

Minutes of the proceedings of the Mayor and Board of Aldermen of the Town of Gueydan, Louisiana, taken at regular meeting held Tuesday, August 7, 2007 at 6:00 o'clock P.M.

The Mayor and Board of Aldermen of the Town of Gueydan, Louisiana met in regular session with Mayor Charlotte Venable-Hartwell presiding and the following Aldermen present:

Present: CLAUDETTE PRICE, ALTHEA WILLIAMS,
DAVID DUPUIS, GALE SMITH & JUDE REESE

Absent: NONE

Motion was made by DAVID DUPUIS, seconded by JUDE REESE and carried, that in as much as each member of the Board of Aldermen received a copy of minutes taken at Regular Meeting of July 3, 2007, that the reading of said minutes be dispensed with and same be adopted as written.

Motion by GALE SMITH, seconded by DAVID DUPUIS and carried, that the reports of the Bookkeeper and Tax Collector be approved as filed.

Motion by DAVID DUPUIS, seconded by ALTHEA WILLIAMS, and carried that the following transfer, on the date, and amount from fund is hereby ratified and approved:

To General Fund:

| | | |
|--------------|----------|-------------|
| July 3, 2007 | Util Sys | \$50,000.00 |
|--------------|----------|-------------|

Gene Sellers, Engineer with Sellers & Associates advised the Governing Authority that the Sewer Rehab Plans are 50% complete and should be forwarded to the State for approval within the next couple of weeks.

Motion by ALTHEA WILLIAMS, seconded by DAVID DUPUIS and carried to change from adopting an Ordinance for utility rates to a Resolution.

Motion by ALTHEA WILLIAMS, seconded by DAVID DUPUIS and carried to adopt the following resolution:

RESOLUTION 11-2007

A RESOLUTION OF THE BOARD OF ALDERMEN
OF THE TOWN OF GUEYDAN, LOUISIANA
ADJUSTING ELECTRICAL RATES

Section 1: WHEREAS, the Mayor and Board of Aldermen of the Town of Gueydan, Louisiana, in order to better serve their citizens and community, and as authorized by Louisiana Law, hereby establish the following electrical rates:

Section 2: Residence service (Schedule A).

(a) Electrical rates for residence service are as follows:

(1) Applicability. The rate applicable under the regular terms and conditions of the town for all domestic purposes in single-family residences or individual apartments.

(2) Rate.

Minimum Charge \$6.00 (Residential)
All kwh's at 4.0 cents per kwh.

(3) Power charge as per Section 4, shall be added to the above rate.

- (b) The provisions of this section shall take effect and become applicable to all customers who meet the qualifications thereof, commencing upon adoption of this resolution.

Section 3: Commercial general service rate (Schedule B).

- (a) There is hereby established an electrical rate for all commercial customers and all other customers who do not have eligibility for residence service as defined in Section 2 which rate shall be known as the commercial general service rate, Schedule B.
 - (1) Applicability. This rate is applicable to all users who's contract for electrical power for usages other than residential, as defined in Section 2, for the entire electrical requirements of such customers.
 - (2) Rate. Minimum charge \$10.00 (Commercial)
All kwh's at 6.5 cents per kwh
 - (3) Power charge as per Section 4, shall be added to the above rate.
- (b) The provisions of this section shall take effect and become applicable to all customers who meet the qualifications thereof, commencing upon adoption of this resolution.

Section 4: Power Charge.

