

MINUTES OF THE
BLANCHARD MAYOR AND TOWN COUNCIL
SPECIAL MEETING – NOVEMBER 22, 2016
7:00 O’CLOCK P.M.

Present: Mayor Galambos, Alderpersons J. Fuller, Guin, Lee, Umling, and Whittington, Chief Presswood, Atty. Tom Arceneaux, Perry Fuller-Utility Manager, Debra Smith-Town Clerk.

Absent: None.

Meeting called to order by Mayor.

Pledge of Allegiance led by Alderman J. Fuller.

Invocation given by Lee.

Questions and Statements of Citizens

None.

Old Business

None.

New Business

Resolution 13 of 2016 – Canvassing the returns and declaring the results of the November 8, 2016, election. Accompanied by Procès Verbal and Proclamation of Canvass.

The following resolution was offered by Whittington and seconded by Umling.

Resolution 13 of 2016

A Resolution Providing for Canvassing the Returns and Declaring the Result of the Special Election held in the Town of Blanchard, State of Louisiana, on Tuesday, November 8, 2016, to Authorize the Sale of Alcoholic Beverages therein; and providing for other matters in connection therewith.

BE IT RESOLVED by the Board of Alderpersons of the Town of Blanchard, State of Louisiana (the “Governing Authority”), acting as the governing authority of the Town of Blanchard (“Town”), with jurisdiction within the corporate limits of the Town, that:

SECTION 1. Canvass. This Governing Authority does now proceed in open and public session to examine the official tabulations of votes cast at the special election held in the Town on TUESDAY, NOVEMBER 8, 2016, to authorize the sale of alcoholic beverages in the Town, and the Governing Authority does further proceed to examine and canvass the returns and declare the result of the special election.

SECTION 2. Procès Verbal. A *Procès Verbal* of the canvass of the returns of said election shall be made and a certified copy thereof shall be forwarded to the Secretary of State, Baton Rouge, Louisiana, who shall record the same in his office; another certified copy thereof shall be forwarded to the Clerk of court and Ex-Officio Recorder of Mortgages in and for the Parish of Caddo, who shall record the same in the Mortgage Records of said Parish; and another copy thereof shall be retained in the archives of this Governing Authority.

SECTION 3. Promulgation of Election Result. The result of said election shall be promulgated by publication in the manner provided by law.

This resolution having been submitted to a vote, the vote thereon was as follows:

MEMBERS	YEA	NAY	ABSENT	ABSTAINING
John Fuller	X	_____	_____	_____
Jeff Guin	X	_____	_____	_____
Patsy Lee	X	_____	_____	_____
Steve Umling	X	_____	_____	_____
Jimmy Whittington	X	_____	_____	_____

And the resolution was declared adopted on this, the 22nd day of November, 2016.

Resolution 14 of 2016 – Declaring 4 utility trucks surplus.

Motion by Umling to table, second by Guin. All voted yea.

Town’s portion of the Hospitalization Insurance with Blue Cross and Blue Shield to be paid as follows:

a. Renewal Premiums: Town 90% and employee 10%

b. Option 2 Blue POS Copay 80/60 \$500A Premiums: Town 95% and employee 5%.

Motion by Whittington to adopt the payout schedule as stated above. Second by Lee. All voted yea.

Resolution 15 of 2016 – Amending Resolution 11 of 2016 and accompanying “Exhibit A”

Resolution 15 of 2016

A Resolution Adopting Rates, Policies, and Procedures for Accidental Water Use Due to Leaks or Breakage and otherwise providing with respect thereto.

WHEREAS, from time to time, residential and commercial users of water from the water system (“System”) owned and operated by the Town of Blanchard (“Town”) discover that they have inadvertently used Accidental amounts of water from the System as result of leaks or breakage in their water lines on the customer side of the water meter; and

WHEREAS, the Town does not have authority to reduce rates or charges for such water in the absence of an established such rate; and

WHEREAS, the Town wishes to establish a uniform rate, policy, and procedure for a reduced rate for Accidental water usage for residential and commercial customers of the System;

NOW, THEREFORE, BE IT RESOLVED by the Board of Alderpersons of the Town that the Town hereby adopts the Policy for Alternate Rates for Accidental Water Use Due to Leaks or Breakage (“**Policy**”) attached to this Resolution as Exhibit A.

