

MINUTES OF THE
BLANCHARD MAYOR AND TOWN COUNCIL
REGULAR MEETING – MARCH 11, 2008
7:00 O’CLOCK

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

Pledge of Allegiance led by Ashby.

Invocation given by Digilormo.

Questions and Statements of Citizens: None

Motion by Lee to accept the minutes of the regular meeting of February 12, 2008. Second by Whittington. All voted yea.

OLD BUSINESS

PUBLIC HEARING ON ORDINANCE 2 OF 2008:

Public hearing opened at 7:03. There being no discussion, public hearing closed at 7:04.

AMENDMENT TO ORDINANCE 2 OF 2008:

Prewett made motion to amend Ordinance 2 of 2008 to include effective date of April 1, 2008. Second by Whittington.

ROLL CALL VOTE:

YEAS: Ashby, Jones, Lee, Prewett and Whittington

NAYS: None

ABSTAINED: None

ABSENT: None

And Amendment to Ordinance 2 of 2008 was adopted this 11th day of March, 2008.

ORDINANCE 2 OF 2008:

ORDINANCE 2 OF 2008

AN ORDINANCE TO AMEND SECTION 15.44(b) OF THE CODE OF ORDINANCES FOR THE TOWN OF
BLANCHARD REGULATING WATER AND SEWER, AND OTHERWISE PROVIDING WITH RESPECT
THERETO

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

Section 1. Section 15.44(b) of the Code of Ordinances of the Town of Blanchard is amended and reenacted to read as follows:

There shall be two (2) classes of building sewer permits; (1) for residential and (2) for commercial service establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the municipality. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the clerk. A permit and inspection fee of \$400 for a residential sewer permit and \$600 for a commercial building sewer permit shall be paid to the municipality at the time the application is filed.

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 All ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective on April 1, 2008.

Motion made by Lee to adopt Ordinance 2 of 2008, as amended. Second by Ashby.

ROLL CALL VOTE:

YEAS: Ashby, Jones, Lee, Prewett and Whittington

NAYS: None

ABSTAINED: None

ABSENT: None

And Ordinance 2 of 2008 was adopted this 11th day of March, 2008, as amended.

PUBLIC HEARING ON ORDINANCE 3 OF 2008:

The public hearing was opened at 7:06. There being no discussion, the public hearing was closed at 7:07.

AMENDMENT TO ORDINANCE 3 OF 2008:

Ashby made motion to amend Ordinance 3 of 2008 to include effective date of April 1, 2008. Second by Prewett.

ROLL CALL VOTE:

YEAS: Ashby, Jones, Lee, Prewett and Whittington

NAYS: None

ABSTAINED: None

ABSENT: None

And Amendment to Ordinance 3 of 2008 was adopted this 11th day of March, 2008.

ORDINANCE 3 OF 2008:

ORDINANCE 3 OF 2008

AN ORDINANCE TO REPEAL SECTION 6.85, AND TO AMEND SECTIONS 6.87 AND 6.89 OF THE CODE OF ORDINANCES FOR THE TOWN OF BLANCHARD PERTAINING TO LICENSING AND REGULATIONS, AND OTHERWISE PROVIDING WITH RESPECT THERETO

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

Section 1. Section 6.85 of the Code of Ordinances of the Town of Blanchard is hereby repealed in its entirety.

Section 2. Section 6.87 of the Code of Ordinances of the Town of Blanchard is amended and reenacted to read as follows:

Section 6.87 Application generally.

Application for the itinerant vendor's license required by this article shall be made to the clerk at least 48 hours prior to the date of any contemplated sale or exhibit to be held in the municipality. Such application shall be in the form of an affidavit stating the full name and address of the itinerant vendor, the location of his principal officer and place of business, the names and addresses of its officers, if it is a corporation, and the partnership name and the names and addresses of all parties, if such itinerant vendor is a firm.

Section 3. Section 6.89 of the Code of Ordinances of the Town of Blanchard is amended and reenacted to read as follows:

Section 6.89 Fee.

For each itinerant vendor's license issued under the provisions of this article, the applicant therefore shall pay to the clerk the sum of Fifty Dollars (\$50.00). Such sum shall be compensation to the municipality for the service required of it by this article and to enable the municipality to partially defray the expenses of enforcing the provisions of this article.

Section 4. 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 which 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 5. All ordinances or resolutions or parts thereof in conflict herewith are hereby replaced.

Section 6. This ordinance shall become effective on April 1, 2008.

Motion made by Lee to adopt Ordinance 3 of 2008, as amended. Second by Prewett.

ROLL CALL VOTE:

YEAS: Ashby, Jones, Lee, Prewett and Whittington

NAYS: None

ABSTAINED: None

ABSENT: None

And Ordinance 3 of 2008 was adopted this 11th day of March, 2008, as amended.

NEW BUSINESS

JIMMY CANADA:

After Mr. Canada presented his case, the council requested time for research and advised Mr. Canada that he would be contacted at a later date with the Council's decision.

REZONING OF 221 W. DAUGHERTY:

Motion made by Lee to bypass the zoning committee and to rezone 221 W. Daugherty from "Light Commercial" to "Public Use." Second by Jones. All voted yea.

JACK BROWN (BOND RESOLUTION—WATER SYSTEM IMPROVEMENTS)

Lee made motion to amend Agenda to include Resolution 3 of 2008. Second by Whittington.

ROLL CALL VOTE:

YEAS: Ashby, Jones, Lee, Prewett and Whittington

NAYS: None

ABSTAINED: None

ABSENT: None

RESOLUTION NO 3 OF 2008

The following resolution was offered by Prewett and seconded by Ashby:

RESOLUTION NO. 3 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 Fifteen Million Dollars (\$15,000,000) 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 therefore; 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 Fifteen Million Dollars (\$15,000,000) 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 therefore, 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 Fifteen Million Dollars (\$15,000,000) 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 there from, 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:

Prewett made motion to adopt Resolution 3 of 2008. Second by Ashby. All voted yea.

LANDER'S DODGE REPRESENTATIVE

Unable to attend.

MOTION THAT EMPLOYEE HANDBOOK BE CHANGED

Ashby made motion to accept changes to the employee handbook as submitted reference Employee's sick leave. Second by Lee. All voted yea.

LARRY CARTER'S RESIGNATION (ATTACHED)

Motion by Ashby to accept. Second by Whittington. All voted yea.

REPORT OF DEPARTMENTS

Buildings and grounds: Whittington reported estimated cost to repair car shed roof \$300.

Motion made by Ashby to give Whittington permission to pursue & purchase needed security cameras for Town Hall with a cost of approx \$300. Second by Lee. All voted yea.

Streets and Rights of Way: Jones reported she is working on street repair list & litter control. Will report more at next meeting.

Water Department: Dave Cherry reported Pilot Study running.

Sewer Department: David Yeates reported everything as well as can be expected.

Police Department: Chief Presswood reported new laptop and software as well as replaced PC and copier.

Treasurer Report: Lee reported examining items to be categorized as Capital Outlay. \$4800 additional owed to Worker's Comp.

COMMENTS BY THE MAYOR:

Mayor Digilormo reported Blanchard Elementary has received the new playground equipment. Motion made by Lee to adjourn. Second by Whittington. All voted yea. The meeting was adjourned at 8:13.

JOHNNY DIGILORMO, MAYOR DEBRA SMITH, TOWN CLERK