

MINUTES OF THE
BLANCHARD MAYOR AND TOWN COUNCIL
SPECIAL MEETING – JUNE 4, 2008
6:00 O’CLOCK

PRESENT: Mayor Digilormo, Alderpersons Lee, Jones, Ashby, Whittington, and Prewett, Atty. Tom Arceneaux, David Yeates, Dave Cherry, Town Clerk Debra Smith, and various citizens

Meeting called to order 6:00.

Motion made by Lee to dispense with formalities. Second by Whittington. All voted yea.

Questions and Statements of citizens: None

GENERAL LIABILITY INSURANCE:

Motion made by Lee to accept Parnell’s bid. Second by Prewett.

YEAS: Lee, Whittington, Ashby, & Prewett

NAYS: None

ABSTAIN: Jones

ABSENT: None

AMEND AGENDA TO REMOVE RESOLUTION No 3 OF 2008 BUT INCLUDE RESOLUTION No 11 OF 2008 (WATER PLANT EXPANSION BONDS REVISED):

Motion made by Whittington. Second by Jones.

ROLL CALL VOTE:

YEAS: Lee, Jones, Whittington, Ashby, & Prewett.

NAYS: None

ABSTAINED: None

ABSENT: None

RESOLUTION No 3 OF 2008 (REMOVED)

RESOLUTION No 9 OF 2008 (PRE-APPLICATION LDHH):

RESOLUTION No. 9 of 2008

WHEREAS the Town of Blanchard (“Town”) is in need of improvements to the Blanchard Public Water System whose PWS ID No. is LAU004578 (the “Project”); and,

WHEREAS loans for the Project may be available through the Drinking Water Revolving Loan Fund program operated by the Louisiana Department of Health and Hospitals (“DHH”).

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 (“Mayor”) of the Town, is hereby authorized to submit a Loan Pre-Application Form A100 and accompanying documents to DHH on behalf of the Town for the purpose of placing the Project on the Comprehensive Priority List for funding through the Drinking Water Revolving Loan Fund program; and,

- Section 2. The Mayor, or his designee, is further authorized to furnish such additional information as may reasonably be required in connection with the Loan Pre-Application; and,
- Section 3. The Mayor is hereby designated as the Official Project Representative and is hereby given signature authority for all relative documents for the Town for any project, including but not limited to the Project, that may result from the submission of the Loan Pre-Application Form A100 and accompanying documents, and the Mayor is hereby given the power and authority to do all things necessary or appropriate to implement, maintain, amend, and renew any documents relating to the approval of the Project or its funding, or any project resulting from the submission of the Loan Pre-Application Form A100 and accompanying documents.
- Section 4. The Board of Alderpersons specifically reserves the right to approve the final scope and financing of the Project or any other project resulting from the Loan Pre-Application Form A100 and accompanying documents.
- Section 5. 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 6. All resolutions or parts thereof in conflict herewith are hereby repealed.

A MOTION TO ADOPT the above resolution was made by Whittington, seconded by Jones and resulted in the following vote:

YEAS: Lee, Jones, Whittington, Ashby, & Prewett

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution 9 of 2008 was adopted this 4th day of June, 2008.

RESOLUTION No 10 OF 2008 (LOAN APP FOR USDA):

RESOLUTION No. 10 of 2008

WHEREAS the Town of Blanchard ("Town") is in need of improvements to the Blanchard Public Water System whose PWS ID No. is LAU004578 (the "Project"); and

WHEREAS loans for the Project may be available through the rural water and wastewater facilities program operated by the United States Department of Agriculture - Rural Development ("USDA")

NOW, THEREFORE, BE IT RESOLVED, by the Board of Aldermen of the Town of Blanchard, Louisiana that:

- Section 1. Johnny V. Digilormo, in his capacity as Mayor ("Mayor") of the Town, is hereby authorized to submit a Loan Application Form SF-124 and accompanying documents to USCA on behalf of the Town for the purpose of placing the Project on USDA's list for funding the rural water and wastewater facilities program.
- Section 2. The Mayor is further authorized to furnish such additional information as may reasonably be required in connection with the Loan Application; and,
- Section 3. The Mayor is hereby designated as the Official Project Representative and is hereby given signature authority for all relative documents for the Town of Blanchard, Louisiana for any project that may result from the submission of the Loan Application Form SF-424 and accompanying documents, and the Mayor is hereby given the power and authority to do all things necessary or appropriate to implement, maintain, amend, and renew any documents relating to the approval of the Project or its funding, or any project resulting from the submission of the Loan Application Form SR-424 and accompanying documents.
- Section 4. The Board of Alderpersons specifically reserves the right to approve the final scope and financing of the Project or any other project resulting from the Loan Application Form SF-424 and accompanying documents.
- Section 5. 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 6. All resolutions or parts thereof in conflict herewith are hereby repealed.

A MOTION TO ADOPT the above resolution was made by Whittington, seconded by Jones and resulted in the following vote:

YEAS: Lee, Jones, Whittington, Ashby, & Prewett

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution 10 of 2008 was adopted this 4th day of June, 2008.

RESOLUTION No 11 OF 2008 (WATER PLANT EXPANSION BONDS REVISED):

RESOLUTION NO. 11 OF 2008

A resolution declaring the intention of the Town of Blanchard, Parish of Caddo, State of Louisiana (the "Issuer"), to issue in the name of the Issuer, Water Revenue Bonds in an amount not to exceed Sixteen Million Dollars (\$16,000,000) for the purpose of constructing and acquiring improvements,

extensions and replacements to the waterworks system of the Issuer; generally describing said Water Revenue Bonds and the security therefor; authorizing the newspaper publication of a notice of such intention setting forth a date and time when said governing authority will meet in open and public session to hear any objections to the proposed issuance of such Bonds; providing for the filing of a petition by a certain percentage of the electors of the Issuer objecting to the issuance of the proposed Bonds unless an election is held on the question of the issuance thereof; applying to the State Bond Commission for the approval of the contents of the proposed notice of intention; and other matters in connection therewith.

WHEREAS the Town of Blanchard, Parish of Caddo, State of Louisiana (the "Issuer"), proposes to construct and acquire improvements, extensions and replacements to its waterworks system, a work of public improvement of the Issuer, and proposes to finance a portion of the costs thereof through the sale and issuance of not exceeding Sixteen Million Dollars (\$16,000,000) of Water Revenue Bonds of the Issuer (the "Bonds"); and

WHEREAS the Issuer proposes that the Bonds will be issued in the manner prescribed by and under the authority of Part VII, Chapter 4, Title 39 and/or Chapter 32 of Title 40 of the Louisiana Revised Statutes of 1950, as amended (R.S. 40:2821-2826) of the Louisiana Revised Statutes of 1950, as amended (collectively, the "Act"), and other constitutional and statutory authority; and

WHEREAS the Issuer, in accordance with the provisions of the Act, now desires to authorize the giving and publication of notice of intention generally describing the Bonds and the security therefor, setting forth a date and time when they will meet in open and public session to hear any and all objections to the proposed issuance of the Bonds, providing for the filing of a petition by a certain hereinafter described percentage of the electors objecting to the issuance of the Bonds unless an election is held on the question of the issuance thereof, and to apply to the State Bond Commission for approval of the contents of the proposed notice of intention;

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Blanchard, Parish of Caddo, State of Louisiana, acting as governing authority of said Issuer, that:

SECTION 1. Declaration of Intent. Pursuant to and in compliance with the provisions of the Act, and other constitutional and statutory authority, the Board of Aldermen of the Town of Blanchard, Parish of Caddo, State of Louisiana, acting as the governing authority of the Issuer, does hereby declare its intention to issue not exceeding Sixteen Million Dollars (\$16,000,000) of Water Revenue Bonds of the Issuer, in one or more series, the proceeds of which will be used to construct and acquire improvements, extensions and replacements to the waterworks system of the Issuer, including appurtenant equipment, accessories and properties, both personal and real, a work of public improvement for the Issuer. The Bonds shall be limited and special revenue bonds of the Issuer, secured by and payable in principal, interest and redemption premium, if any, solely from the income and revenues derived by the Issuer from the operation of its waterworks system (the "System"), after paying the reasonable and necessary costs and expenses of operating and maintaining the System. The Bonds shall not be a charge on the other income and revenues of the Issuer as prohibited under the provisions of Article VI, Section 37 of the Louisiana Constitution of 1974, nor shall they constitute an indebtedness or pledge of the general credit of the Issuer. The Bonds will be exempt from all income taxation in the State of Louisiana and will be issued and authorized by resolution of this Board of Aldermen. The

