

MINUTES OF THE  
BLANCHARD MAYOR AND TOWN COUNCIL  
REGULAR MEETING – FEBRUARY 10, 2015  
7:00 O’CLOCK

**Present:** Mayor Pro Tem Lee, Alderpersons Fuller, Guin, Umling, Whittington, Chief Presswood, Atty. Tom Arceneaux, Lonnie Smith, Perry Fuller, David Yeates, Debra Smith-Town Clerk, and various guests.

**Absent:** Mayor Digilormo.

Meeting called to order by Mayor Pro Tem.

Pledge of Allegiance led by Whittington.

Invocation given by Arceneaux.

**Questions and Statements of Citizens:** None

Motion by Fuller to approve minutes of the Regular Meeting January 13, and Special Meeting January 27, 2015. Second by Umling. All voted yea.

**Old Business**

None

**New Business**

**Proclaim February 10, 2015, as Jacob Bond Day.**

A Proclamation was issued by Mayor Digilormo and presented by Attorney Arceneaux to Jacob Bond proclaiming February 10, 2015, as Jacob Bond Day. Mayor Pro Tem Lee also presented Jacob with a commendation from Representative Jim Morris.

**Resolution 5 of 2015- 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.**

Resolution 5 of 2015

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 for the year 2014, 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. Continue to carry out the comprehensive plan for phased implementation of major equipment rehab/replacement as required by the amended compliance order. (Enforcement Tracking No. WE-C-11-00144A, A1 No. 40806)
- 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.

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 5 of 2015 made by Fuller , second by Whittington. All voted yea. And Resolution 5 of 2015 was adopted on this 10<sup>th</sup> day of February, 2015.

**Resolution 6 of 2015-A Resolution authorizing the Mayor to Execute a Temporary Construction and Permanent Utility Servitude Agreement among Red River Land & Investment, Co., Inc., Wal-Mart Real Estate Business Trust, and the Town of Blanchard Affecting Land in Section 31, Township 19 North, Range 14 West, Caddo Parish, Louisiana, and otherwise providing with respect thereto.**

Resolution 6 of 2015

A Resolution Authorizing the Mayor to Execute a Temporary Construction and Permanent Utility Servitude Agreement Among Red River Land & Investment, Co., Inc., Wal-Mart Real Estate Business Trust, and the Town of Blanchard Affecting Land in Section 31, Township 19 North, Range 14 West, Caddo Parish, Louisiana, and otherwise providing with respect thereto

Whereas, Wal-Mart Real Estate Business Trust (“Walmart”) is the purchaser of certain tracts of property labeled Lot 1 and Lot 3 (the “**Walmart Property**”), as shown on that certain resubdivision plat entitled “Northport Subdivision, Unit 5, Resubdivision of Property Owned By Red River Land & Investment Co., Inc. Into Lots 1 Thru 4 Of The Northport Subdivision Unit No. 5 and a 80’ Right of Way To Be Dedicated To Caddo Parish, Located In Section 31, Township 19 North – Range 14 West, Caddo Parish, Louisiana for Red River Land & Investment Co., Inc. and Wal-Mart Real Estate Business Trust”, dated October 30, 2013, prepared by Michael P. Blanchard, P.L.S., Acadia Land Surveying, L.L.C. (the “**Plat**”); and

Whereas, Red River Land & Improvement Co., Inc. (“**Grantor**”), is the owner of a certain tract of property labeled as “Remainder of Property Owned By Red River Land & Investment Co., Inc.” on the Plat (“**Grantor Property**”); and

Whereas, in connection with the development of the Walmart Property, Walmart desires to (i) obtain, and Grantor is willing to grant, a temporary construction servitude over and across a portion of Grantor Property in order to construct and install waterline improvements consisting of a 12” diameter water main, along with associated appurtenances including, but not limited to new fire hydrants, fittings and valves (the “**Water Improvements**”) on a portion of Grantor Property in order to supply water to the proposed Walmart supercenter and surrounding properties; and (ii) after construction and inspection of the Water Improvement, the Town of Blanchard (“**Town**”) is willing to accept, ownership of the Water Improvements, subject to its standard policy for such acceptances; and

Whereas, Grantor is willing to grant, and the Town is willing to accept, a permanent utility servitude for the use, operation, repair, replacement and maintenance of the Water Improvements.

Now, Therefore, Be It Resolved by the Governing Body of the Town:

Section 1. The Mayor of the Town is authorized to execute the Temporary Construction and Permanent Utility Servitude Agreement ("**Agreement**") among Grantor, Walmart, and the Town in substantially the form of the Agreement provided to the Town on February 3, 2015, with any immaterial changes to be approved by the Town Attorney or the Deputy Town Attorney.

