

**MINUTES OF A REGULAR PUBLIC MEETING OF THE
MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF VIDALIA, LOUISIANA,
HELD ON TUESDAY, MAY 12, 2020 AT 6:00 P.M.
IN THE TOWN HALL MEETING ROOM**

The Mayor and Board of Aldermen of the Town of Vidalia, Louisiana, met, in regular session, in the Town Hall Meeting Room in Vidalia, Louisiana, on Tuesday, May 12, 2020, at 6:00 p.m.

There were present: Mayor Buz Craft, Aldermen Jon Betts, Robert Gardner, Tommy Probst, Alderwoman Sabrina Dore'; and Alderman Tron McCoy by telephone.

There was absent: NONE.

There were also present: Jay LaSyone, Town Clerk; Debra Moak, Town Accountant; and George C. Murray, Jr., Town Attorney. Town Clerk LaSyone noted that due to the COVID-19 outbreak and subsequent orders limiting the number of persons allowed at gatherings, public access is restricted. He further advised how citizens wishing to submit comments may do so and advised that the meeting may be viewed on Facebook live, or citizens are invited to park around the Municipal Complex and listen on the radio at 96.5 FM.

The meeting was opened by the Mayor and the invocation was given by Alderman Gardner, followed by the reciting of the Pledge of Allegiance by those present.

A quorum being present, the Mayor declared the Mayor and Board of Aldermen of the Town of Vidalia, Louisiana, to be duly convened, in regular session, as the governing authority of said municipality, and opened the meeting for the conduct of business.

After being reviewed, the typed minutes from the regular meeting of April 14, 2020, was approved. The motion for approval was made by Alderwoman Dore', seconded by Alderman Probst, and unanimously carried.

Addressing Agenda Item No. 1, the Mayor called on the Town Accountant, Debra Moak, who presented the financial statement for the month ending March, 2020. As usual, she explained the various fund balances, which summaries included a comparison of actual expenses to budget expenses. She reviewed the summary sheets, previously given to the Aldermen, and reported on the various positive and negative fund balances and indicated the net changes in the various funds through March 31, 2020. She then specifically reported on the amounts in the various fund balances, reminding the Aldermen that those statements were provided to them in their meeting packet. There being no comments or questions, the Mayor commended Mrs. Moak for her dedicated work on the budget.

Agenda Item No. 2 was the consideration of occupational license applications. The first application was by Deep South Quality Inspection, LLC, represented by Brenda Floyd, d/b/a "BB's Fish Fry" at 110 Carter Street, a restaurant. There being no discussion or questions, it was moved by Alderwoman Dore', seconded by Alderman Probst, and unanimously carried that the application be granted. The second application was by Nongula Bernard for "Vital Nutrition, LLC" (a current business being purchased), at 1642 Carter Street. There being no discussion or questions, it was moved by Alderman Gardner, seconded by Alderman Probst, and unanimously carried, that the application be granted.

Agenda Item No. 3 was the consideration of outdoor sign applications. The first application was for a lighted sign advertising "Vidalia Community Health Center", at 900 Carter Street, Ste. A. There being no discussion or questions, it was moved by Alderman Gardner, seconded by Alderman Betts, and unanimously carried, that the application be granted. The second application was for a lighted sign advertising "BB's Fish Fry:" at 1100 Carter Street. There being no discussion or questions, it was moved by Alderman Betts, seconded by Alderman Probst and unanimously carried, that the application be granted.

Addressing Agenda Item No. 4, the Mayor advised the Board that he is introducing, at this time, the proposed Ordinance adopting the Operating Budget for the fiscal year 2020-2021. The

Mayor noted that a copy of the Ordinance had been in their packet which they were previously provided. The Mayor further advised that the Ordinance and budget would be available for inspection at the Town Hall beginning Wednesday, May 13, 2020. He further reported that he is calling a special meeting for Thursday, May 28, 2020, for the purpose of having a public hearing on the Ordinance and considering adoption thereof and that he would like input as to what time it should be held. The consensus was that the meeting be held at 6:00 P.M.

