

**TUESDAY, JULY 27, 2004
RACELAND, LOUISIANA**

**STATE OF LOUISIANA
PARISH OF LAFOURCHE**

THE LAFOURCHE PARISH COUNCIL PUBLIC WORKS AND SOLID WASTE COMMITTEE, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, JULY 27, 2004, AT 5:30 P.M. IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

Mark Atzenhoffer, Chairman, stated that the Public Works and Solid Waste Committee was ready for the transaction of business at 5:30 P.M.. Proceedings of the meeting were called to order at 5:44 P.M. with the following:

PRESENT: Mr. Tyrone Williams
Mr. Michael Delatte–Co-Chair
Mr. Michael Matherne
Mr. Tommy Lasseigne
Mr. Mark Atzenhoffer–Chairman
Mr. L. Phillip Gouaux, II
Mr. Brent Callais
Mr. Daniel Lorraine

ABSENT: Mr. Lindel Toups

PUBLIC TO ADDRESS THE COMMITTEE

Chairman Atzenhoffer asked if anyone from the public wished to address the committee.

Item one (1) on the agenda was Mr. Preston Roddy, to discuss the lack of drainage in current servitude that is in noncompliance of state statute. He stated that the parish has many problems concerning drainage servitude and there are many violations throughout the parish with obstructions of our drainage ditches, such as trees, shrubs, outbuildings, and cement foundations that supports fences. Mr. Roddy explained that it is similar to the Hoover Dam. The water tries to down stream through the servitude, but it hits the dam. He also said that this is a problem that would not go away, we are faced with it. Mr. Roddy also explained that he called the police, only to document the fact, that if he can get two witnesses of the law to acknowledge that these obstructions exist, that then he can get the local or parish government to recognize that it is a violation of state law. He stated that Mr. Ray Cheramie, Public Works Director, was sent out there by President Randolph to inspect the full length of the servitude, and to identify and report all obstructions. A map was created to illustrate the findings. Mr. Roddy stated that he knows of two ways that the problem can be fixed. The first way would be to go to the residence and ask them first for a compliance. He then said that the Parish President has initiated David Ponson to send out letters to the public asking for their cooperation in removing their personal affects from the servitude. They may not do it voluntarily because of their finances or because they are not directly to blame. We can either prosecute the violators, if we can find them, or spend our tax money to improve it. Mr. Roddy expresses his thanks to Mrs. Randolph, the committee and everyone for their time.

Item two (2) on the agenda was Mr. Clyde Hebert, to address the Council on problems regarding the placement of garbage cans in steel containers. He stated how clean, quite, safe, and beautiful his neighborhood used to be. Mr. Hebert stated his opinion on how there have been fires and burglaries due to poor sight visibility. He also claims that there are abandoned vehicles and trees (two of which are on parish property) that contribute to the poor visibility. He then stated that there were two garbage cans that are placed in a steel container and it is touching the roadway. Mr. Hebert also stated that the handles are pointing directly across from his driveway, affecting motorists backing out. He stated that he does not appreciate smelling and looking at garbage and junk vehicles from the front of his door and window. He also made a point about it not helping the value of his residence. He stated how the garbage cans stay on side the road 24 hours a day and seven days a week, causing a nuisance and hazards to vehicles. Mr. Hebert made it clear, that in case of an emergency, there is only one way in and one way out, and the streets need to be clear. He stated again how difficult it is to back out of his driveway, especially when it is raining, or for buses or delivery trucks. He also stated how difficult it is for the garbage men to lift the trash out of the steel container. Therefore, causing them to sometimes leave the cans in the street. Mr. Hebert said that he once removed the cans from the road, to leave his driveway, and was rudely instructed never to touch the cans again. So, the next incident, he called a Sheriff's Deputy to remove the can, and then contacted the Council. Mr. Hebert stated that he contacted his garbage company about the problem and they attempted to help, but made no progress. He said that he was told that the contract stated that there is no specific area to place the garbage cans, but they have to be on the parish right a way, as near to the roadway as possible, without interfering or endangering the movement of a vehicle or pedestrians. He asked if the parish would be responsible, if any accidents happen because of this? Mr. Hebert stated that they would like to see their streets and shoulders clean, and free from any objects, which would interfere with an emergency. He expresses his appreciation and thanks.

