

MINUTES OF THE  
REGULAR MEETING OF THE  
BLANCHARD MAYOR AND TOWN COUNCIL  
Tuesday, July 14, 2020 – 6:00 P.M.

Present: Mayor Galambos, Alderpersons Fuller, Guin, Lee and Presley, Chief Presswood, Candy Foshee, Town Clerk, Atty. Bradford, Deputy Burroughs. Absent: Whittington  
Meeting called to order by Mayor at 6:00 p.m.  
Pledge of Allegiance led by Guin  
Invocation by Lee  
Questions and Statements of Citizens: None  
Fuller made motion to approve the Regular Meeting of June 9, 2020. Seconded by Lee. All voted yea.

**OLD BUSINESS**

**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 (postponed from June 12, 2020 meeting)**

Fuller made motion to postpone this matter until the August 11, 2020 council meeting. Seconded by Presley. All voted yea.

**NEW BUSINESS**

**Report from Economic Development and Zoning Board - re-zoning of Lots 1 through 6 and ½ abandoned alley, Block 9, Town of Blanchard, from “Permanent One Family Residential (R/P) to “Mobile Home Residential (R/O) (Olen and Betty Ashby)**

Fuller made motion to accept the report from the Economic Development and Zoning Board, which was unanimous in favor of the rezoning. Seconded by Lee. All voted yea.

**Vote on rezoning Lots 1 through 6 and ½ abandoned alley in Item 1 above from “Permanent One Family Residential (R/P) to “Mobile Home Residential (R/O)**

Lee made motion to rezone Lots 1 through 6 and ½ abandoned alley, Block 9, Town of Blanchard from “Permanent One Family Residential” (R/P) to “Mobile Home Residential (R/O)”. Seconded by Fuller. All voted yea.

**Report from Economic Development and Zoning Board - re-zoning of a 1.033 acre tract of land in the Northeast Quarter of Section 36, Township 19 North, Range 15 West, Caddo Parish, Louisiana from “Permanent One Family Residential (R/P)” to “Other Residential (R/M)” (E & L Development, Inc.)**

Lee made motion to accept the report from the Economic Development and Zoning Board, which was unanimous in favor of the rezoning. Seconded by Fuller. All voted yea.

**Vote on rezoning the 1.033 acre tract in Item 3 above from “Permanent One Family Residential (R/P)” to “Other Residential (R/M)”**

Fuller made motion to rezone the 1.033 acre tract of land in the Northeast Quarter of Section 36, Township 19 North, Range 15 West, Caddo Parish, Louisiana from “Permanent One Family Residential (R/P)” to “Other Residential (R/M)”. Seconded by Lee. All voted yea.

**Report from Economic Development and Zoning Board - re-zoning of a 13.901 acre tract of land in the Northeast Quarter of Section 36, Township 19 North, Range 15 West, Caddo Parish, Louisiana from “Permanent One Family Residential (R/P)” to “Light Commercial” (E & L Development, Inc.)**

Lee made motion to accept the report from the Economic Development and Zoning Board, which was unanimous in favor of the rezoning. Seconded by Fuller. All voted yea.

**Vote on rezoning the property in Item 5 from “Permanent One Family Residential (R/P)” to “Light Commercial”**

Lee made motion to rezone the 13.901 acre tract of land in the Northeast Quarter of Section 36, Township 19 North, Range 15 West, Caddo Parish, Louisiana from “Permanent One Family Residential (R/P)” to “Light Commercial”. Seconded by Fuller. All voted yea.

**Resolution 8 of 2020 – A Resolution to authorize the Mayor or his Designee to request and authorize the Louisiana State Mineral and Energy Board and the Office of Mineral Resources to accept nominations and advertise for oil, gas and mineral leases, accept bids, and award and execute oil, gas and minerals leases on certain mineral interests owned by the Town of Blanchard and otherwise providing with respect thereto**

**RESOLUTION NO. 8 OF 2020**

**A RESOLUTION AUTHORIZING THE MAYOR TO REQUEST THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, OFFICE OF THE STATE MINERAL BOARD, TO LEASE CERTAIN MINERAL INTERESTS OWNED BY THE TOWN OF BLANCHARD AND TO EXECUTE ALL DOCUMENTS RELATIVE TO SAME; TO APPROVE THE SUBMISSION OF A REQUEST AND APPLICATION TO THE STATE MINERAL BOARD; AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