Bonds shall be of such series, bear such date, mature at such time or times (not to exceed forty (40) years from their date of issuance), bear interest at such rate or rates (not exceeding six per centum - 6%) per annum), be in such denomination or denomination or denominations, in fully registered form, carry such registration privileges, be payable in such medium of payment at such place or places, be subject to such terms of redemption and be entitled to such priorities on the income and revenues of the System as such resolution may provide.

The Issuer will, in such resolution, enter into such covenants with the future owner or owners of the Bonds as to the management and operation of the system, the imposition and collection of rates and charges of the services rendered thereby, the disposition of such fees and revenues, the issuance of future bonds and the creation of future liens and encumbrances against the System and the revenues therefrom, the keeping of books and records, and other pertinent matters as may be deemed proper by this Board of Aldermen to assure the marketability of the Bonds, consistent with the provisions of the Act. Such resolution will also include remedies in case of default, provisions for the issuance of parity bonds, and such additional covenants, agreements and provisions as are judged advisable or necessary by the Issuer of the security of the registered owners of the Bonds, including sinking funds and reserves for the payment of principal and interest on the Bonds and an adequate depreciation fund for those repairs and improvements to the System as may be necessary to assure adequate and efficient service to the public, all as provided by the Act.

SECTION 2. Sale of Bonds. The Bonds will be sold at public or private sale, as provided for in the Act and statutory authority.

SECTION 3. Public Hearing. This Board of Aldermen, acting as the governing authority of the Issuer, will meet in open and public session on a date and time to be determined after required notice, to hear any objections to the proposed issuance of the Bonds; provided, however, if at such hearing a petition or petitions duly signed by the electors of the District in an aggregate number not less than five percent (5%) of the number of the electors of the District voting in the last special or general election held in the Parish of Caddo object to the issuance of the Bonds, then the Bonds shall not be issued until approved by a vote of a majority of the qualified electors of the District who vote at a special election held for that purpose in the manner provided by Title 18 of the Louisiana Revised Statutes of 1950. Any such petition shall be accompanied by a certificate of the Caddo Registrar of Voters certifying that the signers of the petition are registered electors of the District and the number of signers amounts to not less than five percent (5%) of the registered voters that voted in the last election held in the District, all as provided by the Act.

SECTION 4. Form of Notice of Intention. The Clerk be and she is hereby authorized, empowered and directed to publish an appropriate notice of the intention of the Issuer to issue the Bonds in accordance with the provisions of this resolution and the Act. Such notice of intention shall embody in a general way substantially all the provisions of this resolution herein above set out and shall be published in four (4) consecutive weekly issues of *The Inquisitor*, a newspaper of general circulation and published weekly in the Town of Blanchard, and shall be in substantially the following form, with such alterations as the Mayor, upon advice of Bond Counsel, may deem necessary and appropriate:

A MOTION TO ADOPT the above resolution was made by Prewett, seconded by Jones and resulted in the following vote:

YEAS: Lee, Jones, Whittington, Ashby, & Prewett
NAYS: None
ABSENT: None
ABSTAINING: None

Resolution 11 of 2008 was adopted this 4th day of June, 2008.

BUILDING INSPECTORS:

Motion made by Jones to adopt fair allocation for building inspectors on a one to one and when process is complete, the inspector is responsible for completion of paperwork. Second by Prewett.

YEAS: Lee, Jones, Ashby, & Prewett
NAYS: None
ABSTAIN: None
ABSENT: Whittington

Motion made by Prewett to adjourn, second by Ashby. All voted yea. Meeting adjourned 6:25.

JOHNNY DIGILORMO, MAYOR

DEBRA SMITH, TOWN CLERK