

MINUTES OF THE
REGULAR MEETING OF THE
BLANCHARD MAYOR AND TOWN COUNCIL
Tuesday, June 9, 2020 – 6:00 P.M.

Present: Mayor Galambos, Alderpersons Fuller, Presley and Whittington, Candy Foshee, Town Clerk,
Perry Fuller, Utility Manager, Atty. Bradford.
Absent: Lee, Guin

Meeting called to order by Mayor at 6:00 p.m.

Pledge of Allegiance led by J. Fuller
Invocation by Whittington
Questions and Statements of Citizens: None

Whittington made motion to approve the Regular Meeting of May 12, 2020.
Second by Fuller. All voted yea.

OLD BUSINESS

NONE

NEW BUSINESS

Selection of Official Journal for FY 2020-2021

Motion by Fuller to select the Inquisitor as the official journal for the town of Blanchard for FY 2020-2021. Second by Whittington. All voted yea.

Public Hearing - Ordinance 5 of 2020 - An Ordinance to Amend the Budget for the Town of Blanchard for FY 2019-2020 and otherwise providing with respect thereto (Introduced by title May 12, 2020)

Public hearing was opened at 6:02. There being no comments in favor of or comments in opposition to Ordinance 5 of 2020, the hearing was closed at 6:03.

Roll Call Vote on Ordinance 5 of 2020

ORDINANCE 5 OF 2020

**AN ORDINANCE TO AMEND THE BUDGET FOR THE TOWN OF BLANCHARD
FOR THE FISCAL YEAR ENDING JUNE 30, 2020 AND OTHERWISE
PROVIDING WITH RESPECT THERETO**

WHEREAS, the Town of Blanchard desires to adopt and amend the budget for fiscal year ending

June 30, 2020:

	2018-19 Original Budget	2018-19 Amended Budget	April 2020 Actual	May & June 2020 Estimate	2019-20 Budget	2019-20 Budget Amended
SECTION ONE - GENERAL FUND						
Total Govt Revenues	949,340	1,029,389	956,759	88,115	1,026,498	1,044,874
Total Govt Expenses	942,170	1,023,239	783,670	226,616	1,018,970	1,010,286
Total Govt Net INCOME						
Or (LOSS)	7,170	6,150	173,089	(138,501)	7,528	34,588
Beginning Fund Balance	32,591	268,546			141,921	141,921
Ending Fund Balance	39,761	274,696	173,089	-138,501	149,449	176,509
SECTION TWO – UTILITY FUND						
Total Utility Revenue	4,268,949	4,341,350	3,803,611	748,947	4,343,964	4,552,558
Total Utility Expenses	3,182,688	3,138,315	2,782,769	327,476	4,143,575	4,548,745
Total Utility Dept Net INCOME or (LOSS)	1,086,261	1,203,035	1,020,842	421,471	200,389	3,813
Beginning Fund Balance	1,860,140	1,860,140	0		1,099,824	1,099,824
Ending Fund Balance	2,946,401	3,063,175	1,020,842	421,471	1,300,213	1,103,637

Said Ordinance having been introduced on May 12, 2020 by Whittington, notice of public hearing having been published, said public hearing having been held, the title having been read and the ordinance considered, on motion of Whittington, second by Fuller, a roll call vote was taken and the following was had:

YEAS: Fuller, Presley, Whittington

NAYS: NONE

ABSENT: Guin, Lee

ABSTAIN: NONE

And Ordinance 5 of 2020 was adopted this 9th day of June, 2020.

Public Hearing – Ordinance 6 of 2020 – An Ordinance to Adopt the Budget for the Town of Blanchard for FY 2020-2021 and otherwise providing with respect thereto (Introduced by title May 12, 2020)

Public hearing was opened at 6:04. There being no comments in favor of or comments in opposition to Ordinance 6 of 2020, the hearing was closed at 6:05.

Roll Call Vote on Ordinance 6 of 2020

ORDINANCE 6 OF 2020

AN ORDINANCE TO ADOPT THE BUDGET FOR THE TOWN OF BLANCHARD FOR THE FISCAL YEAR ENDING JUNE 30, 2021 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. The Town of Blanchard (“Town”) is authorized to levy an Ad Valorem Tax of Six and 51/100 (6.51) mills for general purposes.
- Section 2. The Town so authorizes to levy an Ad Valorem Tax of Four & 51/100 (4.51) mills for maintenance and operation of the Town sewer system.
- Section 3. The Town is authorized to levy other fees and taxes for general purposes as set forth herein.
- Section 4. Sufficient receipts for general government operations are available for sources authorized by law.
- Section 5. The Town has approved the incurrence of debt and the appropriation of expenditure by specific action.
- Section 6. The Town desires to adopt an annual operating budget for the fiscal year ending June 30, 2021 (“FY 2020-2021”) as set forth herein.