BE IT FURTHER RESOLVED that if any provision or item of this Resolution or the Policy, or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Resolution or the Policy that can be given effect without the invalid provisions, items or applications and to this end the provisions of this Resolution and the Policy are hereby declared severable.

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

Motion to accept Resolution 15 of 2016 made by Lee, second by J. Fuller. All voted yea.

And Resolution 15 of 2016 was adopted on this 22nd day of November, 2016.

Exhibit A

Policy for Alternate Rates for Accidental Water Use Due to Leaks or Breakage

This Policy for Alternate Rates for Accidental Water Use Due to Leaks or Breakage is designed to provide rate relief for residential and commercial customers of the Water System of the Town of Blanchard in the event of Accidental water usage by a customer due to leaks or line breakage in the customer's plumbing system resulting in unexpectedly high water usage and an unexpectedly high water bill.

Section 1. *Definitions.* As used in this Resolution, the following terms have the meanings below:

- (a) "Accidental Water Use" refers to water usage by a Customer in excess of the average water usage by the Customer as measured by the 12 billing periods prior to Customer's receipt of a water bill that the Customer believes includes charges for Accidental Water Use. If the Customer does not have at least 12 prior billing periods, the average water usage shall be determined by reference to the billing periods that are available for the Customer.
- (b) "Break" means a break in a water line or other piping system on the Customer side of the Customer's water meter.
- (c) "Customer" means a customer classified as a residential or commercial customer of the System as defined in the Town's System rate structure.
- (d) "Leak" means a leak in a water line or other piping system on the Customer side of the Customer's water meter.
- (e) "Policy" means this Policy for Alternate Rates for Accidental Water Use Due to Leaks or Breakage, as it may be amended or modified from time to time.
- (f) "System" means the water system operated by the Town.
- (g) "Town" means the Town of Blanchard.

Section 2. *Notice of Break or Leak.* To avail himself or herself of the provisions of this Policy, the Customer must notify the Town in writing that the Customer believes he or she has encountered a Break or Leak that has resulted in Accidental Water Use, or that the Customer has received an unexpectedly high water bill. The Customer shall provide the Town with evidence satisfactory to the Town, in the Town's sole discretion, that the Accidental Water Use is due to a Break or Leak, including a description of the Break or the Leak. Such evidence might include photographs of or a statement of a licensed journeyman plumber about the Break or Leak.

Section 3. *Repair.* Within ten days after notice to the Town of the suspected Accidental Water Use, the Customer shall repair the Break or Leak, and shall furnish the Town with evidence satisfactory to the Town that the Break or Leak has been repaired. Such evidence may include, but is not limited to, a statement of a licensed journeyman plumber. The Town may inspect the repair to insure that it is accomplished and in a good and workmanlike manner.

Section 4. *Rate for Accidental Water Usage.* The rate ("Accidental Water Use Rate") for Accidental Water Use due to a Break or Leak shall be a reduction of twenty five (25%) per cent of the entire bill due, or such other amount as shall be determined by resolution of the Board of Aldermen passed from time to time.

Section 5. *Time for Payment.* Any payment for Accidental Water Use shall be made no later than four months following the due date of the water bill during which the Customer encountered Accidental Water Use the month during which the Accidental Water usage occurred. For good cause shown, the Mayor may extend the payment of charges for Accidental Water Use for up to two additional months. Any failure to make timely payments shall be a default, and the Town may exercise any cutoff or collection options or impose late fees it has established under other policies and procedures for water rates for the System.

Section 6. *Limitation on Applicability of Policy.* Notwithstanding anything in this Policy to the contrary, this Policy shall only apply to Accidental Water Use caused by a Break or Leak.

Introduce Ordinance 9 of 2016 - An Ordinance to Set Forth Conditions for Commercial Water Connections Outside of the Limits of the Town of Blanchard and otherwise providing with respect thereto.

Whittington introduced the following by Title only to be voted on at the December 13, 2016 Council meeting.

Ordinance 9 of 2016

An Ordinance to Set Forth Conditions for Commercial Water Connections Outside of the Limits of the Town of Blanchard and otherwise providing with respect thereto

Motion by Whittington to dispense with Report of Departments and Mayor's Comments. Second by Guin. All voted yea. Motion to adjourn by Whittington, second by Guin. All voted yea. Meeting adjourned 7:06 p.m.

Jim Galambos, Mayor

Debra Smith, Town Clerk