Agenda Item No. 5 was Board discussion and vote on a Resolution authorizing the Town to prepare and submit a pre-application for the Statewide Flood Control Program for assistance with projects for reducing existing flood damages and providing for related matters in connection therewith. The Mayor then explained the need for the passage of the Resolution, a copy of which was in the meeting packet previously provided. He opened the floor for discussion by the Board. Alderman Gardner said that he had been asked questions about how long a project would take and if the Town had an existing time line. The Mayor advised that it was difficult to obtain a time line as the matter has to be submitted to the State for their approval. Alderman McCoy then commented on the matter and the Mayor then mentioned that FEMA and GOSHA funding for post mitigation and the Brick Program is for pre-mitigation funds. Following the discussions, a motion was made by Alderwoman Dore' that the resolution as presented be passed, which was seconded by Alderman Gardner, and unanimously carried.

(A COPY OF THIS RESOLUTION IS ATTACHED HERETO AND MADE A PART HEREOF)

Agenda Item No. 6 was Board discussion vote on a resolution to authorize the Town to execute and deliver to the Federal Energy Regulatory Commission an application for the partial transfer of the license for the operation of the Hydroelectric Station and to authorize the Mayor to enter into and execute the application and all documents necessary in connection therewith. The Mayor then explained the need for the Resolution and the circumstances surrounding the need to make a partial transfer of the license to the Federal Energy Regulatory Commission. Following a short discussion, which included concerns over the language authorizing action, which concerns were addressed by the Town Attorney, Alderman Dore' moved to accept the Resolution, as presented, which motion was seconded by Alderman Probst. A roll call vote indicated YEAS by all Aldermen and the motion carried unanimously.

(A COPY OF THIS RESOLUTION IS ATTACHED HERETO AND MADE A PART HEREOF)

Agenda Item No. 7 was adjournment, and there being no further agenda items, a motion to adjourn was made by Alderman Probst, seconded by Alderman Gardner, and unanimously carried, and the meeting was adjourned.

/s/ Jay LaSvone
JAY LASYONE, TOWN CLERK

/s/ Buz Craft
BUZ CRAFT, MAYOR

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The following resolution was offered by Alderwoman Dore', seconded by Alderman Gardner:

RESOLUTION

A RESOLUTION AUTHORIZING THE TOWN OF VIDALIA TO PREPARE AND SUBMIT A PRE-APPLICATION TO THE STATEWIDE FLOOD CONTROL PROGRAM FOR ASSISTANCE IN THE IMPLEMENTATION OF A PROJECT FOR THE PURPOSE OF REDUCING EXISTING FLOOD DAMAGES; PROVIDING FOR THE NECESSARY DOCUMENTATION OF SAID FLOOD DAMAGES; AND PROVIDING FOR OTHER RELATED MATTERS IN CONNECTION THEREWITH.

WHEREAS, THE TOWN OF VIDALIA, Concordia Parish, Louisiana has been adversely affected by damages from flood waters; and

WHEREAS, THE TOWN OF VIDALIA, desires to apply for State matching funds pursuant to L.A. R.S. 38:90.1 et. seq., as amended, to implement a project to reduce said flood damages, and that THE TOWN OF VIDALIA is fully aware of its obligations under said Statute; and

WHEREAS, THE TOWN OF VIDALIA is a political body duly organized and existing under the laws of the State of Louisiana and is eligible to apply for funds under said Statute,

NOW, THEREFORE, BE IT RESOLVED by THE TOWN OF VIDALIA, Concordia Parish, Louisiana, convened in regular session, does hereby declare as follows:

Section 1. That THE TOWN OF VIDALIA acknowledges that upon approval of the pre-application a formal application will be prepared and submitted to the statewide Flood Control Program.

Section 2. That at the appropriate time and upon approval of funding assistance and prior to commencement of work on the project, THE TOWN OF VIDALIA agrees to execute a Statement of Sponsorship pursuant to said Statute.

Section 3. That Heather Malone, Economic Development Director for the Town of Vidalia, is hereby designated Authorized Representative for THE TOWN OF VIDALIA to effect the preparation of the pre-application and application to the Statewide Flood Control Program for funding assistance of a flood control project.

Section 4. That said Authorized Representative's responsibilities shall pertain to technical matters only and shall not include any official act on behalf of the TOWN OF VIDALIA.

The above Resolution was adopted at the May 12, 2020, regular meeting and the vote thereon was recorded as follows:

YEAS: Aldermen Betts, McCoy, Probst, Gardner and Alderwoman Dore'.

