

Minutes
July 6, 2010

The Cedar Creek Board of Trustees met in regular session on 7-06-10, 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 McAllister, second by Olson, to approve the minutes of the June 1, 2010 meeting as written and published. All ayes.

Treasurer's Report:

Account balances: Checking \$51,540.30, Money Market \$31,241.27, Keno \$83,642.25
Claims: Rural Water #3..23.50 Plattsmouth Journal..186.56 Windstream..121.70 OPPD building..187.20 OPPD park..17.68 OPPD street lights..110.61 Lincoln National Life..155.40 Cass County Sheriff..1214.88 Payroll..3311.50 Earnies..175.37 Asphalt Concrete Materials..1912.29 Dons Johns..250.00 Cross Dillon Tires..842.25 P Welte..449.85 Mike's Painting..1975.00 All Flags..74.35 JEO..712.00 C Sautter..65.81 JR Olson..181.88 D Muntz..138.24 Wiles Bros..80.00 Motion by McAllister, second by Olson to approve the treasurer's report and pay all claims. All ayes.

Police Report:

As reported by the Cass County Sheriff's Department, 70.34 hours of patrol were logged for Cedar Creek during the month of June. There were eight calls for service: Fire, two check suspicious, medical emergency, special services, assist citizen, civil matter, vehicle inspection. There was one citation issued for a traffic violation and two warnings were given. The deputy present was informed complaints were received on the lack of patrol during the holiday weekend. Also, golf cart and atv ordinance regulations need to be enforced and underage driving stopped.

Correspondence:

JEO Bridge Inspection. Scott Cowles, project engineer for JEO explained to the Board his findings from the inspection of the B Street bridge. Recommendations from Cowles are: The piling and back walls should be monitored for signs of further deterioration and section loss that will eventually weaken the bridge. The northwest wing wall whaler should be repaired to prevent further leaning of the wing. The cap beam on the west abutment should be monitored for continued shifting that may eventually cause failure. The corrosion at the location where the floor beams are sitting on the abutment cap beams should be monitored for evidence of failure. This may be buckling of the top of the abutment cap or the bottom of the floor beams or continued section loss allowing tilting of the floor beams. The east approach is the greatest concern. If repairs are not made, the approach concrete will fail. The repairs may be mud jacking, flowable fill, or removal and replacement. A lengthy discussion was held on options and costs. At the

request of the Board, Cowles will put together estimated costs of repairs/replacement for the Board's consideration. Table.

Sarpy/Cass Department of Health and Wellness, availability of a \$500 mini grant for mosquito control. The Board discussed cost of repairing the village mosquito fogger or purchase of new. After discussion, motion by Olson to purchase a mosquito sprayer from A-1 Mist Sprayer Inc. at a cost of \$4,500.00. Second by McAllister. All ayes.

Written acknowledgement form LARM on the 3 year commitment with the program from the village.

SEND D request for support of affordable housing programs and dues request. Motion by Moses, second by Olson, to pay the requested amount of \$384.00 to SEND D. All ayes.

Reports of Officers, Boards, Committees, and Guests:

Chuck Paukert, Village Floodplain Manager, was unable to attend the meeting and submitted a written report on: High water in the Platte River and areas being monitored; Platte River bank stabilization; Concerns of high lake levels.

Nancy Josoff, campaigning for the position of Cass County Clerk, addressed the Board and discussed the County Recycling Program. Josoff thanked the Board and community for supporting the program. To date the program has recycled over 37 tons of household waste.

Unfinished Business:

Table JEO/NDOR Drainage Project and Riverbank Stabilization Project.

Miscellaneous Business:

District Court case of Village of Cedar Creek vs 4028 Lakeview, 100 East B, 101 East B, and 207 East B. Attorney A. Minahan filed an order with District Court to continue the trial indefinitely for reason that the Defendant hired a contractor to bring the properties up to code.

Motion by Moses, second by Olson, to add rock to Parson Drive. All ayes.

New Business:

A local insurance agent notified the Board that a regular home owners policy does not cover golf carts and Atv's when off the owners property. Proof of insurance coverage will be required to obtain a village permit.

A complaint was received on poison ivy growing on Lot #240, 1096 Platteview Drive. Motion by Moses, second by McAllister, to request the village attorney send the owner a letter stating the poison ivy is to be sprayed or removed. All ayes.

Two additional written complaints were received on property conditions. The Board will investigate the complaints. Table.

A resident reported, the ground surrounding the culvert at A Street and Walnut, is eroding. Board members inspected the area, and in their opinion no immediate repairs are needed. The culvert is included in the ongoing drainage study and will be replaced.

Permits:

Garage/Addition 18001 114th St. Renewal. Approved by the Planning Commission. Motion by Moses, second by Olson, to approve with no additional fees to be paid. All ayes.

Screened Porch 2036 Platteview. Approved by the Planning Commission and by the Floodplain Manager. Motion by Moses, second by Olson to approve. All ayes.

Garage Lot 12 Cedar Lodge. Approved by the Planning Commission and by the Floodplain Manager. Motion by Olson, second by Moses to approve. All ayes.

Continued from the June meeting, the contractor for an addition and repairs to 101 East B presented requested documentation to the Board. Re: Variance request, Approval from neighbor for a 6 foot setback variance, septic system permit and percolation test results, engineer drawing on trusses. M. McAllister commented, the property at 100 East B was suppose to be completed before the July meeting according to the contractor. McAllister stated he has received numerous complaints about the continued violations at 4028 Lakeview and the buildings and property not being maintained. He asked why the Lakeview property was being ignored and the owner was permitted to fix the B Street properties first. The Lakeview property was in violation of codes before the owner purchased the B Street properties. The contractor stated, the 100 East B Street property will be completed before he starts work on 101 East B, but needs the permit approved so he can order material. Board questioned contractor not addressing repairs to the existing building as ordered by the County Building Inspector. M. McAllister suggested the contractor make an appointment with the inspector and have him meet him on site. Questions arose on the validity of the variance approval from the neighbor. R. Moses phoned the neighbor to get verification of signature. Contractor stated, a fence will be installed between the properties. M. McAllister stated all intended work needs to be put in writing. After a heated discussion, contractor agreed to put in writing all doors, windows, and siding to be replaced and fence installed. A. Minahan added to the plans, all violations are to be corrected in accordance with findings of the County Building Inspector. Motion by Moses, second by Olson to approve the permit. Vote: Moses yes, Olson yes, Winkler absent, McAllister yes, Muntz yes. Motion by Moses, second by Olson, to approve the variance for a 6 foot setback based upon the new drawing and is in agreement all red tag repairs, windows and doors as set forth in the Building Inspector's letter of November 2009 will be followed through as part of the finished project. Vote: Moses yes, Olson yes, Winkler absent, McAllister yes with the conditions set forth, Muntz yes. Contractor was reminded by the Board and Attorney, the work can be red tagged if not proceeding correctly and the case is still in court and can be resumed at any time. Contractor stated the work should take 5 to 6 months to complete.

A resident complained of an individual doing unauthorized repairs to his laterals. At the request of the Board, the village attorney will send a letter to the individual.

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

I the undersigned Municipal Clerk/Treasurer, hereby certify the forgoing is a summary of all matters discussed at the 7-06-10 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 Meeting Act is posted in the meeting room and is accessible to the public.

Mary C. Terry
Municipal/Clerk Treasurer