MOTIONS

The next item (3) on the agenda was a motion to submit Highland Lakes Subdivision, Addendum No. 2 (33) lots, District 3 Ward 5, to be presented before the July 29, 2004, Planning Commission Meeting. (Preliminary Plat Approval). Mr. Michael St. Martin speaks about Highland Lakes Subdivision in Thibodaux, off of Highway 308. It is a third phase of an existing subdivision and they asked for the sketch preliminary stage. Mr. St. Martin stated that he would be recommending approval to the planning commission on Thursday. A **motion** was offered by Mr. Michael Delatte, seconded Mr. Michael Matherne, and **carried** by eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (4) on the agenda was a motion to submit The Place Subdivision (37 lots), District 8 Ward 10 to be presented before the July 29, 2004, Planning Commission Meeting. (Final Plat Approval). Mr. St. Martin stated that this is a subdivision in Galliano, off of Highway 1, all is in order, and they asked for final approval. He would recommend final approval. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Michael Matherne, and **carried** by a vote of eight (8) yeas and zero (0) nays and one (1) absence being that of Mr. Lindel Toups.

The next item (5) on the agenda was a motion to submit Blue ridge Pointe (submitted last month as Blue Trace (105) lots, District 4 Ward 11, to be presented before the July 29, 2004, Planning Commission Meeting. (Preliminary Plat Approval). Mr. Mike St. Martin stated that this subdivision requested a variance for the block length that was granted. Now they are coming back through and he would recommend approval to the planning commission. A **motion** was offered by Mr. Tommy Lasseigne, seconded by Mr. Michael Matherne, and **carried** by a vote of eight (8) yeas

and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (6) on the agenda was a motion to recommend variance request on Dugas Subdivision, Addendum No. 2, Phase 1, District 4, Ward 2, to be presented before the July 29, 2004, Planning Commission Meeting. Variance is for the minimum lot size being less than 6,000 square feet, lot frontage less than 60 feet, side yard set backs less than 5 feet. Mr. St. Martin stated that this lot is south of Thibodaux, on Park Side Drive, and are existing town homes. He stated that many of them have been previously subdivided, some legally and some not. Mr. St. Martin stated that this gentleman is coming before us to subdivide. He stated that the zero lot line, without the set back, is because they are actually cutting the buildings in half. The buildings already exists and it won't impact any outside properties. A **motion** was offered by Mr. Tommy Lasseigne, seconded by Mr. Michael Matherne, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (7) on the agenda was a motion to submit the Dugas Subdivision, Addendum No. 2, Phase 1 (6) lots, District 4, Ward 2, to be presented before the July 29, 2004, Planning Commission Meeting. (Sketch/Final Plat approval). Mr. St. Martin stated that this was a submission of the subdivision with a variance. A **motion** was offered by Mr. Tommy Lasseigne, seconded by Mr. Michael Matherne, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (8) on the agenda was a motion to recommend (Mr. Brent Callais amend it to say submit, not recommend) submit variance request on Allen Thibodaux Lot Extensions to be presented before the July 29, 2004, Planning Commission Meeting. The variance is for not having to extend the cross street (West Avenue B), because of an existing shed on slab. Mr. St. Martin stated that this is a situation that we see quite often, where the adjacent property is either developed, a new subdivision, or lot extension, and would require the cross streets to be extended. Mr. St. Martin stated that this gentlemen asked for a variance from extending the cross streets because there is a shed in the way. Mr. Mark Atzenhoffer asked if there is any chance of development past the shed? Mr. Mike St. Martin answers yes, there is. Mr. Mark Atzenhoffer asked what he recommends? He answers that his recommendation to the Planning Commission would be denial. He also stated that in the past, the Planning Commission has stood fast against variances for cross streets. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Tommy Lasseigne, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (9) on the agenda was a motion to submit Allen Thibodaux Lot Extensions (11) lot extensions, District 8, Ward 10, to be presented before the July 29, 2004, Planning Commission Meeting. (Sketch/Final Plat Approval). A **motion** was offered by Mr. Brent Callais, seconded by Mr. Michael Matherne, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (10) on the agenda was a motion to submit Wouldiams Subdivision (2) lots, district 9, Ward 10, to be presented before the July 29, 2004, Planning Commission Meeting. (Sketch/Final Plat Approval). Mr. Mike St. Martin stated that this is a simple subdivision on East 146 and he has no problem with it. A **motion** was offered by Mr. Daniel Lorraine, seconded by Mr. Brent Callais, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (11) on the agenda was a motion to submit LAC AMIS Subdivision (5) lots, District 4, Ward 5, to be presented before the July 29, 2004, Planning Commission Meeting. (Sketch/Preliminary Plat Approval). Mr. St. Martin stated that this is a simple subdivision near Lafourche crossing of off 308, everything is in order, and he recommends approval. A **motion** was

