

**ST. LANDRY PARISH COUNCIL
PUBLIC WORKS COMMITTEE MEETING
WEDNESDAY, JULY 7th, 2021
OLD CITY MARKET, 131 W. BELLEVUE ST.
OPELOUSAS, LOUISIANA**

PUBLIC WORKS COMMITTEE MEETING MINUTES

1. Public Works Chairman Jimmie Edwards called the Public Works Committee of the St. Landry Parish Council to order.
2. Councilman Alvin Stelly led the Pledge of Allegiance and Invocation.
3. Roll Call: Mildred Thierry, Gil Savoy, Alvin Stelly, Jimmie Edwards and Coby Clavier Ex. Officio Dexter Brown. ABSENT: Nancy Carriere.
4. Person to address the Committee:
There was no one to address the committee.
5. Public Works Report:
 - a. **Update on Adjudicated Property in the Parish.**
Parish President Jessie Bellard stated, "We have some adjudicated property on the agenda tonight for discussion later on in the meeting."
 - b. **Update on Road Work throughout the Parish.**
Parish President Jessie Bellard stated, "The roadwork in the parish is ongoing."
 - c. **Update on Phase 5 of the Smooth Ride Home.**
Parish President Jessie Bellard stated, "Phase 5 of the Smooth Ride Home is about to begin if the weather permits."

A motion was made by Councilman Coby Clavier, seconded by Councilman Alvin Stelly to accept the Public Works Report.
On roll call vote: Mildred Thierry, Gil Savoy, Alvin Stelly and Coby Clavier.
ABSENT: Nancy Carriere. ABSTAINED: None.
Motion carried.
6. Due to Public Safety, discuss constructing a roundabout at the end of Whichita Lane in Shawnee Farms. (Chairman Dexter Brown).
Chairman Dexter Brown stated, "Mr. Bellard, I have the next two items on the agenda regarding the Shawnee Farms Subdivision. This item regarding Whichita Lane is about constructing a Round-about at the end of Whichita Lane that stops at a fence or a dead end. One stops at a fence and one stops at a concrete barricade." Parish President Jessie Bellard stated, "We have been thru this several times in the past 10-12 years. The Council accepted the Subdivisions in Phase 1 and Phase 2. It was done legally according to our attorney and everyone that we talked to. When the owners divided up the property, one of the partners took on the Ranch Subdivision. When the Ranch Subdivision was separated in parts, that is when they created that boundary that is on the outside of the Shawnee Hills, Shawnee Farms Subdivision. If you look at the Plats, you will see it or if you go to the Tax Assessor's Website, it shows that the owner of the property on that 50' section is St. Landry Investments. The road does not continue on into the next subdivision. The dead-end was put into place after the Ranch Subdivision became its own entity, so to speak. I don't see where we can put a Round-about because everything was approved as it was submitted at the time. Maybe our Attorney can tell us something different. When we went into conversation with this, it would be hard for us to go and do a Cul-da-sac on each one of these roads because we approved a subdivision as it was printed. The Ordinance in 2002 does state that we don't end a road at a dead-end. Since then, we took in these subdivisions as they are printed. The original plans were to do it thru all three phases was to have these Cul-da-sac's in a dead-end, but that stopped because the public separated. I don't see where we have any obligations to do that. I agree that it is not the best way to leave it, but we don't own that property. Unless Mr. Duplechain tell us that we can force them to do it, that is on the council's part, but I don't see it." Chairman Dexter Brown stated, "Mr. Duplechain, my question is, one ends in a wooden fence and the other ends with a concrete road barricade. My question is, if someone is to hit

