

MINUTES OF THE
BLANCHARD MAYOR AND TOWN COUNCIL
REGULAR MEETING – DECEMBER 14, 2010
7:00 O'CLOCK

Present: Mayor Digilormo, Alderpersons Ashby, Jones, Lee, Prewett, Whittington, Presswood, Attorney Arceneaux, David Yeates, Lonnie Smith, Town Clerk Debra Smith, and various citizens.

Pledge of Allegiance led by Lee.
Invocation given by Arceneaux.

Motion made by Lee to accept the minutes of the regular meeting of November 9, 2010.
Second by Jones. All voted yea.

OLD BUSINESS

Public Hearing on Ordinance 6 of 2010:

The public hearing was opened at 7:03. There being no discussion, the public hearing was closed at 7:04.

Ordinance 6 of 2010:

ORDINANCE 6 OF 2010

AN ORDINANCE TO AMEND SECTION 3.8 OF THE CODE OF ORDINANCES
FOR THE TOWN OF BLANCHARD, LOUISIANA, ESTABLISHING
COMPENSATION FOR ELECTED AND APPOINTED OFFICIALS, AND
OTHERWISE PROVIDING WITH RESPECT THERETO.

BE IT ORDAINED by the Mayor and the Board of Aldermen of the Town of Blanchard, Louisiana, in due, legal and regular session convened, as follows:

Section 1. Section 3.8 of the Code of Ordinances of the Town of Blanchard is amended and re-enacted to read as follows:

Section 3.8 Establishing Compensation for Elected and Appointed Officials

The monthly salaries of the elected and appointed officials are as follows:

Aldersperson/Mayor Pro Tem	525.00
Aldersperson	500.00
Chief of Police	550.00

Section 2. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance that can be given effect without the invalid provisions, items or applications and to this end the provisions of this ordinance are hereby declared severable.

Section 3. All ordinances or resolutions or parts hereof in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that the Town hereby ratifies any payments heretofore made to any such public officials.

BE IT FURTHER ORDAINED that if any provision or item of the ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provision, items or applications and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all ordinances or resolutions or parts thereof in conflict herewith are hereby replaced.

Motion made by Jones to adopt Ordinance 6 of 2010. Second by Lee.

Roll Call Vote:

YEAS: Jones, Lee, Whittington

NAYS: Ashby, Prewett

ABSTAINED: None

ABSENT: None

And Ordinance 6 of 2010 was adopted this 14th day of December 2010.

NEW BUSINESS

Allied Waste-Mr. Roy Walters

Shayne Tatum appeared for Mr. Walters who was unable to attend. The Council asked Mr. Tatum to come to the workshop scheduled for December 28, 2010, at 6:30 p.m.

Resolution 18 of 2010

RESOLUTION 18 OF 2010

A RESOLUTION ACKNOWLEDGING THAT THE TOWN COUNCIL HAS REVIEWED AN INTERNAL "MUNICIPAL WATER POLLUTION PREVENTION REPORT" CONCERNING THE TOWN OF BLANCHARD'S WASTE WATER TREATMENT FACILITY

WHEREAS, the state permits under which the Town of Blanchard's Wastewater Treatment Plant operates require an internal survey form to be completed annually and submitted to the Town Council for review; and

WHEREAS, forms for the past year have been completed by Town administrative personnel after consultation with engineering and operational personnel, and are attached hereto;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Blanchard in due, legal and regular session convened, as follows:

That the Town Council acknowledges that it has reviewed the attached survey forms, as that the following actions have been set forth to maintain permit requirements contained in the Louisiana Pollution Discharge Elimination System (LPDES) permit, number **LA0038903**,

- a. Develop a comprehensive plan for phased implementation of major equipment rehab/replacement.
- b. Continue to be proactive with reporting and preventative maintenance programs.
- c. Continue to modify and improve the collection system to reduce inflow and infiltration.
- d. Secure additional financing for collection and treatment facility improvements.

BE IT FURTHER RESOLVED that if any provision or items of this resolution or the application hereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications, and to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts hereof in conflict herewith are hereby repealed.

Motion to accept Resolution 18 of 2010 made by Jones, second by Prewett. All voted yea.

And Resolution 18 of 2010 was adopted on this 14th day of December, 2010.