- (a) There is hereby established an electrical rate power charge, which shall be applicable equally to all electrical rates and to all electrical customers of the town which charge shall be added to the applicable rate to each customer in the amount equal to the total power cost plus 10% for system losses to the town of the charge for power from the Town's supplier based on the quantity of kwh sold to all electrical customers. The power charge cost/kwh shall be computed as follows:
$$\frac{\text{Total Supplier Bill (\$)}}{\text{Total kwh sold to customers}} = \text{kwh rate plus 10\%}$$
- (b) The power charge established shall take effect and become applicable to all electrical customers of the Town.
- (c) No electrical customer of the Town shall resell any electrical energy purchased from the Town, nor shall any customer supply electricity to any user, nor suffer any other user to take electricity from any electrical connection. The rules, regulations, and rates applicable to every electrical customer of the Town shall be considered a contract, and every person, by purchasing and using electricity from the Town shall be held to consent to and be bound thereby, and when any of the rules and regulations are violated, the Town shall be entitled to compensation for all losses and damages occasioned thereby, and may discontinue all electric service to the violator thereof.
- (d) It shall be unlawful for any person to violate or fail to comply with any provision of this Resolution pertaining to the usage of electricity, and the violation of any provision thereof shall be punished in accordance with the Town code.

Section 5: Superseding rates.

Any effective superseding rate schedules from the Town's supplier of electricity to the Town may cause an adjustment of rates for all customers of electricity furnished by the Town at the same percentage increase or decrease as adjusted

for the Town by its supplier rate shall apply without a formal change of this resolution by the Mayor and Board of Aldermen.

Section 6: Effective Date.

The effective date of this Resolution shall be when adopted by the Board of Aldermen. All Ordinances or Resolutions or parts thereof in conflict are herewith and hereby repealed. And this resolution being submitted to a vote, the vote thereon was as follows:

YEAS: CLAUDETTE PRICE, ALTHEA WILLIAMS, DAVID DUPUIS,
GALE SMITH & JUDE REESE

NAYS: NONE

ABSTAINED: NONE

ABSENT: NONE

And the resolution was declared adopted this 7th day of July, 2007.

Roxanna Hebert, Town Clerk

Charlotte Venable-Hartwell, Mayor

Mayor Hartwell informed the Governing Authority that it is necessary for the Board of Aldermen to adopt the following resolutions for the Sewer Rehab Grant.

The following resolution was offered by DAVID DUPUIS, seconded by GALE SMITH and carried:

RESOLUTION 12-2007

A RESOLUTION GRANTING THE AUTHORITY
TO MAYOR CHARLOTTE VENABLE-HARTWELL TO SIGN AND
SUBMIT ALL NECESSARY DOCUMENTS IN
CONNECTION WITH THE LOUISIANA
COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE
SEWER REHABILITATION PROJECT

WHEREAS, the Town of Gueydan has been awarded a Fiscal Year 2007 Louisiana Community Development Block Grant in the amount of \$160, 280 for a sewer rehabilitation project; and

WHEREAS, this federal grant program which is administered by the Louisiana Division of Administration involves a significant amount of documentation and reporting; and

NOW, THEREFORE BE IT RESOLVED by the Board of Aldermen of the Town of Gueydan that the Honorable Charlotte Venable-Hartwell, Mayor, is hereby authorized to sign and submit the Contract Agreement with the Louisiana Division of Administration, the environmental review record, all the necessary reports, studies, plans, certifications, assurances, contracts and any other documents required in connection with the Fiscal Year 2007 Louisiana Community Development Block Grant Program.

THEREUPON, the above resolution was duly adopted.

The following resolution was offered by DAVID DUPUIS, seconded by GALE SMITH and carried:

RESOLUTION 13-2007

A RESOLUTION ADOPTING A SECTION 504 POLICY STATEMENT
AND APPOINTING THE MAYOR
AS ACCESSIBILITY COMPLIANCE OFFICER
FOR THE
LOUISIANA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the Town of Gueydan has been awarded a Fiscal year 2007 Louisiana Community Development Block Grant; and

WHEREAS, the Town is committed to compliance with Section 504 and the Accessibility Standards for Disabled Persons for the Louisiana Community Development Block Grant Program as set forth by the federal government and the Louisiana Division of Administration; and

