

City of Hebron Estates
September 7, 2004

Present: Mayor Clark, Commissioners Tucker, Forshee, Murphy, Muir, Clerk Hurst, Attorney Edison, Tom Barr Pioneer News and 7 guests.

Minutes: Comm. Muir stated that "there" needs to be changed to "their". Motion to approve the corrected minutes for August 7, 2004 by Comm. Muir and seconded by Comm. Murphy; Motion Passed 4/0. Motion to approve the corrected minutes for the special meeting on September 2, 2004 by Comm. Muir and seconded by Comm. Murphy; Motion Passed 4/0.

Budget: Clerk Hurst gave an update on the city's balance; she stated that we did write a check for the third draw for the building. Current balance overall is \$118,000.00 and \$32,000.00 and \$84,894.63 in the account after all the draws for this month Motion was made to pay bills by Comm. Tucker and seconded by Comm. Muir; Motion Passed 4/0.

Old Business: Atty Edison led the discussion on the 2004 tax amount. Comm. Forshee asked the Atty what type of expenditures we are looking at spending. Atty. Edison stated that the city still does not know how much it will cost for the storm water run off. Clerk Hurst asked what about the insurance tax. Atty. Edison stated that the city will not know what type of money we will be getting until October and it will probably take a couple of years before we see any funds. Comm. Tucker explained to the guest that the storm water run off is a mandatory item we must comply per the federal government. Comm. Tucker explained that this is something that the government is not giving us any monies Atty Edison did a second reading for the 2004 property taxes Ordinance 2004-03 and 2004-04. Motion to accept a 3% increase on the property tax and service companies for 2004 taxes by Comm. Tucker and seconded by Comm. Muir; Motion Passed 4/0.

Comm. Muir led a discussion on the mailboxes on East Hebron Lane. Comm. Muir stated that the postmaster said that it would be a safety issue because the mail carrier will have to make a few more left hand turns. Comm. Muir stated that she would do some more follow up to see if can still happen.

Comm. Murphy asked Atty. Edison if we have heard anything from the school. Atty. Edison stated no. Comm. Murphy stated that just for clarification, they (Bullitt County Board) can not latch onto our road without going through us first. Atty. Edison stated that they are not supposed to. Mayor Clark stated that he does not want them to latch onto our roads. Comm. Murphy asked that they do understand that we do not want them to latch onto our roads until they present their ideals to us. Atty. Edison said yes. A resident asked Atty. Edison if he had spoken to the attorney for Bullitt County Board and Atty. Edison replied That I have wrote them and were supposed to get back with me however, they have not. The resident asked are we concerned of what their plans are and that could it diminish the possibility of stopping the work after so long. Atty. Edison stated that they can connect to the city street of the city does not want them to. The resident asked – "so there is no chance that they can try to file suit to change the decision". Atty. Edison stated that they received the letter long before they started building. A resident asked why they can not just open the gate and according from the Mayor Dr. Everball said that it will never be opened.

New Business: A concerned resident raised the question about the vandalism. Mayor Clark stated that if we wanted extra patrols it would be \$20 an hour. Mayor Clark stated that he was trying to get a figure from Pioneer Village. Mayor Clark asked if he had any more vandalism problems and he stated not as of right now. Mayor Clark stated that Pioneer Village is a back up and that they are supposed to back the county up.

A discussion was led on the garbage pick up. Atty. Edison explained that Bullitt County Sanitation advised the Pioneers News and news that he was filing bankruptcy. As of now he has not filed for bankruptcy as of this afternoon. His attorney advised me that he would be filing a Chapter 7 bankruptcy in the beginning and then today his attorney told me that he was in negotiations with three other companies. These companies were not going to buy him out because he would lose the contact with the city if he sold the business over. Atty. Edison stated that the bonding company has been placed on notice. Atty Edison stated that Bullitt County Sanitation understands now what a personal guarantee is. Atty. Edison stated that according to Bullitt County Sanitation he or someone else will be in here picking up trash this week on Thursday. Atty. Edison stated that his recommendation would be to go ahead and place a bid and get a new garbage supplier.

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A concern resident asked "what about the money that the residents have paid". Atty. Edison stated that the bonding company would have to be responsible for the performance of picking up the garbage until the end of the contract. Mayor Clark stated that he had received several calls about "why, didn't the city get another company in here when he didn't pick up on Wednesday" and Mayor Clark explained that our Atty advised me that if we did that it would forfeit the \$100,000.00 bond and I did not want risk losing that monies. Atty. Edison stated that because it was an "exclusive franchise" that is why another company could not come in. Atty. Edison stated that if they do not pick-up on Thursday then the city will have step in. Atty. Edison stated that the residents should not get a long term agreement because you may want to wait just to see what happens and see if the city does offer another bid.

Mayor Clark stated that I am having to remove the dumpsters because of the abuse and illegal items that are being placed in the dumpsters. Concern residents asked why we have a franchise. Mayor Clark stated that before the franchise people were paying \$13- \$15 a month. This was a way to offer the residents a way to have good affordable service and to protect the roads. The resident asked how we are going to know that it will not happen again. Atty. Edison stated that several people wanted to help the local fellow.

A resident asked Atty Edison about the performance bond. She asked what about everyone who had paid in through the remainder of the contract. Atty Edison stated that you will not get any money but the bond had to cover the cost and elect a company to come in until the end of the contract. The resident restated that basically I will not have to pay for service until August 2005 unless the \$100,000.00 runs out. Atty. Edison stated that is the way it is supposed to work.

Mayor Clark stated that Bullitt County Sanitation is supposed to pick up on Thursday due to the holiday. Mayor Clark also stated that he did not have time to patrol all entrances to see what garbage companies are coming in.

Motion was made to adjourn by Comm. Muir and seconded Comm. Forshee; passed 4/0.

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