RESOLUTION 19 OF 2010

A RESOLUTION AUTHORIZING THE PURCHASE OF A CERTAIN TRACT OF
LAND AND CERTAIN RIGHTS OF WAY FROM THE TOWN OF
MOORINGSPOUR, AND OTHERWISE PROVIDING WITH RESPECT
THERETO

WHEREAS, the Town of Blanchard ("Town") is in the process of planning improvements to the Blanchard Public Water System ("System") whose PWS ID No. is LA1017006 (the "Project"), one aspect of which is constructing a new raw water intake structure (the "Intake Structure") and associated raw water lines to service the expansion of the System; and,

WHEREAS, the Town must procure a suitable location for the Intake Site, which location has been identified in the Town of Mooringsport ("Mooringsport").

WHEREAS, the Town must acquire certain rights of way ("Rights of Way") to install lines for the transportation of raw water to the Intake Structure and the water treatment plant, as part of the Project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Alderpersons of the Town as follows:

Section 1. Johnny V. Digilormo, in his capacity as Mayor of the Town ("Mayor"), is authorized to acquire, on behalf of the Town, all the right, title and interest to a certain parcel of land, more fully described as all that portion of Section 25, Township 20 North, Range 16 West, lying between the townsite of the Town of Mooringsport and the 173.09 foot contour line of Ferry Lake, less portions sold or donated (the "Parcel") from Mooringsport, also described in the attached Exhibit "A."

Section 2. The form of Contract of Sale ("Contract") with its Exhibit "1" being a form of deed to be used for transfer of property at the closing of the sale ("Deed"), attached to this Resolution as Exhibit "C," which Contract and Deed, as an attachment to the Contract and as a stand-alone instrument of conveyance, are hereby approved in substantially the same form with any immaterial changes approved by the Town Attorney, for use in obtaining all rights, title and interest to the Tract.

Section 3. The Mayor is further authorized to acquire, on behalf of the Town, certain Rights of Way from Mooringsport, more fully described on the attached Exhibit "A" and Exhibit "B," using the form of Right of Way Agreement previously approved by the Town of Blanchard, with any immaterial changes thereto approved by the Town Attorney.

Section 4. The Town must obtain an appraisal for the Parcel and the Rights of Way (collectively, the "Subject Property"), and has engaged D. Randall Brown, MAI and Louisiana Certified General Real Estate Appraiser to perform the appraisal of the Subject Property by the engagement letter ("Engagement Letter"), attached hereto as Exhibit "D," accepted and signed by the Mayor on December 7, 2010. The Engagement Letter is hereby approved, confirmed and ratified by the Board of Alderpersons of the Town.

Section 5. The price to acquire the Subject Property shall not exceed the appraised value of the Subject Property ("Purchase Price").

Section 6. The Purchase Price shall be appropriated from the _____ account, and shall be included in the budget as a Construction Expense item. The entirety of the Purchase Price amount

shall be reimbursed to the _____ account, once the necessary funds are obtained by way of bond proceeds from the United Stated Department of Agriculture – Rural Development (“USDA-RD”) or the Louisiana Department of Health and Hospitals (“DHH”), or a combination of both; or in the alternative, the Purchase Price may be obtained in full from the bond proceeds from the USDA-RD or the DHH, or a combination of both, prior to the closing of the sale of the Subject Property.

Section 7. The Town, at its sole discretion, may obtain a survey of the Subject Property, or any portion thereof, prior to the closing of the sale, or at any time thereafter.

Section 8. The Town Attorney is and was authorized to engage in negotiations with Mooringsport to procure the Subject Property on behalf of the Town.

Section 9. The Mayor shall have the authority to execute any closing documents relating to this sale and to approve the issuance of a check, drawn in “good funds” and made payable to the “Town of Mooringsport.”

Section 10. The acquisitions of both the Parcel and the Rights of Way are subject to the final approval or ratification of the Board of Alderpersons of the Town, which may be passed by motion.

Section 11. If any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution that can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

Section 12. All resolutions or parts thereof in conflict herewith are hereby repealed. Motion to accept Resolution 19 of 2010 made by Jones, second by Prewett. All voted yea. And Resolution 19 of 2010 was adopted this 14th day of December, 2010.

Resolution 20 of 2010

RESOLUTION 20 OF 2010

A RESOLUTION CONFIRMING AND RATIFYING CERTAIN RIGHT OF WAY AGREEMENTS NECESSARY FOR THE BLANCHARD PUBLIC WATER SYSTEM IMPROVEMENTS, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the Town of Blanchard (“Town”) is in the process of planning improvements to the Blanchard Public Water System (“System”) whose PWS ID No. is LA1017006 (the “Project”), one aspect of which is laying down new water lines to service the expansion of the System; and,

WHEREAS, certain rights of way (“Rights of Way”) must be acquired by the Town to install the new water lines.

