

MINUTES OF THE
BLANCHARD MAYOR AND TOWN COUNCIL
REGULAR MEETING – FEBRUARY 10, 2009
7:00 O'CLOCK

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

ABSENT: Alderpersons Jones and Lee.

Pledge of Allegiance led by Prewett.

Invocation given by Arceneaux.

Questions and Statements of Citizens: None.

Motion by Prewett to accept the minutes of the regular meeting of January 13, 2009. Second by Ashby. All voted yea.

NEW BUSINESS

TERRI DURST RE: WATER BILL

Not Present

POKE SALAD—JOHN FULLER

Motion by Prewett to approve Poke Salad permit and parade route (same as last year) to be held May 9, 2009, with the condition that the Committee must notify Chief Presswood **at least 2** weeks in advance the number of units expected to be in the parade and conditions of Carnival. Second by Ashby. All voted yea.

IESI GARBAGE COLLECTION—DAVID GREENE

Mr. Greene, District Manager

AMERICAN WASTE GARBAGE COLLECTION

Not present

AMEND AGENDA

Motion by Whittington to amend agenda to discuss extending current Allied Waste contract for 3 years at \$11.92 per customer under same terms and conditions as existing contract. Second by Ashby.

Roll Call Vote:

YEAS: Whittington, Ashby, Prewett

NAYS: None

ABSENT: Jones and Lee

Motion by Whittington to renew existing Allied Waste contract with the effective date April 1, 2009, for 3 years at \$11.92 per customer. Second by Ashby. All voted yea.

DEPOSIT INCREASE:

Motion by Whittington to accept the following deposit increases for water service. Second by Prewett. All voted yea.

- a. 5/8 " meter \$ 150.00
- b. 1" meter \$ 250.00

BULK WATER RATE

Motion by Ashby that Bulk Water rate of \$15 / 1,000 gallons when drawn on a sporadic basis to become effective immediately, this supersedes previous vote on August 12, 2008. Second by Prewett. All voted yea.

RESOLUTION # 1 OF 2009 (COMMERCIAL & INDUSTRIAL BULK WATER SALES)

RESOLUTION NO. 1 OF 2009

A RESOLUTION ADOPTING POLICIES REGARDING THE SALE OF BULK WATER FOR COMMERCIAL AND INDUSTRIAL PURPOSES AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, certain proposed users of water from the water system ("System") owned and operated by the Town of Blanchard ("Town") have requested the right to purchase water in bulk for commercial or industrial uses, including but not limited to use in the exploration for or production of oil or natural gas; and

WHEREAS, the Town has water available during most times of the year for such use;

NOW, THEREFORE, BE IT RESOLVED by the Board of Alderpersons of the Town that the Town hereby adopts the following policies for the sale of bulk water for commercial and industrial purposes:

1. Any person or entity desiring to purchase water in bulk from the Town for commercial or industrial purposes shall complete an application for such purchase on a form prescribed by the Water Commissioner for the Town, setting forth the anticipated time for purchases, the duration of the purchases, and the anticipated volume of water to be purchased per week. The application shall set forth the name, address and phone number of one or more persons who may be reached on a 24 hour per day, seven days per week basis for notification or other purposes.

2. Upon acceptance, the Town shall provide bulk water under the following terms and conditions:

a. The proposed purchaser shall pay a deposit of \$2,500.00 to connect to a designated meter installed or to be installed by the Town.

b. The proposed purchaser shall draw water only from the connection to the designated meter.

c. The Town shall have the right to decline to provide bulk water when, in the Town's sole discretion, the Town believes that its water supply is insufficient to service the needs of the Town's regular water customers, including any customers who purchase water in bulk to provide water to another water system, or for fire prevention or protection purposes.

d. The Town may cease to provide bulk water to the purchaser if the provision of water for the purposes for which the water is used by a purchaser is contrary to any statute, order or administrative regulation applicable to the Town or the System.

e. Any sums owed for bulk water hereunder shall be paid on or before the 30th day following sending of an invoice, bill or statement therefore. If the amount owed is not paid by such date, the Town may use such portion of the deposit as is required to satisfy the amount owed, and the Town may suspend any further delivery of water to the purchaser without any prior notice.

f. The Town may terminate any bulk water sales agreement for commercial or industrial use, with or without cause, upon 30 days' notice to the customer.

g. Bulk water shall be delivered and sold pursuant to a Water User Agreement for Bulk Water ("Agreement") in the form attached to this Resolution, and the Mayor or his designee shall be authorized to execute any such Agreements on such form and in accordance with this policy.

BE IT FURTHER RESOLVED that 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.

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

Motion to accept Resolution 1 of 2009 made by Prewett, second by Whittington. All voted yea. And Resolution 1 of 2009 was adopted on this 10th day of February 2009.

BULK WATER USERS AGREEMENT

Motion by Ashby to accept Water User Agreement for Bulk Water. Second by Prewett. All voted yea.

DEQ LETTER

Motion by Whittington to send the letter as written, and if accepted by DEQ, be ready to pay settlement offered. Second by Ashby. All voted yea.

REPORT OF DEPARTMENTS

Buildings and Grounds: Whittington stated siding on Town Hall will be repaired soon.

Streets and Rights of Way: Jones absent.

Water Dept: Prewett reported everybody at Water Plant now Class 3 certified. Arceneaux is looking at the numbers for Bulk Water Sales.

Sewer Dept: Yeates reported Balar is finishing preliminary engineering report for Wastewater expansion. Then can process paperwork for DEQ low interest rate loan.

Police Dept: Chief Presswood reported everything fine.

Treasurer Report: Lee absent.

Comments by the Mayor: Nothing to report. Motion by Ashby to adjourn, second by Whittington. All voted yea. Meeting adjourned 8:02.

JOHNNY DIGILORMO, MAYOR

DEBRA SMITH, TOWN CLERK