the fence or the barricade at the end of Whichita Lane and Seminole and injure themselves , who is ultimately responsible for the damages? Are we liable as St. Landry Parish Council/St. Landry Parish Government?" Legal Counsel Garrett Duplechain stated, "We have a couple of lawsuits right now with that same scenario which you are describing. Anytime a car hits a barricade, they will sue the Parish Government if it is anywhere near a state road. They will sue DOTD if they are inside state limits. They will sue the city. If there is another vehicle involved, they will sue that other car insurance company and they will sue everyone that they want. That does not mean that they are going to win, they will not prevail against the parish, not in the lawsuits that are currently existing. The same thing with the fence, they will sue the parish, they will sue everyone, if they could sue DOTD, they would do it. That is what happens in these lawsuits. These are the lawsuits that I have to defend the parish from, they will not prevail. There are signs that say road closed in the lawsuit where a car hit a barrier. I went out to Shawnee Farms personally, there is a sign on the fence that says road closed. Whenever a person is driving, they do not intentionally run their car into a tree or a stop sign. They can sue whoever they want, that does not mean that they will prevail." Chairman Dexter Brown stated, "I am just looking out for the betterment of the Parish Government and the Parish Council whereas we are not held liable. If we can put some big orange and white road closed signs on each side of the fence and barricade where it will be visible, at least we will have an attempt. Attorneys for the other party just may try to tear you apart. Anywhere that you have a gap, they will try to come thru it if I am saying it correctly. We need to cover ourselves as St. Landry Parish Government and St. Landry Parish Council. If they sue us, they are suing the people, the tax payers." Legal Counsel Garrett Duplechain stated, "I went out there personally and there is a road closed sign on the fence and it is clearly visible." Councilman Jerry Red Jr. questioned Chairman Dexter Brown and sated, "Who is going to pay for this round-about?" Chairman Dexter Brown stated, "Public Works, St. Landry Parish Government." Councilman Jerry Red Jr., stated, "The Parish President just stated the property does not belong to us. It belongs to someone else. It is a different entity. Therefore we do not have any responsibility. How can you construct a round-about when there is a brick partition and a fence?" Chairman Dexter Brown stated, "I know you need ample amount of room for a legal round-about. At the end of Seminole Lane, there is a brick house next door to it. My question is the liability of it. The Attorney just stated that we are not liable and there is a sign up." Legal Counsel Garrett Duplechain stated, "There is a sign on the fence that says Road Closed. The fence and the barricade is clearly visible, there is no way I could run into it." Councilman Jerry Red Jr., stated, "This is not our business and this have come before the council several times. I think it is best that we stay out of this. If they feel that something else needs to be done, I think they need to go back to court. The council is not in it now, but if you try to put us in it, I am getting out." Chairman Dexter Brown stated, "I am not saying putting us in it Mr. Red. I am just stating the legal issues. I want to spend money on our constituents to provide them services. I just want to make sure that we are in legal status from the front to the front and from the side to the side." Councilman Jerry Red Jr., stated, "So the Parish President just stated that we don't have the funds and we are not responsible for that, is that correct?" Parish President Jessie Bellard stated, "I am saying that the fence is on somebody else's property. It is owned by St. Landry Investments. They went to court and it was decided that the barricade stays. I don't know what more we can do." Chairman Dexter Brown stated, "Now that we have an understanding, we go skip agenda item #7 and go to agenda item. #8." Councilman Alvin Stelly stated, "If I am in order, can I make a motion again tonight to just leave this alone like it is. It has been 10 years we have been fighting this and we are not getting anywhere. The people that own the land says that they have paperwork that shows that that is how the subdivision was open." Parish President Jessie Bellard stated, "The way that the process happened, it does not happen all the time. The Parish Council approved the subdivision as it was presented. It was like a Phase 1, Phase 2, Phase 3. It was approved then Phase 2 came along and it was approved and after Phase 2, they divided up the partnership. The council did not know that they were going to divide up. The Phase 3 was actually given to a third party. Everything the council did from what we have been reading is exactly what was presented to the council. There was nothing wrong with anything that was done. It was done the way it was presented and that is all we can do. Mr. Duplechain, Mr. Robert Wolf, Mr. Carl Aucoin and I all talked, it's just what it is and I don't think we can change it." Councilman Alvin Stelly stated, "I would like to make a motion to do away with this, it is a done deal." Legal Counsel Garrett Duplechain stated, "Mr. Alvin, I think the protocol would be for your motion to be, not to pass this item to the full council meeting two weeks from now. That would be the correct motion." Councilman Alvin Stelly stated, "We can bring it to the full council but I think it is a done deal." Legal Counsel Garrett Duplechain

stated, “A committee can’t take any action on an item on the agenda, only a full council with full council voting can take action . Everything passes thru committee to full council so the council can choose not to forward something to the full council or to forward it.” Councilman Alvin Stelly stated, “I will bring it back to the full council and let them vote on this, everything was done legally. We can continue to talk about this for the next 20 years, but it won’t get anywhere.

A motion was made by Councilman Alvin Stelly seconded by Councilwoman Mildred Thierry to forward to the Regular Meeting held on **Wednesday, July 21st, 2021** the decision to close all further discussion regarding Wichita Lane and Seminole Lane.

On roll call vote: Mildred Thierry, Gil Savoy, Alvin Stelly and Coby Clavier. NAYS: None. ABSENT: Nancy Carriere. ABSTAINED: None.