	2018-2019 Actual	2019-2020 Budget	2019-2020 Estimate	2020-2021 Budget
<u>SECTION ONE - GENERAL FUND</u>				
Total Govt Revenues	1,070,666	1,026,498	1,044,874	1,044,874
Total Govt Expenses	1,089,770	1,018,970	1,010,286	1,042,116
Total Govt Net INCOME or (LOSS)	-19,104	7,528	34,588	2,758
Beginning Fund Balance	161,025	161,025	161,025	195,613
Ending Fund Balance	141,921	168,553	195,613	198,371
<u>SECTION TWO – UTILITY FUND</u>				
Total Utility Revenue	4,024,064	4,343,964	4,552,558	4,611,058
Total Utility Expenses	3,685,344	4,143,575	4,423,745	4,581,055
Total Utility Dept Net INCOME or (LOSS)	338,720	200,389	128,813	30,003
Beginning	1,099,824	1,099,824	1,099,824	1,099,824
Ending Fund Balance	1,438,544	1,300,213	1,228,637	1,129,827

- Section 7. The Mayor is hereby authorized to execute all contracts, deeds and other legal instruments necessary to expend and receive the funds herein authorized.
- Section 8. If any provision or item of this ordinance or the application hereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which shall be given effect without the invalid provisions, items or applications and to this end the provisions of this ordinance are hereby declared severable.

Said Ordinance having been introduced on May 22, 2020 by Whittington, notice of a public hearing having been published, said public hearing having been held, the title having been read and the Ordinance considered, on motion of Whittington, second by Fuller, to adopt the ordinance, a roll call vote was taken and the following had:

YEAS: Fuller, Presley, Whittington
NAYS: NONE
ABSENT: Guin, Lee
ABSTAIN: NONE

And Ordinance 6 of 2020 was adopted this 9th day of June, 2020.

Authorization for Mayor Galambos to change the title on Citizens Bank & Trust Account ending in *597 from “Debt Reserve” to “2012/2014 Debt Reserve”**

Motion by Whittington to authorize Mayor Galambos to change the title on Citizens Bank & Trust Account ending in ***597 from “Debt Reserve” to “2012/2014 Debt Reserve.” Second by Fuller. All voted yea.

Public Hearing - Ordinance 7 of 2020 – An Ordinance to Enlarge the Boundaries of the Town of Blanchard, to include a 17.923 acre tract, more or less, in the Northeast Quarter of Section 31, Township 19 North, Range 14 West, Caddo Parish, Louisiana (Turning R Properties, LLC) (Introduced by title May 12, 2020)

Public hearing was opened at 6:06. There being no comments in favor of or comments in opposition to Ordinance 7 of 2020, the hearing was closed at 6:07.

Roll Call Vote on Ordinance 7 of 2020

ORDINANCE 7 OF 2020

AN ORDINANCE TO ENLARGE THE BOUNDARIES OF THE TOWN OF BLANCHARD, TO INCLUDE A TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 19 NORTH, RANGE 14 WEST, CADDO PARISH, LOUISIANA, BOUNDED ON THE NORTH BY THE SOUTHERLY EDGE OF SHOULDER OF THE SOUTHBOUND LANE OF LOUISIANA STATE HIGHWAY 1 (NORTH MARKET ST.), BOUNDED ON THE EAST BY THE WEST ROW LINE OF INTERSTATE 49, CONTAINING 17.923 ACRES, MORE OR LESS, PER ASSESSOR’S PLAT (TURNING R PROPERTIES, LLC)

WHEREAS, Section 172 of Title 33 of the Louisiana Revised Statutes of 1950 provides for annexation by petition; and,

WHEREAS, a petition signed by more than the required percentage in value of the area described below has been filed with the Town Council to annex and bring within the corporate limits of the Town of Blanchard, Louisiana, the following described property, to-wit:

A tract of land situated in Section 31, Township 19 North, Range 14 West, Caddo Parish, Louisiana, bounded on the North by the Southerly edge of shoulder of the Southbound lane of Louisiana State Highway No. 1 (North Market St.) bounded on the East by the West right of way line of Interstate 49, and being more particularly described as follows:

Beginning at a found ½” iron pipe on the Southerly right of way line of said LA. Hwy. No. 1 being the Northeast Corner of Lot 1, Northport Subdivision Unit No. 2 as recorded in Book 5050, Page 165, Conveyance Records of Caddo Parish, Louisiana, also being the Point of Beginning of the tract herein described:

Thence North 00 deg 59 min 25 sec East a distance of 38.37 feet along the East line of the Northwest Quarter of said Section 31, also being the limits of the Town of Blanchard, as per Instrument No. 2511271, Conveyance Records of Caddo Parish, Louisiana, to the Southerly edge of the asphalt shoulder of the Southbound lane of said LA. Hwy No. 1;

Thence South 59 deg 22 min 59 sec East a distance of 1025.20 feet along Southerly edge of asphalt shoulder;

Thence South 12 deg 45 min 28 sec East a distance of 115.61 feet to a found brass cap at the intersection of the Southerly right of way line of said La. Hwy. No. 1 and the Westerly Right of Way line of Interstate 49;

Thence along the Westerly right of way line of said Interstate 49 the following three courses:

South 12 deg 45 min 28 sec East a distance of 138.06 feet;

South 23 deg 35 min 52 sec East a distance of 157.68 feet;

South 18 deg 00 min 34 sec East a distance of 463.90 feet;

Thence North 89 deg 02 min 12 sec West a distance of 105.59 feet to the Northeast Corner of Lot 17, Two-Don North Forty, Unit No. 1, as recorded in Book 2000, Page 213, Conveyance Records of Caddo Parish, Louisiana;

Thence North 89 deg 11 min 09 sec West a distance of 409.60 feet along the North line of said Two-Don Forty Unit No. 1 to the East right of way line of North Forty Drive;

Thence North 00 deg 38 min 25 sec East a distance of 871.76 feet along said East right of way line to the Southerly Right of Way line of said LA. Hwy No. 1;

Thence North 59 deg 21 min 19 sec West a distance of 69.28 feet along said South right of way line to the West right of way line of said North Forty Drive;

Thence South 00 deg 38 min 25 sec West a distance of 906.23 feet along said West right of way line to the North line of Lot 1, said Two-Don Forty, Unit No. 1;

Thence North 89 deg 11 min 09 sec West a distance of 144.87 feet along the North line of said Two-Don Forty, Unit No. 1;

Thence North 00 deg 59 min 25 sec East a distance of 361.50 feet;

Thence North 89 deg 18 min 07 sec West a distance of 361.50 feet;

Thence North 00 deg 59 min 25 sec East a distance of 889.50 feet to the South right of way line of said LA. Hwy. No. 1;

Thence North 59 deg 10 min 48 sec West a distance of 99.71 feet along said South right of way line to the Point of Beginning, said tract herein described containing 17.923 acres, more or less.

NOW, THEREFORE, BE IT ORDAINED BY THE Board of Alderpersons of the Town of Blanchard in due, legal and regular session convened, that the limits and boundaries of the Town of

Blanchard are hereby changed to include within the limits and boundaries of said Town the above described property.

BE IT FURTHER ORDAINED that the property described above be zoned as “Light Commercial.”

BE IT FURTHER ORDAINED that the Town Clerk be and is hereby authorized to file, within ten (10) days of the final passage of this ordinance with the Clerk of the First Judicial District Court for Caddo Parish, a description of the entire boundary of the municipality as changed by this Ordinance.

BE IT FURTHER ORDAINED that 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 described severable.

BE IT FURTHER ORDAINED that all Ordinances or Resolutions or parts thereof in conflict herewith are hereby repealed.

Said Ordinance having been introduced on the 12th day of May, 2020, by Whittington, notice of a public hearing having been published, said public hearing having been held, the title having been read and the ordinance considered, on motion of Fuller, seconded by Presley, to adopt the ordinance, a roll call vote was taken and the following was held:

YEAS: Fuller, Presley, Whittington

NAYS: NONE

ABSENT: Guin, Lee

ABSTAIN: NONE

And Ordinance 7 of 2020 was adopted on this 9th day of June, 2020.

Petition for annexation presented by Red River Land & Investment Co., Inc. – of Lot 2, Northport Subdivision, Unit 6, Caddo Parish, LA to be zoned “Light Commercial”

Motion by Whittington to accept the petition for annexation as presented by Red River Land & Investment Co., Inc. Second by Fuller. All voted yea.