WHEREAS, the Town of Blanchard (“**Town**”) may own mineral rights underlying the property described in Exhibit A (collectively the “**property**”); and

WHEREAS, the Town desires to lease its interest in the property for oil, gas, and other minerals subject to conditions contained herein; and

WHEREAS, pursuant to La. R. S. 30:151, *et seq.*, the Town may, by resolution, direct the Louisiana Department of Natural Resources, Office of the State Mineral Board (“**Mineral Board**”) to lease the Town’s interest in the property for such purposes; and

WHEREAS, the Town desires to avail itself of the provisions of the aforesaid statutes by this resolution requests the Mineral Board to lease the property for oil, gas and other minerals subject to conditions contained herein and accordance with applicable provisions of law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Alderpersons of the Town in due, regular and legal session convened, that the Mayor is hereby authorized to request the Mineral Board to lease certain mineral interests owned by the Town of Blanchard and to execute all documents relative to same, including but not limited to any application required by the Mineral Board.

BE IT FURTHER RESOLVED that the Mineral Board be and it is hereby requested and authorized to seek public bids for oil, gas and mineral leases covering the property described in Attachment "A" attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that any such lease shall contain a No Surface Operations provision to read the same or substantially the same as the following:

"Except as otherwise expressly authorized in writing by Lessor, Lessee shall not use the surface of the lands covered by this Lease for any drilling or production purposes, including but not limited to drilling, completion, reworking, laying or operations of pipelines, or any other activity, it being the intention of the Lessor and Lessee that any activities relating to prospecting for, exploration or production of the minerals leased herein shall be conducted on property other than the lands covered by this Lease. Lessee, its successors or assigns, may produce oil, gas, and other minerals from the leased premises by drilling from a surface location on other lands. Notwithstanding any other provision of this lease to the contrary, where drilling or surface operations are allowed by Lessor, such operations shall be permitted only subject to Lessor's prior written consent."

BE IT FURTHER RESOLVED that any such lease shall contain a horizontal Pugh clause to read the same or substantially the same as the following:

"Notwithstanding anything to the contrary herein contained, at the end of the primary term or any extension thereof by operations, if the Commissioner of Conservation of the State of Louisiana establishes a drilling unit which includes a part of the land herein leased, or if the lessee shall pool or unitize any part of the land herein leased with other lands, the production of oil, gas and other minerals from any unit created by the Commissioner of Conservation or by voluntary pooling or unitization shall maintain this lease in full force and effect only as to such portions of the leased land embraced in any such pooled unit, and this lease shall expire as to that part of the land herein leased not included in any such pooled unit, and Lessee, its successors and assigns agree to relinquish by formal instrument any portion of the leased land not included in a unit created by the Commissioner of Conservation or by voluntary pooling or unitization while this lease is in effect."

BE IT FURTHER RESOLVED that any such lease shall contain a vertical Pugh clause to read the same or substantially the same as the following:

"Upon the expiration of the primary term hereof or any extension thereof by operations, this lease shall automatically terminate and be of no further force or effect except as to all that part of the leased premises then included within the geographical boundaries of a producing unit duly established by governmental agency or authority having jurisdiction or by voluntary pooling or unitization, from the surface of the earth to a depth of 100 feet below the deepest depth from which any well commenced during the primary term hereof on the leased premises or on lands pooled therewith is completed and from which there is production in paying quantities, such determination to be made on a unit by unit basis. In the absence of units so established, this lease shall terminate except as to 40 acres around each producing oil well and 160 acres around each producing or shut-in gas well located on the leased premises, in as near the form of a square as is practicable, from the surface of the earth down to a depth of 100 feet below the deepest depth from which said well or wells are completed and from which there is production in paying quantities, such depth determination to be made on a well by well basis."

BE IT FURTHER RESOLVED that any such lease shall contain a hard or solid mineral exclusion provision as follows:

"The lease does not include and free Sulphur, potash, lignite, salt, or any other hard or solid mineral. Lessee shall not have any rights to explore for, drill for, mine, produce, or take any action whatsoever in regard to any such hard or solid mineral deposits."

BE IT FURTHER RESOLVED that any such lease shall contain a provision requiring minimum royalty payments to Lessor of not less than 20 percent (20%).

BE IT FURTHER RESOLVED that any such lease shall contain a provision requiring minimum bonus payments to Lessor of not less than One Thousand, Two Hundred Fifty and No/100 (\$1,250.00) Dollars per acre.