NOW, THEREFORE, BE IT RESOLVED by the Board of Alderpersons of the Town as follows:

Section 1. The Right of Way Agreement between the Town and North Shreveport Industrial Park Supervisory Board, attached hereto, is hereby approved, confirmed and ratified by the Board of Alderpersons of the Town.

Section 2. The Right of Way Agreement between the Town and Mary E. Hunt, attached hereto, is hereby approved, confirmed and ratified by the Board of Alderpersons of the Town.

- Section 3. The Right of Way Agreement between the Town and Willie A. Hicks, attached hereto, is hereby approved, confirmed and ratified by the Board of Alderpersons of the Town.
- Section 4. The Right of Way Agreement between the Town and Charlotte Hicks Todd, attached hereto, is hereby approved, confirmed and ratified by the Board of Alderpersons of the Town.
- Section 5. The Right of Way Agreement between the Town and Sonja O. Hicks, attached hereto, is hereby approved, confirmed and ratified by the Board of Alderpersons of the Town.
- Section 6. The Right of Way Agreement between the Town and Jimmie Brazzell, attached hereto, is hereby approved, confirmed and ratified by the Board of Alderpersons of the Town.
- Section 7. The Right of Way Agreement between the Town and Clark William Johnson, attached hereto, is hereby approved, confirmed and ratified by the Board of Alderpersons of the Town.
- Section 8. The Right of Way Agreement between the Town and Pilgrim Rest Baptist Church of Shreveport and Pilgrim Rest Baptist Church of Blanchard Road, attached hereto, is hereby approved, confirmed and ratified by the Board of Alderpersons of the Town.
- Section 9. The Right of Way Agreement between the Town and Gene Arnold Farmer, attached hereto, is hereby approved, confirmed and ratified by the Board of Alderpersons of the Town.
- Section 10. The Right of Way Agreement between the Town and Princetta Farmer Singley, attached hereto, is hereby approved, confirmed and ratified by the Board of Alderpersons of the Town.
- Section 11. The Right of Way Agreement between the Town and Mary Virginia Farmer Whyte, attached hereto, is hereby approved, confirmed and ratified by the Board of Alderpersons of the Town.
- Section 12. The Right of Way Agreement between the Town and Connie Prater, attached hereto, is hereby approved, confirmed and ratified by the Board of Alderpersons of the Town.
- Section 13. The Right of Way Agreement between the Town and Chevron U.S.A., Inc., attached hereto, is hereby approved, confirmed and ratified by the Board of Alderpersons of the Town.
- Section 14. The Right of Way Agreement between the Town and the Elliott Living Trust (Charles R. Elliott and Vicky Elliott, Trustees), attached hereto, is hereby approved, confirmed and ratified by the Board of Alderpersons of the Town.
- Section 15. If any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution that can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.
- Section 16. All resolutions or parts thereof in conflict herewith are hereby repealed. Motion to accept Resolution 20 of 2010 made by Jones, seconded by Whittington. All voted yea.
- And Resolution 20 of 2010 was adopted on this the 14th day of December, 2010.

Ordinance 7 of 2010:

Lee introduced Ordinance 7 of 2010 by title only to be considered for adoption at the December 28, 2010, special council meeting.

ORDINANCE 7 OF 2010

AN ORDINANCE TO AMEND CHAPTER 3, SECTION 3.7, MUNICIPAL OFFICERS, OF THE CODE OF ORDINANCE , TOWN OF BLANCHARD, RELATING TO THE COMPENSATION OF THE CHIEF OF POLICE OF THE TOWN OF BLANCHARD, AND OTHERWISE PROVIDING WITH RESPECT THERETO

New Territory

No action required.

Report of Departments

Buildings and grounds: Nothing to report.

Streets and Rights of Way: Nothing to report.

Water Department: Prewett reported normal maintenance at water plant. Ashby reported the crews have been doing an outstanding job repairing lots of leaks.

Sewer Department: Nothing to report.

Police Department: Nothing to report.

Treasurer Report: Nothing to report.

Comments by the Mayor:

Mayor stated the swearing in ceremony is scheduled for December 16 at 6:30 p.m. followed by the safety meeting at 7:00 p.m. Motion by Whittington, second by Prewett to adjourn. All voted yea. Meeting adjourned 7:47 p.m.

Johnny Digilormo, Mayor

Debra Smith, Town Clerk