Motion forwarded.

7. Due to public safety, discuss constructing a roundabout at the end of Seminole Lane in Shawnee farms. (Chairman Dexter Brown).

This agenda item was discussed earlier.

8. Introduction of a Resolution in Honor of Deputy Anthony Roberts Jr. (Chairman Dexter Brown). Chairman Dexter Brown stated he would like to forward this Resolution to our August Council Meeting.

A motion was made by Councilman Coby Clavier, seconded by Councilman Alvin Stelly to forwarding the Introduction of a Resolution in Honor of Deputy Anthony Roberts Jr. to our next Committee Meeting held on **Wednesday August 4th, 2021**.

On roll call vote: Mildred Thierry, Gil Savoy, Alvin Stelly and Coby Clavier. NAYS: None. ABSENT: Nancy Carriere. ABSTAINED: None.

Motion forwarded.

9. Forward all applications received for two appointments to the Public Works District Five for a four-year term. (07-22-2021 - 07-22-2025).

A motion was made by Councilman Coby Clavier, seconded by Councilwoman Mildred Thierry to forward to Regular Meeting held on **Wednesday, July 21st, 2021** all application received for two appointments for a four year term to the Public Works District Five. (07-22-2021 – 07-22-2025).

On roll call vote: Mildred Thierry, Gil Savoy, Alvin Stelly and Coby Clavier. NAYS: None. ABSENT: Nancy Carriere. ABSTAINED: None.

Motion forwarded.

10. Discuss ditch digging in District No. 7. (Councilman Alvin Stelly).

Councilman Alvin Stelly stated, “I spoke to the Parish President Jessie Bellard regarding this matter and we got this solved.”

11. Forward to full council **RESOLUTION NO. 010 of 2021**.

WHEREAS, there are contracts that St. Landry Parish government needs to sign from time to time with the Department Of Transportation and Development (D.O.T.D).

THEREFORE, BE IT RESOLVED, by the St. Landry Parish Council that the St. Landry Parish President, Jessie Bellard, is authorized to sign any and all contracts with the Department Of Transportation and Development (D.O.T.D.).

A motion was made by Councilman Alvin Stelly, seconded by Councilwoman Mildred Thierry to forward to Regular Meeting held on **Wednesday, July 21st, 2021** the adoption of **RESOLUTION NO. 010 of 2021**.

WHEREAS, there are contracts that St. Landry Parish government needs to sign from time to time with the Department Of Transportation and Development (D.O.T.D).

THEREFORE, BE IT RESOLVED, by the St. Landry Parish Council that the St. Landry Parish President, Jessie Bellard, is authorized to sign any and all contracts with the Department Of Transportation and Development (D.O.T.D.).

On roll call vote: Mildred Thierry, Gil Savoy, Alvin Stelly and Coby Clavier. NAYS: None. ABSENT: Nancy Carriere. ABSTAINED: None.

Motion forwarded.

12. Forward to full council a request for Introduction of **Ordinance No. 2021 – 012.**
AN ORDINANCE TO AMEND SECTION 36-11 OF CHAPTER 36 OF THE ST. LANDRY PARISH CODE OF ORDINANCES TO PROHIBIT CAUSING DAMAGE TO PUBLIC ROADS IN ST. LANDRY PARISH.

A motion was made by Councilman Coby Clavier, seconded by Councilwoman Mildred Thierry to forward to Regular Meeting held on Wednesday, **July 21st, 2021** the introduction of **Ordinance No. 2021 – 012.**

AN ORDINANCE TO AMEND SECTION 36-11 OF CHAPTER 36 OF THE ST. LANDRY PARISH CODE OF ORDINANCES TO PROHIBIT CAUSING DAMAGE TO PUBLIC ROADS IN ST. LANDRY PARISH.

On roll call vote: Mildred Thierry, Gil Savoy, Alvin Stelly and Coby Clavier. NAYS: None. ABSENT: Nancy Carriere. ABSTAINED: None.

Motion forwarded.

13. Forward to full council a request for Introduction of **ORDINANCE NO. 2021-013.**
AN ORDINANCE OF THE ST. LANDRY PARISH CODE OF ORDINANCES TO AMEND SECTION 36-137 STREETS AND ROADS THAT HAVE SPEED BUMPS INSTALLED TO INCLUDE:
43. Charles Burr Lane from 6th Street to Wisdom Road, Council District No. 1.