WHEREAS, the Town required the services of one person to coordinate compliance with non-discrimination requirements contained in the Department of Housing & Urban Development's regulations and implementing Section 504 of the Rehabilitation Act of 1974, as amended; and

WHEREAS, the Town desires to adopt a Section 504 Policy Statement; and

WHEREAS, the Town desires to adopt compliant procedures for the Americans with Disabilities Act;

NOW, THEREFORE BE IT RESOLVED by the Board of Aldermen of the Town of Gueydan that the Mayor of the Town be appointed to coordinate the Section 504 efforts and act as the Accessibility Compliance Officer for the Louisiana Community Development Block Grant and perform all necessary tasks as associated with this position.

BE IT FURTHER RESOLVED that the attached Section 504 Policy Statement which includes Compliant Procedures for Section 504 and the Americans with Disabilities Act are hereby adopted.

THEREUPON, the above resolution was duly adopted.

The following resolution was offered by DAVID DUPUIS, seconded by GALE SMITH and carried:

RESOLUTION 14-2007

A RESOLUTION ADOPTING A RESIDENTIAL
ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN
AND APPOINTING THE MAYOR
AS ANTIDISPLACEMENT/RELOCATION OFFICER
RELATIVE TO THE
LOUISIANA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the Town of Gueydan has been awarded a Fiscal Year 2007 Louisiana Community Development Block Grant Program; and

WHEREAS, on October 1, 1988, new requirements for a Residential Antidisplacement and Relocation Assistance Plan under the Federal Housing and Community Development Act of 1974 became effective; and

WHEREAS, the U.S. Department of Housing and Urban Development will not award any Community Development Block Grant funds after October 1, 1988 unless a community adopts such a plan; and

WHEREAS, the Town requires the services of one person to be the contact person relative to displacements and relocation pertaining to the Louisiana Community Block Grant program; and

WHEREAS, it is the desire of the Town to adopt such a plan and appoint such an officer;

NOW, THEREFORE, BE IT RESOLVED that the Mayor of the Town of Gueydan is hereby appointed as the antidisplacement/relocation officer relative to the Louisiana Community Development Block Grant Program.

THEREUPON, the above resolution was duly adopted.

The following resolution was offered by DAVID DUPUIS, seconded by GALE SMITH and carried:

RESOLUTION 15-2007

A RESOLUTION ADOPTING PROCUREMENT PROCEDURES
RELATIVE TO THE
LOUISIANA COMMUNITY DEVELOPMENT BLOCKGRANT PROGRAM

WHEREAS, the Town of Gueydan has been awarded a Fiscal Year 2007 Louisiana Community Development Block Grant; and

WHEREAS, under the Louisiana Community Development Block Grant Program, a written procurement must be adopted which complies with the federal regulations pursuant to the Standards Governing State and Local Grantee Procurement as set forth in the Office of Management and Budget (OMB) Circular A-102, Attachment O and 24 CFR 85:36; and

WHEREAS, it is necessary and proper to comply with the requirements for maximum open and free competition for procurement transactions;

NOW, THEREFORE BE IT RESOLVED by the Board of Aldermen of the Town of Gueydan that the "Procurement Procedures of the Town of Gueydan Relative to the Community Development Block Grant Program" which are attached to and made a part of this resolution are to be followed by any employee responsible for procurement of services, supplies, equipment or construction obtained with funds from the Louisiana Community Development Block Grant Program.

THEREUPON, the above resolution was duly adopted.

Since Notice has been published in the Town's official journal for the adoption of an Ordinance concerning "AN ORDINANCE AMENDING CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCES OF THE TOWN OF GUEYDAN BY ADDING TO ARTICLE I, IN GENERAL A NEW SECTION TO BE DESIGNATED AS 2-7 ENTITLED "AUTHORITY TO SELL CERTAIN REAL PROPERTY". There were no written opinions for or against this Ordinance after having published said notice in the legal journal three (3) times.