Petition for annexation presented by E & L Development, Inc. – of a 14.054 acre tract of land in Section 36, Township 19 North, Range 15 West, Caddo Parish, Louisiana to be zoned “Light Commercial”

Motion by Whittington to accept the petition for annexation as presented by E & L Development, Inc. Second by Fuller. All voted yea.

Vote to authorize Mayor Galambos to sign any and all contracts and/or documents regarding the Oil City water project

Motion by Whittington to authorized Mayor Galambos to sign any and all contracts and/or documents regarding the Oil City water project. Second by Fuller. All voted yea.

Resolution 7 of 2020 - A Resolution in Opposition of all Proposed Legislation that Transfers the Administration and Collection of Local Sales and Use Taxes to the Louisiana Department of Revenue

RESOLUTION 7 OF 2020

A RESOLUTION IN OPPOSITION OF ALL PROPOSED LEGISLATION THAT TRANSFERS THE ADMINISTRATION AND COLLECTION OF LOCAL SALES AND USE TAXES TO THE LOUISIANA DEPARTMENT OF REVENUE.

WHEREAS, the Constitution of the State of Louisiana grants local governments the right to levy and collect local sales and use taxes;

WHEREAS, there are several constitutional amendments and bills introduced in the 2020 First Extraordinary Legislative Session that would transfer collection responsibility of local sales and use tax levies to the state Department of Revenue; and

WHEREAS, local taxing authorities possess the best knowledge and experience to properly collect its own taxes and have a proven record of proactive advancements in the areas of enforcement, audit coverage, dispute resolution, reporting technology and successful litigation; and

WHEREAS, the state of Louisiana's budget issues do not offer prospects for the Department of Revenue to have sufficient resources to provide the necessary taxpayer assistance, enforcement programs and training of its employees on the specific application of local sales and use tax ordinances without significant cost contributions from local governments, thereby resulting in the direct and indirect loss of local tax receipts; and

WHEREAS, many local taxing authorities have issued bonded indebtedness guaranteed by the passage locally adopted sales and use tax levies, collection of said levies the direct responsibility of local governments, and which transfer of that responsibility to a state agency may generate legal challenges and jeopardize future bond issues; and

WHEREAS, the central local collector in each parish is directly responsible to the local taxing authorities and their elected officials for the performance of local tax administration, and the Secretary Revenue being an appointee of the Governor of the state, uncertainty exist as to who in the Department of Revenue will be accountable to local taxing authorities for the performance of such critical local tax administration,

NOW THEREFORE, be it resolved that the Town of Blanchard, as a governing body, asks that each member of the legislative delegation for the Parish of Caddo is urged to vigorously oppose any and all proposed legislation that transfers the administration and collection of local sales and use taxes to the Louisiana Department of Revenue; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent forthwith to said legislators so that they will be made aware of our position on this matter.

Motion to accept Resolution 7 of 2020 was made by Whittington. Second by Fuller.

A roll call vote was had as follows:

YEAS: Fuller, Presley, Whittington

NAYS: None

ABSENT: Guin, Lee

ABSTAIN: None

And Resolution 7 of 2020 was adopted on this 9th day of June, 2020.

Authorization for Mayor to sign Act of Dedication of water and sewer system of Old Towne Subdivision, Unit 1 including but not limited to all water lines, sewer lines and fire hydrants

Whittington made motion to postpone the authorization for Mayor to sign the Act of Dedication of water and sewer system of Old Towne Subdivision, Unit 1. Second by Presley. All voted yea.

Appointment of Shannon Robertson to the Economic Development and Zoning Board

Motion by Fuller to appoint Shannon Robertson to the Economic Development and Zoning Board. Second by Whittington. All voted yea.

May 2020 financials (to be emailed)

The May 2020 financials will be emailed to council members when they are completed.

Report from:

Perry Fuller, Utility Manager – 3 leaks repaired, 8 meter sets, 6 road bores. All projects are making progress.

Gary Presswood – Police Department is staying busy.

COMMENTS BY THE MAYOR

Food distribution on June 1, 2020 went well. The Fourth of July event at the Northwood Country Club will still be held, but will be scaled back a bit. Hoping to have a band but there will be no jump houses.

Court will be held on June 18 at Caddo Parish District Court for the suit Town of Blanchard v. Julian, et al.

There being no further business, Whittington made motion to adjourn, second by Fuller. All voted yea. Meeting adjourned at 6:16 pm.

Jim Galambos, Mayor

Candy Foshee, Town Clerk