

Minutes
7-05-2011

The Cedar Creek Board of Trustees met on 7-05-2011, at the Village Hall for a Public Hearing, the purpose of considering renewal of a Conditional Use Permit to Theresa Metzger for the operation of Paintball Fields and Shop at 11212 Cedar Creek Road. Advance notice of the Public Hearing was given by publication in the Plattsmouth Journal and by posting in the village. Chair Sharp called the Public Hearing to order. Board members present: Sharp, Mohler, Pearrow, McAllister. Moses was absent. The Cedar Creek Planning Commission recommended approval of the Conditional Use Permit. No opposition to the Conditional Use Permit was received. Motion by Mohler, second by McAllister, to approve the Conditional Use Permit. Vote: Moses absent, Mohler yes, Pearrow yes, McAllister yes, Sharp yes. The Conditional Use Permit shall be in effect for a period of one year unless repealed by the Board due to any violations. Motion by McAllister, second by Mohler, to close Public Hearing and open regular session. All ayes.

Regular session of the Cedar Creek Board of Trustees was called to order at 7:07 p.m. Board members present: Mohler, Pearrow, McAllister, Sharp. Moses 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 McAllister, second by Pearrow, to approve the minutes of the 6-07-2011 meeting as written and published. All ayes.

Treasurer's Report:

Account balances: Checking \$41,956.62, Money Market \$28,117.51, Keno \$92,310.35, Cedar Creek Day \$3,500.74
Claims: Rural Water #3..23.50 Plattsmouth Journal..161.31 Windstream..111.38 OPPD bldg..165.36 OPPD pk..17.68 OPPD st lgts..111.50 Lincoln National Life..155.40 Cass Co Sheriff..1214.88 A Minahan..410.00 Payroll..1967.18 Wirebuilt..19.00 Dons Johns 300.00 Earnies..126.75 NE Fed Surplus Property..600.00 R Moses..80.59 A-1 Mist..500.00 Motion by McAllister, second by Mohler, to approve the treasurer's report and pay all claims. All ayes.

Police Report:

As reported by the Cass County Sheriff's Department, 89.86 hours of patrol were logged for Cedar Creek during the month of June. There were twenty six calls for service: 2 Hazards/Obstructions, 5 Check Suspicious, 4 Medical Emergency/Injury, 3 Traffic, Assist Citizen, Neighborhood Dispute, 2 Alcohol/Tobacco Possess, Vandalism/Building, Vehicle Inspection, 3 Medical Emergencies, Assist Other Agency, Welfare Check, Vandalism/Vehicle. Seven citations were issued and four warnings.

Correspondence:

Southeast Nebraska Development District request for annual membership dues and housing dues renewal. Motion by McAllister, second by Mohler, to pay the requested amount of \$384 total. All ayes.

Letter to Cass County Sheriff's Department giving notice of Cedar Creek canceling the Interlocal Agreement with Cass County for law enforcement. The agreement will be active through May 2012.

Reports of Officers, Boards, and Committees:

S. Sharp presented two additional bills for Cedar Creek Days for the fireworks display and advertisement. McAllister questioned why the organizers of the event, Steve Sharp and Ted Maynor, didn't itemize deposits and why there was no record of anything. The only amounts reported were from Gwen Bode who stated \$323 was given to Sharp from the children's games and Sheila Warren gave Sharp an additional \$130 plus a donation from a resident in the amount of \$200. Also, Gwen Bode and Sandy Fuxa of Fuxa's Enterprizes donated all prizes, Sheila Warren donated the cotton candy machine and snowcone machine, and Trisha Lueder donated the Bounce House and Dunk Tank. McAllister asked Sharp if their committee is planning on thanking those who donated. Sharp said they would. Sharp stated the bands and other expenses were paid for from the cash brought in on the day of the event. Motion by Mohler to pay the \$2500.00 to Midwest Fireworks Wholesalers and \$78.00 to the Cassgram. Second by Pearrow. All ayes. The village treasurer reported, \$2377.26 of village funds were spent on the event. There was no profit.

Unfinished Business:

Dan Fricke and Kevin Kruse of JEO addressed the Board on the NDOR drainage project. A lengthy discussion was held on the design of the required ditch, NDOR requirements, landowner requests, area required, purchase property or easement, protection of neighboring properties, changing of power lines and water lines, and scope of cost. The property owner involved will be contacted for opinions on different options. JEO will present an amended agreement on hours, tasks, and cost at the August meeting. Table.

The riverbanks stabilization project is on hold until the water level of the river lowers enough to allow surveys to be completed. Table.

An amended bid for repairs to the B Street Bridge was received from Paul Welte. Motion by McAllister to accept the bid at \$10,670.00 from P. Welte for required repairs to the B Street Bridge. Second by Pearrow. All ayes.

A certified letter was sent to B. Bohuslavsky, owner of 207 East B Street, on June 13, 2011. Bohuslavsky was given two notices of the letter but did not pick up the letter at the post office. Bohuslavsky, present at the 7-05-11 meeting, was hand delivered the returned letter. Bohuslavsky was notified by his attorney of the work needing to be done on the property. The letter listed items on the property that the Board found to be in violation of village code and requested they be removed and disposed of, not moved to

other properties. It was noted, 207 East B had been cleaned and mowed, however several items have been moved to 101 East B, 100 East B, and 4028 Lakeview. Bohuslavsky was told by the Board, do not store any additional items at 207 East B and to keep it mowed. He was also told, the permit on 101 East B had expired and the braces on the roof at 100 East B had not been brought into compliance and had not passed final inspection. Bohuslavsky told the Board, before the August 2, 2012 meeting he would have the braces finalized, 100 East B cleaned up, and the siding on 101 East B completed. Table.

Survey, table to August.

Miscellaneous Business:
Maintenance employee, table.

New Business:
A list of properties needing maintenance was given to the Board to investigate. Table to August.

In other business, the board discussed trains blocking the crossing for over the 10 minute time limit, discussed possibility of establishing a neighborhood watch, and discussed holding a cleanup day. It was noted, the last cleanup day cost the village over \$3000 because items were brought in from out of town and items were put into the dumpsters which were banned from the landfills. B. Bohuslavsky stated he wanted to submit a complaint about his neighbor installing his own laterals and contaminating the ground. Bohuslavsky was told, the incident occurred in July 2010 and after the village attorney contacted the property owner by letter, it was found a professional excavating company had made repairs to the exiting laterals because of a tree root in the system. There being no further business to come before the board, motion by McAllister to adjourn. Second by Mohler. All ayes.

I the undersigned Municipal Clerk/Treasurer hereby certify the forgoing is a summary of all matters discussed at the 7-05-11 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 Nebraska Open Meetings Act is posted in the meeting room and is accessible to the public.

Mary C. Terry
Municipal Clerk/Treasurer