The following Ordinance was introduced by GALE SMITH, seconded by JUDE REESE:

ORDINANCE NUMBER 2007-2

AN ORDINANCE AMENDING CHAPTER 2 ENTITLED

“ADMINISTRATION” OF THE CODE OF ORDINANCES
OF THE TOWN OF GUEYDAN BY ADDING TO ARTICLE
I, IN GENERAL A NEW SECTION TO BE DESIGNATED
AS 2-7 ENTITLED “AUTHORITY TO SELL CERTAIN
REAL PROPERTY”.

SECTION 1: BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF GUEYDAN, LOUISIANA, in Regular Session convened on this 7th day of August, 2007, that the provisions of Chapter 2 entitled “Administration” of the Code of Ordinances of the Town of Gueydan is hereby amended adding to Article I. In General a new section to be designated as 2-7 entitled “Authority to Sell Certain Real Property”, to read as follows:

“inasmuch as the hereinafter described real property is no longer needed for public purpose by the Town of Gueydan, Vermilion Parish, Louisiana, that CHARLOTTE VENABLE HARTWELL, Mayor be and she is hereby Authorized with full power and authority for and on behalf of the Town of Gueydan, Vermilion Parish, Louisiana to negotiate and execute deeds of conveyance to any person, firm or corporation for a cash consideration of not less than the sum of FIVE THOUSAND & NO/100 (\$5,000.00) cash, for the sale of the following described property, to-wit:

The North 50 feet of Lot Numbers 1, 2, 3, 4, 5 and 6 of Block Number 74 of the Town of Gueydan, Vermilion Parish, Louisiana, as per plat of said Town on file in the records of Vermilion Parish, Louisiana,

under such terms and conditions as the said Mayor, CHARLOTTE VENABLE HARTWELL, may deem appropriate.

SECTION 2: BE IT FURTHER ORDAINED, ETC., that any part of this Ordinance or Amendment thereto which shall be held invalid or unconstitutional by a Court of competent jurisdiction such holding shall not affect the validity or impair any part of this Ordinance.

SECTION 3: BE IT FURTHER ORDAINED, ETC., that inasmuch as notice of the proposed adoption of this Ordinance has been published in the official journal of the Town of Gueydan, Vermilion Parish, Louisiana, as required by R.S. 33:4712, and no opposition having been filed within fifteen (15) days after publication of the first notice, and this Ordinance having been considered Section by Section and submitted to a vote upon the whole, the vote thereon resulted as follows:

YEAS: CLAUDETTE PRICE, ALTHEA WILLIAMS, DAVID DUPUIS,
GALE SMITH & JUDE REESE

NAYS: NONE

ABSENT: NONE

And the Ordinance was therefore declared adopted on this 7th day of August, 2007, and will become effective on August 7, 2007.

Clerk

Mayor

Mr. Bryan Matthews representing Pace Communications answered questions about the Lease Amendment between Pace Communications and the Town of Gueydan. After a discussion motion by DAVID DUPUIS, seconded by ALTHEA WILLIAMS, it was agreed upon the said contract with the exclusion of Item 4B. There being a conflict of voting thereupon a roll call was taken with the results as follows:

YEAS: CLAUDETTE PRICE, ALTHEA WILLIAMS, DAVID DUPUIS
& GALE SMITH

NAYS: NONE

ABSENT: NONE

RECUSAL: JUDE REESE

The following resolution was offered by GALE SMITH, seconded by JUDE REESE:

RESOLUTION 16-2007

A RESOLUTION AUTHORIZING THE TOWN OF GUEYDAN,
VERMILION PARISH, LOUISIANA, AND THE GUEYDAN
SUB-DRAINAGE DISTRICT NO. 5 TO ENTER INTO AN
INTERGOVERNMENTAL AGREEMENT ALL IN ACCORDANCE
WITH THE PROVISIONS OF LA. R.S. 33:1321, ET SEQ.