offered by Mr. Tommy Lasseigne, seconded by Mr. Phillip Gouaux, and *carried* by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (12) on the agenda was a motion to submit Bayou Meadows Subdivision, Addendum No. 2 (12) lots, District 8, Ward 10, to be presented before the July 29, 2004, Planning Commission Meeting. (Sketch/Preliminary Plat approval). Mr Mike St. Martin stated that this subdivision is an extension of an existing subdivision and the right of way is only 40 feet. He stated that they are not requesting a variance. Mr. St. Martin recommends denial as presented, because it does not meet the width requirements. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Michael Matherne, and *carried* by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (13) on the agenda was a motion to recommend (Mr. Phillip Gouaux amend it to say submit, not recommend) submit variance request on East 49th Street, Addendum #1, to be presented before the July 29, 2004, Planning Commission Meeting. The variance is to allow the minimum road right of way, to be 40 feet, instead of the required 50 feet, so that proposed development would remain consistent with the existing subdivision. Also, a variance to allow no aggregate shoulders was being requested, so that the proper existing drainage ditches would fit in the road right of way. Mr. St. Martin stated that this is very similar to the one right before, but this man is requesting a variance. The subdivision was actually built many years ago, but did not complete the process. He stated that the roads deteriorated and the gentleman wanted the parish to accept it as it was built, but they had denied it. He is now going to reconstruct the streets according to parish standards and so forth. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Michael Matherne, and *carried* by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (14) on the agenda was a motion to submit East 49th Street, Addendum #1 (9) lots, District 8, Ward 10, to be presented before the July 29, 2004, Planning Commissions Meeting. (Sketch/Preliminary Plat Approval). Mr. Mike St. Martin stated that this is the submission of the same item prior to. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Michael Matherne, and *carried* by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (15) on the agenda was a motion to submit Cumberland Estatic (44) lots, District 4, Ward 11, to be presented before the July 29, 2004, Planning Commissions Meeting. (Sketch Plat Approval). Mr. St. Martin stated that this is the extension of Rachel Plantation, off of Mia Drive in Bayou Blue. He stated that the number of lots is unsure, but it would be discussed, and he would recommend it at the Thursday meeting. A **motion** was offered by Mr. Tommy Lasseigne, seconded by Mr. Brent Callais, and *carried* by a vote of seven (7) yeas and zero (0) nays with two absent, being that of Mr. Matherne who left the room and Mr. Lindel Toups.

The next item (16) on the agenda was a motion to submit Lot Extensions and Redivision of Property Belonging to Todd Brady (20) lot extensions and (2) lots, District 4, Ward 11, to be presented before the July 29, 2004, Planning Commission Meeting. (Sketch/Final Plat Approval). Mr. St. Martin stated this is a lot extension between two existing subdivisions. There are two cross streets that are involved and it does not show them to be extended. Mr. St. Martin's recommendation is to require them to be extended. His recommendation would be denied as presented. A **motion** was offered by Mr. Tommy Lasseigne, seconded by Mr. Michael Delatte, and *carried* by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

DISCUSSIONS

The next item (17) on the agenda was a discussion concerning sidewalks. Mr. Daniel Lorraine stated that he wanted to know the rules and regulations on sidewalks. He stated that he did not receive all the paperwork and wanted more information on the bids that were received. He wanted to make a **motion**, pending the deferral, if it expires, that administration look at this and re-bid it one more time. The motion was seconded by Mr. Tommy Lasseigne. Mr. Lasseigne stated that the bid has a 30 days term of quote and it is about to expire on June 30th. Mr. Gouaux stated that Mr. Cheramie had said that he had a problem finding people to place a bid from the beginning. Mr. Gouaux does not want to lose the opportunity of getting the work done or having them go up on the price, as a result of it. The motion *carried* by a vote of seven (7) yeas, one (1) nay, that being of Mr. Michael Matherne, and with one (1) absence being that of Mr. Lindel Touns.

The next item (18) on the agenda was a discussion concerning mobile home park regulations in Lafourche Parish. Mr. St. Martin stated that the Planning Commission has been faced with a number of requests for mobile homes and offices on industrial sites. One such request was from down south in the Port Fourchon area, to where they would not have to come back through a lengthy process of mobile home park regulations. The Planning Commission has suggested that a format be processed for these industrial sites, if they need to add more mobile homes. The mobile homes are strictly for the employees of the company; similar to the offshore workers or helicopter pilots. In order to place these mobile homes, they will still have to have all the approvals of the Fire Marshal and Board of Health regulations. The Planning Commission thought that this process may behoove all parties, since they do not affect any adjoining residences and they are in the middle of the projects within their fences. A proposed ordinance was offered to modify the mobile home park regulations to enable these industrial sites. The Planning Commission can not propose the ordinance; the ordinance would go to the Planning Commission because it is a modification of the mobile home park, but the Council has to ratify it. The Planning Commission is looking for a sponsor, such as a Councilman or the Council, to propose this ordinance, and begin the process. Mr. Atzenhoffer stated that he would be in support of this.