BE IT FURTHER RESOLVED that any such lease shall contain a maximum primary term not to exceed three (3) years.

BE IT FURTHER RESOLVED that such lease shall contain a provision expressly stating that any lease granted by the Town and accepted by Lessee shall be without warranty of title and without recourse against the Town, whether expressed or implied, and further, that the Town shall not be required to return any payments received or be otherwise responsible to Lessee therefore.

BE IT FURTHER RESOLVED that any error in any legal description contained in Attachment "A" which may be discovered by the Mineral Board or its staff during its review of the Town's application which are subsequently corrected by the Town, provided such irregularities do not materially change the property being herein authorized for lease, shall not affect any authorization granted or conveyed herein and the Mineral Board is hereby authorized to advertise and subsequently lease the said property as correctly described.

BE IT FURTHER RESOLVED that the Mayor is authorized to apply to the Mineral Board to nominate the property described in Attachment "A" for leasing on such forms and containing such terms as are consistent with the terms and conditions of this resolution.

BE IT FURTHER RESOLVED that if any provisions or items of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications 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 thereof in conflict hereby are hereby repealed.

EXHIBIT "A"  
(attached to Resolution 8 of 2020)

1. Lot 1 and 2, Blanchard Square, Town of Blanchard, Caddo Parish, Louisiana, together with all buildings and improvements located thereon. (181503-074-0001-00 and 181503-074-0002-00)
2. Lots 7 and 8, Block 18 and abandoned alley, Town of Blanchard, Caddo Parish, Louisiana, together with all buildings and improvements located thereon. (181503-030-0015-00)
3. Lot 12, Block 18 and abandoned alley, Town of Blanchard, Caddo Parish, Louisiana, together with all buildings and improvements located thereon. (181503-030-0012-00)
4. Lots 9, 10 and 11 and abandoned alley, Town of Blanchard, Caddo Parish, Louisiana, together with all buildings and improvements located thereon. (181503-030-0013-00)
5. A tract of land containing .23 acres, more or less, located in the Northwest corner of Lot 1, O. A. Gallemore Estate Partition, Caddo Parish, Louisiana. (181503-007-0005-00)
6. A tract of land located in the S/2 of the NW/4, Section 3, T18N, R15W, Caddo Parish, Louisiana, together with all buildings and improvements located thereon, said property more fully described in Act of Sale filed and recorded February 18, 2011, Instrument No. 2335245 in the conveyance records of Caddo Parish, Louisiana.
7. A tract of land adjoining Lot 1, Lacey Gardens, Unit 1 and Lot 16, Lacey Gardens, Unit 2, Blanchard, Caddo Parish, Louisiana. (181503-002-0019-00)
8. A tract of land adjoining Lot 1, Lacey Gardens, Unit 1 and Lot 16, Lacey Gardens, Unit 2, Ratchiff Family Plot, Blanchard, Caddo Parish, Louisiana, (181503-002-0020-00)
9. Lots 7 and 8, and half abandoned alley, Block 42, Town of Blanchard, Caddo Parish, Louisiana, (444 W. Birch St.) together with all buildings and improvements located thereon. (181503-054-0014-00)

Motion to adopt Resolution 8 of 2020 was made by Lee. Seconded by Fuller. All voted yea. And Resolution 8 of 2020 was adopted on this 14<sup>th</sup> day of July, 2020.

**Resolution 9 of 2020 – A Resolution to authorize the Mayor or his Designee to execute the Federal Funding Certification and Agreement to Hold Harmless and Indemnity on behalf of the Town of Blanchard and otherwise providing with respect thereto**

**RESOLUTION 9 of 2020**

**AUTHORIZING JIM GALAMBOS, MAYOR OF THE TOWN OF BLANCHARD  
OR HIS DESIGNEE TO EXECUTE THE FEDERAL FUNDING  
CERTIFICATION AND AGREEMENT TO HOLD HARMLESS AND  
INDEMNIFY ON BEHALF OF THE TOWN OF BLANCHARD,  
AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

**WHEREAS**, the Town of Blanchard desires to request direct payments from the State of Louisiana from the allocation of funds to the state of Louisiana from the Coronavirus Relief Fund created by the CARES Act; and

**WHEREAS**, I, Jim Galambos, Mayor of the town of Blanchard, understands that the State of Louisiana will rely on this Certification as a material representation in making direct payments to the town of Blanchard; and