Section 2. This resolution shall become effective immediately.

Section 3. All other resolutions or parts thereof in conflict herewith are hereby repealed.

Motion to accept Resolution 6 of 2015 made by Fuller, second by Whittington. All voted yea. And Resolution 6 of 2015 was adopted on this 10<sup>th</sup> day of February, 2015.

**Resolution 7 of 2015- A Resolution approving the Extension of the Term of the Temporary Water Purchase Contract between the Town of Blanchard and East Mooringsport Water System, Inc. and otherwise providing with respect thereto.**

Resolution 7 of 2015

A Resolution approving the Extension of the Term of the Temporary Water Purchase Contract between the Town of Blanchard and East Mooringsport Water System, Inc. 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"); and,

Whereas, the Town desires to authorize the extension of the temporary term of Temporary Water Purchase Contract (the "Contract"), from and after December 31, 2014 to such date on which Purchaser and Seller consummate and finalize Seller's purchase of certain of the Purchaser's assets, as set forth in that certain Water System Asset Purchase Agreement entered into between Purchaser and Seller, and in turn satisfy Purchaser's indebtedness to USDA-RD and secure the release of the USDA-RD's lien, security interest, mortgage or other encumbrance of or against those certain assets to be purchased by Seller, all as set forth in the Amendment and Extension of the Contract ("Amendment and Extension") attached hereto and incorporated herein.

Whereas, the Town desires to approve the Amendment and Extension in substantially the same form as the attached, and with any of the insubstantial changes approved by the Town Attorney, and to authorize the Mayor to execute the Amendment and Extension (as insubstantially modified, if such is the case) on behalf of the Town.

Now, Therefore, Be It Resolved by the Board of Alderpersons of the Town, that the Town is authorized to enter into the Amendment and Extension, and that the Mayor is authorized to execute the Amendment and Extension on behalf of the Town.

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 7 of 2015 made by Fuller, second by Umling. All voted yea. And Resolution 7 of 2015 was adopted on this 10<sup>th</sup> day of February, 2015.

**Introduce Ordinance 1 of 2015-Second Consolidated Supplemental Bond Ordinance 1 of 2015-A second consolidated supplemental bond ordinance amending and supplementing a General Bond Ordinance, providing for the sale of Water Revenue Refunding Bonds, Series 2015 of the Town of Blanchard, State of Louisiana, pursuant thereto; prescribing the form, fixing the details and providing for the payment of principal of and interest on such Bonds; and providing for other matters in connection therewith.**

Whittington introduced the following Ordinance to be voted on at the March 10, 2015, Regular Council Meeting.

Second Consolidated Supplemental Bond  
Ordinance 1 of 2015

A second consolidated supplemental bond ordinance amending and supplementing a General Bond Ordinance, providing for the sale of Water Revenue Refunding Bonds, Series 2015 of the Town of Blanchard, State of Louisiana, pursuant thereto; prescribing the form, fixing the details and providing for the payment of principal of and interest on such Bonds; and providing for other matters in connection therewith.

Motion by Whittington to go into Executive Session, second by Fuller. All voted yea. The Council thereby entered Executive Session at 7:17 p.m.

Motion by Whittington to exit Executive Session, second by Fuller. All voted yea. The Council thereby resumed the Council Meeting at 7:45 p.m.

Motion by Fuller to withhold \$160,200.00 out of the final payment to McInnis Brothers. Second by Umling. All voted yea.

**Report of Departments**

**Buildings and Grounds**

Umling stated he learned helpful information and enjoyed the Mid-Winter LMA Conference, otherwise nothing to report.

**Streets and Rights of Way**

Whittington stated the "No Parking" signs should be in place along Wasson Road by the end of the week. He also stated that there should be a list of the roads in the Blanchard area at the March Council Meeting that the Parish will be working on.

**Water Department**

Fuller stated that the water plant personnel were currently in the process of building the last pit to get settlement out of the ponds. He also stated he learned helpful information and enjoyed the Mid-Winter LMA Conference.

**Sewer Department**

Guin stated that waste water personnel were waiting on lift gates to be adjusted and pursuing filtration system that was not included in the original upgrade plans.

**Police Department**

Chief stated that the officers are still testing the body cameras and will be meeting with a company representative to discuss concerns.

**Treasurer Report**

Lee-nothing to report.

**Comments by the Mayor**

Lee stated a workshop is scheduled for February 24, 2015, at 6:30 p.m. Motion by Whittington to adjourn, second by Fuller. All voted yea. Meeting adjourned 7:55 p.m.

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Patsy Lee, Mayor Pro Tem

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Debra Smith, Town Clerk