The next item (19) on the agenda was a discussion concerning dirt pits. Mr. St. Martin stated that the Planning Commission had been approached by some residents with some concerns of some open dirt pits. He guessed that it was excavation for sale. The Planning Commission has no regulations on open pits, how close they are to the residences, or whether they required a fence. They are getting bombarded with this and asked if the Council would help. They asked that if the Council has any comments or if it has been an issue with them. It was suggested that they may want to look into the safety aspects of the commercial activity on some open land. Mr. Gouaux asked if the state has any regulations on pits? Mr. St. Martin answered as to it not being within the Planning Commission's subdivision regulations, and that there may be an ordinance on the books elsewhere that addresses it. Mr. Mark Atzenhoffer stated that he is aware of some legislation regarding sandpits within the wetland areas, but he is not familiar with anything in the developed areas. Mr. Gouaux thought that if it is not regulated by the state, that it is definitely in Jefferson Parish. Mr. Lorraine stated that they had looked at this previous years ago and they could not come up with anything. Mr. Atzenhoffer asked Mr. St. Martin for some addresses or locations, so they can look into the problem. Mr. St. Martin agreed. He stated that his biggest concern was of it being a dangerous situation for children, who could fall into the pits.

RESOLUTIONS

The next item (20) on the agenda was a resolution requesting the Lafourche Basin Levee District to sweep and clean the ring levees of debris, trees, and lilies from the Ron Pon Pon to the Bayou Bouef Canal, on both sides of Louisiana Highway 307. A **motion** was offered by Mr. Michael Delatte and seconded by Mr. Phillip Gouaux. The Committee **recommended approval** to the Council's said resolution, by a vote of eight (8) yeas and zero (0) nays, and one (1) absence being that of Mr. Lindel Toups.

The next item (21) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development to clean the roadside ditches along Louisiana Highway 20, from the bridge at Woodland Heights Trailer Park, North of the Thibodaux City Limits, to the Chackbay Water Tower. A **motion** was offered by Mr. Michael Delatte, and seconded by Mr. Phillip Gouaux. The Committee **recommended approval** to the Council's said resolution by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

OTHER BUSINESS

Mr. Michael Matherne directed his concern towards Mrs. Randolph, regarding Mr. Preston Roddy's comments. He stated that it is not an issue that is easily resolved. He stated that he appreciates her cooperation. Mr. Brent Callais suggested sending a letter to the Planning Commission, requesting that they put submit not recommend on their items.

A **motion** to recess, was offered by Mr. Michael Delatte, seconded by Mr. Michael Matherne, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

A **motion** to reconvene was offered by Mr. Tommy Lasseigne, seconded by Mr. Daniel Lorraine, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

Mr. Lorraine stated that he needed a 2/3 to discuss item 17. A **motion** was offered by Mr. Daniel Lorraine, seconded by Mr. Phillip Gouaux, and **carried** by a vote of eight (8) yeas and zero (0) nays with one absence being that of Mr. Lindel Toups.

2/3 AGENDA

Mr. Lorraine offered to adopt a resolution of the lowest bid, which was the LeBros Construction, in the amount of \$9,130, for the repair and replacement of the sidewalk in the vicinity of the Falgout Funeral Home, located in Ward 10, and to approve contracts and authorize the Parish President to sign, execute, and administer said contract(s) and all relevant documents. A **motion** was offered by Mr. Tommy Lasseigne, seconded by Mr. Brent Callais, and **carried** by a vote of eight (8) yeas and zero (0) nays with one absence being that of Mr. Lindel Toups.

A **motion** to go back to regular agenda was offered by Mr. Brent Callais, seconded by Mr. Daniel Lorraine, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

Mr. Phillip Gouaux asked the Chairman about the progression of the subcommittee. Mr. Atzenhoffer stated that Council needed all the members to submit the names for the subcommittee. He stated that the Planning Commission has done so. He also stated that it is written that a Council member may sit on this committee. Mr. Atzenhoffer stated that he needed everyone who has not submitted a name to do so, so that they get this project going. Mr. Gouaux stated that he felt this was

a very important subcommittee and it needed to be done to move forward. Mr. Brent Callais stated that he agreed and every council member should be required to have their names in by Friday, so they can get the committee organized in a timely fashion. Mr. Michael Matherne stated that he would like to publicly commend Mr. Cleve Matherne, Foreman at the Bayou Blue Barn and the gentlemen and ladies that work in his barn; and also Mr. Terry Arabie, Foreman at the Region B Barn, and the gentlemen and ladies that work in his barn.

ADJOURN

On **motion** by Mr. Brent Callais, seconded by Mr. Michael Matherne, and with no further business, the Lafourche Parish Council Public Works and Solid Waste Committee meeting of July 27, 2004, **adjourned** at 6:35 pm.

**MARK ATZENHOFFER, CHAIRMAN
LAFOURCHE PARISH PUBLIC WORKS
AND SOLID WASTE COMMITTEE**

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**