**WHEREAS**, I, Mayor Galambos, acknowledges that the Town of Blanchard will use funds provided by the State to reimburse those actual expenditures that were incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) and which said expenditures were not accounted for or amended in the budget for fiscal year 2019/20 and which said expenditures were not accounted for in the budget for fiscal year 2020/21 adopted June 9, 2020;

**WHEREAS**, said expenditures were or will be incurred during the period beginning March 1, 2020 and ending December 30, 2020;

**NOW, THEREFORE, BE IT RESOLVED** that Jim Galambos, Mayor, on behalf of the **Town of Blanchard**, or his designee, is hereby authorized to execute the Federal Funding Certification and Agreement to Hold Harmless and Indemnify.

**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** all resolutions or parts hereof in conflict herewith are hereby repealed.

Motion to adopt Resolution 9 of 2020 was made by Lee. Seconded by Fuller. All voted yea. And Resolution 9 of 2020 was adopted on this 14th day of July, 2020.

**Introduction by title only of Ordinance 8 of 2020 - An Ordinance to Enlarge the Boundaries of the Town of Blanchard, to include a 14.054 acre tract in Section 36, Township 19 North, Range 15 West, and otherwise providing with respect thereto (E & L Development, Inc.)**

Lee introduced by title only Ordinance 8 of 2020.

**Introduction by title only of Ordinance 9 of 2020 – An Ordinance to Enlarge the Boundaries of the Town of Blanchard, to include Lot 2, Northport Subdivision, Unit 6, Caddo Parish, Louisiana (Red River Land & Investment, Inc.)**

Lee introduced by title only Ordinance 9 of 2020.

**Petition for Annexation presented by Kenneth J. Lawler and Bethany Lawler – for a 61.971 acre tract of land in Section 36, Township 19 North, Range 15 West, Caddo Parish, Louisiana to be zoned as “Permanent One Family Residential (R/P)”**

Lee made motion to accept the petition for annexation presented by Kenneth J. Lawler and Bethany Lawler to annex a 61.971 acre tract of land in Section 36, Township 19 North, Range 15 West, Caddo Parish, Louisiana to be zoned as “Permanent One Family residential (R/P)”. Seconded by Presley. All voted yea.

**Petition for Annexation presented by Aric Brownsberger – for a 171.621 acre tract being that part of the South Half of Section 28, Township 19 North, Range 15 West, lying East of KCS Railroad, Caddo Parish, Louisiana to be zoned as “Permanent One Family Residential (R/P)”**

Lee made motion to accept the petition for annexation presented by Aric Brownsberger to annex a 171.621 acre tract being that part of the South Half of Section 28, Township 19 North, Range 15 West, lying East of KCS Railroad, Caddo Parish, Louisiana to be zoned as “Permanent One Family Residential (R/P)”. Seconded by Fuller. All voted yea.

**Petition for Annexation presented by Jerry and Carolyn Calhoun – for Lot 7, Pine Hill Commercial Subdivision, Caddo Parish, Louisiana to be zoned as “Light Commercial”**

Lee made motion to accept the petition for annexation presented by Aric Brownsberger to annex a 171.621 acre tract being that part of the South Half of Section 28, Township 19 North, Range 15 West, lying East of KCS Railroad, Caddo Parish, Louisiana to be zoned as “Permanent One Family Residential (R/P)”. Seconded by Fuller. All voted yea.

**Authorization for Mayor or his designee to sign the agreement with Bluebird Wireless Broadband**

Fuller made motion to grant the Mayor or his designee to sign the agreement with Bluebird Wireless Broadband. Seconded by Presley. All voted yea.

**June 2020 financials (to be emailed)**

The June 2020 financials will be emailed when they are completed.

**Report from:**

Perry Fuller, Utility Manager – No report

Gary Presswood – Marty Julian of 211 Jo Lacey was incarcerated at CCC today for ten days.

Kevin Sandifer – No report. Mayor advised he would check on Mr. Sandifer.

**COMMENTS BY THE MAYOR**

It has been a busy week. Farmer’s Market last day was Saturday. Everybody stay safe.

There being no further business, Fuller made motion to adjourn, seconded by Lee. All voted yea.

Meeting adjourned at 6:17 pm.

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Jim Galambos, Mayor

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Candy Foshee, Town Clerk