of 2072 Platteview. Property has been mowed. The Board will not pursue further.

Residents of 2076 Sunset Drive were notified of a written complaint on the condition of their property. It was reported, weeds have been cut and the unlicensed car has been removed. Residents stated they will remove the dead tree.

Miscellaneous Business:

At the request of the Board, and the concerns of village residents, HHS Adult Protective Services will be requested to check on the welfare of an elderly resident.

JEO Drainage Study. No new developments have been reported to the office.

Riverbank Stabilization. A meeting will be held on Thursday, October 8, 2009, with representatives of the US Army Corps of Engineers, Fish and Wildlife, and NE Game and Parks, Chuck Paukert Village Floodplain Manager, M. Terry, M. McAllister, R. Moses, to discuss the possibilities and restrictions of continuing with the project.

A. Minahan explained the procedures of the current court case and the timeline of deadlines to be met.

C. Paukert reported, no response had been received from the 9-16-09 request for the owner of 1008 Platteview to sign a nonconversion agreement. C. Paukert and J. Rughe will inspect the construction and contact the property owner. Discussion was held on changes needing to be made to the existing floodplain ordinance to allow for inspections of properties by the Floodplain Manager. Item will be added to the agenda after the County Floodplain Ordinance is amended.

The Board was informed, the fuel tank at 101 East B had been removed on 9-21-09. Two Deputy Fire Marshals, a Licensed Contractor, and the property owner were present. A lengthy discussion ensued on replacement of the side walk, cost, and results of the soil

samples taken. The Board will wait for a report from the Fire Marshal on the soil sample results before any action is taken on replacing the sidewalk.

New Business:

The Haunted Hollow will not be held in 2009 at the Village Park, due to no sponsor.

The Village Snow Removal Contract was advertised for consideration by contractors. Two responses were received. After discussion on consideration of both responses, motion by Moses, second by McAllister, to retain Kip Fuxa as the contractor with the same conditions of the 2008 contract. Vote: Moses yes, Olson yes, Winkler absent, McAllister yes, Muntz yes.

Drainage on Fritz Drive was discussed. C. Paukert and R. Moses had inspected the area and reported, in their opinion, minor flooding of the area is a natural occurrence with heavy rains, the village has not made any changes to the land to cause the problem, and the landowner has the responsibility to correct drainage problems on their property.

Permits:

2057 Sunset Drive. Garage remodeled into cabin. Permit denied by the Planning Commission. Floodplain Manager denied the permit due to floodplain ordinance violations. Reasons given for denial: Structure does not meet minimum size requirements; Septic system needs to be inspected and in compliance with State regulations; Sandpoints are not allowed in Nebraska for human consumption of water; Construction over 50% of the value of the existing structure, a violation of floodplain regulations. Motion by Moses, second by McAllister, to deny the permit. All ayes. Owner will be notified. If the owner can provide an elevation certificate showing the lowest floor of the structure is one foot above base flood elevation, the construction would be in compliance with floodplain regulations. A size variance could be requested and any septic and water problems are fixable.

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 10-06-09 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 NE Open Meetings Act is posted in the meeting room and is accessible to the public.

Mary C. Terry  
Municipal Clerk/Treasurer