A motion was made by Councilwoman Mildred Thierry, seconded by Councilman Coby Clavier to forward to Regular Meeting held on **Wednesday, July 21st, 2021**, the introduction of Ordinance No. 2021-013,

AN ORDINANCE OF THE ST. LANDRY PARISH CODE OF ORDINANCES TO AMEND SECTION 36-137 STREETS AND ROADS THAT HAVE SPEED BUMPS INSTALLED TO INCLUDE:

43. Charles Burr Lane from 6th Street to Wisdom Road, Council District No. 1.

On roll call vote: Mildred Thierry, Gil Savoy, Alvin Stelly and Coby Clavier. NAYS: None. ABSENT: Nancy Carriere. ABSTAINED: None.

Motion forwarded.

14. Authorize the Council Clerk to advertise for a part-time secretary/treasurer for the St. Landry Parish Sewer District No. 1. (Linwood Subdivision) No set term.
Councilman Jerry Red Jr. questioned Legal Counsel Garrett Duplechain regarding the reason why we have to advertise for this position. “Legal Counsel Garrett Duplechain stated, “We have to give everyone who wants to apply a fair chance.” Councilman Jerry Red Jr. questioned why the St. Landry Parish Sewer District No. 1 Board doesn’t advertise for that position. He stated he was curious because this has never come to the council before. Legal Counsel Garrett Duplechain stated, “The Sewer District would advertise for the position and they would choose their applicant. They would follow that rule. I don’t know why we would advertise it, it would not be the Parish Council Clerk, it would be the Sewer District Clerk. They would have to follow the protocol for hiring someone.” Administrative Finance Chairman Wayne Ardoin stated, “It is in District 9. I know they were sent here to talk to Ms. Sherell so they can get what procedure they have to take to advertise for them to have a secretary because their secretary is no longer there. That is how it got on the agenda. They have to do it on their own because they set the fee that they are paying them. We need to withdraw this item. I don’t understand why it was put on the agenda.”

Item removed from the Agenda

No action taken.

15. Discuss any other business properly brought before this committee.
Chairman Dexter Brown stated Parish President Jessie Bellard, “I have a situation where land erosion is on each side of the road and the drainage canal runs east and west near the properties of Mr. Dwayne Blair’s home at 1406 Charles Fisher Road, and Mr. Olan Quebedeaux home at 1397 Charles Fisher Road, These two constituents lives across the street from each other.” Parish President Jessie Bellard stated, “I am aware of it. William went out there and looked at it. He sized up the pipes for us. We are going to install a pipe at the entrance into the canal. That is where it is eroding. It is eroding where it may interrupt our roads. We will be taking care of that section. We will not beautify the front of those home. We are not responsible for that but we are responsible for the southern part before entering

into the canal. Joe has the pipe on order for both sides to replace and stop the eroding. It will only stop the actual road problem.”

Councilman Alvin Stelly questioned Parish President Jessie Bellard, He stated, “We are having a little problem when we hire a contractor to dig our ditches. Everybody wants dirt. I think the rule is, whoever land they are digging in front of, they are the ones that is supposed to get the dirt first if they want it.” Parish President Jessie Bellard stated, “That is correct, if they want the dirt, they have the first choice. I have informed the contractors. I got that call last week and I hope that got resolved. The dirt is coming off the land where we are digging. We can put the dirt on the property, we don’t spread it but we can flatten it.”

Councilman Harold Taylor questioned Legal Counsel Garrett Duplechain regarding introducing ordinances. He stated, “Item 12 and Item 13 on the agenda are ordinances that are referred to the full council. Ordinance are not referred to the full council. They are sponsored by someone and it goes to public hearing and it is voted on. It does not require going to committee.” Legal Counsel Garrett Duplechain stated, “That is correct, have these ordinance been introduced? It could have gone directly to the full council, it is unnecessary to pass it thru committee.” Councilman Harold Taylor stated, “Ms. Sherell, please understand, you don’t have to put this on the committee agenda. If it is introduced properly and it is advertised, it goes to a hearing and we can vote on it.”

16. Adjourn.

A motion was made by Councilman Coby Clavier, seconded by Councilwoman Mildred Thierry to adjourn the Public Works Committee Meeting.

On roll call vote: Mildred Thierry, Gil Savoy, Alvin Stelly and Coby Clavier. NAYS: None. ABSENT: Nancy Carriere. ABSTAINED: None.

Motion carried.

**I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE
KAREN BARLOW, ASSISTANT COUNCIL CLERK**