

Minutes
12-04-12

The Cedar Creek Board of Trustees met in regular session at 7:00 p.m., on December 4, 2012, at the Village Hall. All Board members were present. 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 Moses, second by McAllister to approve the minutes of the 11-06-12 meeting as written and as published. All ayes.

Treasurer's Report:

Account balances: Checking \$49,005.42, Money Market \$29,008.69, Keno \$88,377.63

Claims: Rural Water #3..23.50 Plattsmouth Journal..64.89 OPPD bldg..153.00 OPPD pk..33.54

OPPD st lgt..98.80 Lincoln Nat..155.40 A Minahan..485.00 Payroll..1916.31 Wirebuilt..19.00

JEO..1000.00 JEO..600.00 Motion by Mohler, second by McAllister to approve the treasurer's report and pay all claims. All ayes.

Correspondence:

Letter to owner of 310 Highline requesting a dead tree on the property be removed. Reviewed by the Board.

Discussion was held on a public burn pile. The village insurance will be contacted for input. Table to January.

Information received from Chemical Industries. Will pass the information to the snow removal contractor.

Reports of Officers, Boards, Committees, and Guests:

Lalit Jha and John Peterson of JEO gave a progress report on the Platte Riverbank Stabilization Project. Discussed was the scope and fee for the design and permitting phase of the project. At the request of the Board, the village attorney will review the contract and report at the January meeting. A lengthy discussion was held on cost of the project and amounts expected to be covered by the Lower Platte South Natural Resources District. Motion by McAllister, second by Pearrow, the village obtain guaranteed funding in the form of a bond before proceeding to final phase of the project. Roll call vote: Moses yes, Mohler yes, Pearrow yes, McAllister yes, Sharp yes. Project report to be given at the January meeting.

Board reviewed the annual Keno audit in accordance with state law.

Unfinished Business:

101 East B Street. Village attorney reported, the outside of the building was inspected by a Deputy State Fire Marshal at the request of the Board. The Fire Marshal stated the interior can not be inspected without the consent of the owner or a warrant and he has been unable to contact the owner. Motion by McAllister to file a law suit on 101 East B Street for not being in conformity with the 1997 Uniform Code for the Abatement of Dangerous Buildings, adopted by Cedar Creek 2-02-1999, specifically in violation of Section 302.2, 302.5, 302.7, 302.8, 302.11, 302.16. Second by Mohler. Roll call vote:

Moses yes, Mohler yes, Pearrow yes, McAllister yes, Sharp yes. Suit will be filed and a request made that the State Fire Marshall inspect the interior of 101 East B Street based on findings of the Cass County Building Inspector.

Tree clearance. Maintenance employees reported Highline Circle had not been taken care of. Sharp stated in his opinion trees shouldn't be cut unless they are determined to be a hazard. C. Paukert stated, all areas need to be treated the same and if in violation of village codes need to conform. M. Pearrow stated the dead tree leaning across Highline needs to be removed for safety reasons. Maintenance employees will look at the tree and determine if they can remove it. Table.

4028 Lakeview. Trial date is set for 1-31-2013. The property owner's attorney provided pictures of the exterior of the property cleaned up. Board members informed the village attorney, the property owner had moved the junk from the yard at 4028 Lakeview to another property at 207 East B. The Board also requested the village attorney request an inspection of the interior of 4028 Lakeview since the District Court ruling on 2/28/11 was to remove all junk, filth, and debris from the inside of all buildings and structures and that the property owner is permanently enjoined from either causing or allowing the property at 4028 Lakeview to fail to comply with village code. A. Minahan stated in her opinion, going ahead with a trial is a waste of time. After discussion, motion by Mohler, second by McAllister to request for repayment of attorney and court fees be made by the property owner. All ayes.

Miscellaneous Business:

Motion by Mohler, second by Moses, to approve Justin Peacock to fill the vacant position on the Planning Commission. All ayes.

Post Office requested holes in the driveway at the Post Office be repaired. Discussion was held on who owns the property. Village maintenance will fill the holes.

It was pointed out, the state installed the speed limit signs wrong after the culvert was replaced. Signs will be changed.

New Business:

The oath of office was given to Monty McAllister and John Mohler as re-elected Trustees. Term of office 4 years.

Motion by Mohler, second by Moses to reappoint Steve Sharp as Chairman of the Board. All ayes.

Motion by Moses, second by Mohler to approve all appointed positions. All ayes.

Motion by Mohler, second by Moses, to reimburse Jim Group \$1,500 for fuel used to construct the required ditch on the east edge of Cedar Creek . All ayes.

Permits:

2034 Platteview Garage. Approved by the Planning Commission and the Floodplain Manager. Motion by Moses, second by Mohler to approve the permit. All ayes.

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

I the undersigned Municipal Clerk/Treasurer hereby certify the forgoing is a summary of all matters discussed at the 12-04-12 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