GENERAL STATEMENT OF CONTRACTUAL AUTHORITY

WHEREAS, the provisions of LA. R.S. 33:1321 et seq, dealing with “intergovernmental functions”, authorizes any city, town or village, and any special district or political subdivision of the state to agree between and among themselves to engage jointly in the exercise of any power, and in the construction, acquisition or improvements of an public project or improvement, or the promotion of maintenance of any undertaking when either one of the participants in the agreement is authorized under provision of general or specific law to perform such activity or exercise such power as my be necessary for completion of the undertaking (LA. R.S. 33:1324); and

PROJECTS

1. WHEREAS, there is a need to remove trees on the protection levee on Canal Street from approximately Seventh Street to Thirteenth Street of the Town of Gueydan to improve drainage; and
2. WHEREAS, there is a need to remove trees on both sides of the protection levee north of the Town of Gueydan from First Street to the Civic Center of the Town of Gueydan;

AGREEMENT

NOW, THEREFORE, the TOWN OF GUEYDAN, Vermilion Parish, Louisiana, does;

RESOLVE THAT, they will furnish all labor and equipment necessary to dispose of all trees, limbs, etc after removal on both projects 1 and 2 and will further provide all labor necessary to complete both project 1 and projects 2.

NOW, THEREFORE, the GUEYDAN SUB-DRAINAGE DISTRICT NO. 5 does;

RESOLVE THAT, they shall furnish the District’s excavator and operator to remove the trees as above set forth on both projects 1 and 2.

RESOLVED FURTHER, by both parties that a certified copy of this resolution shall immediately be filed and recorded in the records of the Clerk of Court for the Parish of Vermilion, Louisiana; and upon adoption of this resolution by both parties and recordation of same, it shall constitute the agreement between the TOWN OF GUEYDAN, Vermilion Parish, Louisiana, and GUEYDAN SUB-DRAINAGE DISTRICT NO. 5 and a copy of this Resolution shall be published in the official journal of the above said parties concerned.

Upon being put to a vote, the vote thereon was as follows:

YEAS: CLAUDETTE PRICE, ALTHEA WILLIAMS, DAVID DUPUIS,
GALE SMITH & JUDE REESE

NAYS: NONE

ABSENT: NONE

And the Resolution was declared adopted on this 7th day of August, 2007.

Clerk

Mayor

James Gayle, representing the Gueydan Chamber of Commerce addressed the Governing Authority showing the signs of Welcome to Gueydan and asked that the town workers be authorized to clean up the entrances into the Town. Mr. Gayle also requested permission to place a sign on Town property. Motion by DAVID DUPUIS, seconded by ALTHEA WILLIAMS and carried to authorize the town workers to clean up the three (3) entrances into town and to place one (1) sign on Town property.

Mike Hardy candidate for Sheriff of Vermilion Parish spoke to those in attendance at tonight's meeting and gave a brief outline of his campaign platform.

Police Chief Michael Coleman gave a briefing on what is taking place as far as officer training in the police department. Chief Coleman recommended that Troy McGee, Karen Edds and Tyler Potier be added to the list of reserves.

Motion by CLAUDETTE PRICE, seconded by GALE SMITH to table this recommendation until a later date when more information on these reserves could be given to the council. Councilperson CLAUDETTE PRICE amended her motion to temporarily allow Troy McGee, Karen Edds and Tyler Potier to serve as Reserves with the Gueydan Police Department motion carried.

Fire Chief Troy Leblanc informed the Governing Authority that Billy Stewart had resigned with the Gueydan Fire Department and that Tommy Jones was hired to replace Billy Stewart.

Michael Gaspard asked about the new utility rates.

Karen Theriot thanked all for their consideration with her problem.

There being no further business to come before the meeting, upon motion by DAVID DUPUIS, seconded by ALTHEA WILLIAMS, and carried the meeting thereupon adjourned at 6:47 o'clock P.M. on this 7th day of August, 2007.

Clerk

Mayor