

Minutes  
6-02-09

The Cedar Creek Board of Trustees met at 7:00 p.m., on 6-02-09, 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 a Paintball Course 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. The Hearing was called to order by Chair Muntz at 7:00 p.m. Board members present: Muntz, Moses, Olson, Winkler, McAllister. The Cedar Creek Planning Commission recommended approval of the Conditional Use Permit. No opposition to the Conditional Use Permit was received. Motion by Moses, second by Olson, to approve the Conditional Use Permit. Vote: Moses yes, Olson yes, Winkler yes, McAllister yes, Muntz 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 The Conditional Use Permit shall be in effect for a period of one year unless repealed by the Board due to any violations.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 Winkler, second by Moses, to close Public Hearing and open regular session. All ayes. Time 7:02 p.m.

Chair Muntz called regular session to order at 7:03 p.m. All Board members 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 emergency items.

Motion by Olson, second by McAllister to approve the minutes of the May meeting as written and published. All ayes. B. Ford stated he would continue to coordinate the village web site.

Treasurer's Report:

Account balances: Checking \$39,652.07, Money Market \$31,141.54, Keno \$90,873.00  
Claims: Rural Water #3..23.50 Plattsmouth Journal..137.33 Windstream..98.61 OPPD building..209.00 OPPD park..20.00 OPPD street lights..119.61 Lincoln National Life 155.40 Ty's Outdoor Service..33.24 Roberts Electric..1481.20 Reliable Office Supply 161.58 Cass County Sheriff..1214.88 A Minahan..300.00 Payroll..2604.11 Earnie's 112.33 JEO..2800.00 Cedar Creek Volunteer Fire..899.55 R Duff..275.07 J Baulish 234.33 B Hanson..68.55 Motion by Moses, second by Winkler, to approve the treasurer's report and pay all claims. All ayes.

Discussion was held on replacing the village tractor. Cost and use of Keno funds will be researched. Table to July.

Police Report:

As reported by the Cass County Sheriff's Department, 74.36 hours of patrol were logged for Cedar Creek during the month of May. There were five calls for service: Vehicle Inspection, Medical Emergency, Open Door, Disturbance, Special Services. Chair Muntz requested the deputy deliver an undelivered certified letter to 4028 Lakeview Drive.

Correspondence:

Legislative Bulletins reviewed.

NE Department of Roads meeting 6-26-09.

Reports of Officers, Boards, Committees:

Chuck Paukert reported on the 5-21-09 meeting with FEMA and DNR on updated Floodplain Maps. Paukert and the village clerk attended. No major changes will be made to the Cedar Creek Floodplain Map.

Paukert also reported on the 5-26-09 meeting with Cass County on 'Going Green' and how the community can be involved. A second meeting is scheduled for 6-25-09, Paukert will attend.

Unfinished Business:

Location of the Village Fuel Tank was discussed. Alternative locations and changes to the tank were discussed. Costs will be researched. Table to July.

R. Moses informed the Board, the new village sign is scheduled to be installed June 3<sup>rd</sup>. Robert's Electric will be requested to install lighting. A new Flag Pole will be purchased for the site.

It was reported, property owners of 2051 Sunset are bringing their property into compliance with village regulations as requested by the Board. Work will be monitored.

A certified letter sent to the property owner of 4028 Lakeview Drive, notifying the property owner of code violations on the property, was not picked up at the post office. Deputy is to deliver the letter to the property owner.

Motion by Olson, second by Moses, to allow temporary occupancy of a camper at 6002 Cosson Drive for a period of 90 days. All ayes. The property owner will be notified of the board decision and if not vacated by 9-01-09 legal action will be taken.

Miscellaneous Business:

JEO Drainage Study tabled to July.

New Business:

Conditions of structures at 100 East B Street, 101 East B Street, and 207 East B Street were discussed at length. After consideration of several violations noted and dangerous existing conditions, motion by Winkler to adopt Resolution 609, deeming properties 100 East B Street, 101 East B Street, and 207 East B Street nuisances pursuant to Village Codes 2-601, 2-603, 2-604, 2-605, 2-606, and 2-607. Second by McAllister. Vote:

Moses yes, Olson yes, Winkler yes, McAllister yes, Muntz yes. A. Minahan will notify the property owner by personal delivery through the Cass County Sheriff's Department. Table to July.

Written complaint was received on the condition of property at 3975 Lakeview Drive. Violations include weeds over 12 inches tall, refrigerator in yard, unlicensed vans and a trailer, rodents. At the request of the Board, A. Minahan will notify the property owner of the violations and request the property be brought into compliance with village code.

Verbal complaint was received of maintenance mowing too close to the ground along the river levee. Maintenance was instructed by the Board to not mow the area as it is the responsibility of adjoining property owners to maintain.

Permits:

4011 Lakeview Drive Garage with Bath

Planning Commission concerned about distance to and size of septic system, and also of size of garage. Planning Commission recommended not to approve. Floodplain Manager approved the permit. Motion by Moses to approve with the condition the septic system location and size complies with state regulations and to grant a variance to the size of the structure due to the oversized lot. Second by Winkler. Vote: Moses yes, Olson yes, Winkler yes, McAllister abstain, Muntz yes.

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

I the undersigned Municipal Clerk/Treasurer, hereby certify the forgoing is a summary of all matters discussed at the 6-02-09 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