NAYS: NONE.

ABSTAINING: NONE.

ABSENT: NONE.

And the Resolution was declared adopted effective this 12th day of May, 2020.

/s/ Jay LaSyone
JAY LASYONE, TOWN CLERK

/s/ Buz Craft
BUZ CRAFT, MAYOR

The following resolution was offered by Alderwoman Dore', seconded by Alderman Probst:

RESOLUTION

A RESOLUTION AUTHORIZING THE TOWN OF VIDALIA TO EXECUTE

AND DELIVER TO THE FEDERAL ENERGY REGULATORY COMMISSION AN APPLICATION FOR THE PARTIAL TRANSFER OF THE LICENSE FOR THE OPERATION OF THE SIDNEY A.MURRAY, JR., HYDROELECTRIC STATION; AND TO AUTHORIZE THE MAYOR TO ENTER INTO AND EXECUTE THE APPLICATION AND ANY AND ALL DOCUMENTS NECESSARY IN CONNECTION THEREWITH; AND TO RATIFY AND APPROVE ALL ACTIONS TAKEN IN GOOD FAITH BY THE MAYOR PRIOR TO THE DATE OF THIS RESOLUTION ON BEHALF OF THE TOWN IN FURTHERANCE OF THE ACTIONS CONTEMPLATED BY THIS RESOLUTION

WHEREAS, the Town is party to that certain Second Amendment and Restated Project Development Agreement dated as of August 24, 1990, by and between the Town and Catalyst Old River Hydroelectric Limited Partnership, a Louisiana partnership in commundum (the "Agreement").

WHEREAS, the Town covenanted and agreed in Section 1.2 of the Agreement to continue providing Catalyst Old River Hydroelectric Limited Partnership (the "Partnership") with assistance in obtaining necessary licenses as essential to the successful development and operation of the Sidney A Murray, Jr., Hydroelectric Station (the "Project"), and further agreed that it will cause to be promptly and duly taken, executed, acknowledged and delivered, all such further acts, documents, assurances and consents as the Partnership may from time to time request.

WHEREAS, pursuant to a sales and leaseback with a syndicate of equity investors, whose interests are represented by a trustee (the "Sale-Leaseback Arrangement") in 1990, the license for the Project granted by the Federal Energy Regulatory Commission (the "Commission") is currently held by the Town, the Partnership, and the trustee representing the equity investors (the "Owner Trustee") as co-licensees.

WHEREAS, the Partnership now seeks to unwind the Sale-Leaseback Arrangement (the "Transaction"), and as a result, Owner Trustee will no longer hold any interest in Project property, and must be removed as a co-licensee of the Project.

WHEREAS, in connection the Transaction, an application for the approval of partial transfer of the license (the "Application") for the Project to remove the Owner Trustee, leaving only the Town and the Partnership as sole co-licensees, must be submitted to the Commission.

WHEREAS, as a co-license of the license for the Project, the Town's signature is required on the Application;

NOW THEREFORE, BE IT RESOLVED that THE TOWN OF VIDALIA, Concordia Parish, Louisiana, convened in regular session, does hereby declare as follows:

SECTION 1. That the Town is hereby authorized to execute and deliver the Application, and any and all other agreements, documents, instruments and certificates the Partnership may reasonably request in order to consummate the Transaction.

SECTION 2. That May Buz Craft is hereby authorized to enter into and execute the application and any such other documents he deems, in his sole discretion, necessary to effectuate the intents and purposes of this resolution.

SECTION 3. That all other actions taken in good faith by the Mayor prior to the date of this resolution on behalf of the Town in furtherance of the actions contemplated by this resolution are in all respects ratified, confirmed and approved by the Town.

The above resolution was adopted at the May 12, 2020, Regular Meeting at which all Board members were present, in person or electronically, thus constituting a quorum, and the vote thereon was recorded as follows:

YEAS: Aldermen Betts, Gardner, Probst, McCoy and Alderwoman Dore'.

NAYS: NONE.

And the resolution was declared adopted effective this 12th day of May, 2020.

/s/ Jay LaSyone
JAY LASYONE, TOWN CLERK

/s/ Buz Craft
BUZ CRAFT, MAYOR

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