OFFICIAL PROCEEDINGS
OF THE
TERREBONNE PARISH COUNCIL
IN SPECIAL SESSION
AUGUST 20, 2007

The Chairman, Mr. Alvin Tillman, Sr., called the meeting to order at 6:00 p. m., in the Terrebonne Parish Council Meeting Room for the sole purpose of conducting condemnation hearings.

Following the Invocation, offered by Councilwoman T. Cavalier, and the Pledge of Allegiance, led by Councilman H. Lapeyre, the Minute Clerk called the roll. Upon roll call, Council Members recorded as present were: C. Voisin, P. Rhodes, A. Tillman, A. Williams, T. Cavalier C. Duplantis, H. Lapeyre. Council Members K. Elfert (business commitment) and P. Lambert (relative’s death) were recorded as absent. A quorum was declared present.

The Chairman recognized Ms. Mary Hite of St. Peter Street who stated that the mobile home located at 120 Oak Forest Drive has been boarded and the grass has been cut. She continued that the potential sale of the mobile home has not been completed due to the buyer being unable to secure land to place the mobile home on. Ms. Hite added that the sale should be completed by next month.

Senior Planner Leesa Foreman stated that in light of the information presented by Ms. Hite, Administration recommends continuing the condemnation proceeding until November 26, 2007.

Ms. A. Williams moved, seconded by Ms. C. Duplantis, “THAT, the Council concur with the recommendation of Administration to continue, until November 26, 2007 at 6:00 p. m., the condemnation hearing on the property located at 120 Oak Forest Drive, owned by Ms. Judy Carter.”

The Chairman called for the vote on the motion offered by Ms. Williams.

UPON ROLL CALL THERE WAS RECORDED:
NAYS: None.
ABSENT: P. Lambert and K. Elfert.
The Chairman declared the motion adopted.
The Chairman relinquished the chair to the Vice Chairwoman.

Senior Planner Leesa Foreman presented the historical background on the property located at 1139 ½ Willow Street, currently owned by Mrs. Perry Templeton, noted that the property has been sold, and that the new owner has secured a building permit to remove the structure. Ms. Foreman requested that the condemnation proceedings be continued until the November 26, 2007 condemnation hearings.

Mr. A. Tillman moved, seconded by Mr. P. Rhodes, “THAT, the Council concur with the recommendation of Administration to continue, until November 26, 2007 at 6:00 p. m., the condemnation hearing on the property located at 1139 ½ Willow Street, owned by Ms. Perry Templeton.”

The Vice Chairwoman called for the vote on the motion offered by Mr. A. Tillman.

UPON ROLL CALL THERE WAS RECORDED:
NAYS: None.
ABSENT: P. Lambert and K. Elfert.
The Vice Chairwoman declared the motion adopted.

The Chairman resumed the chair.

Senior Planner Leesa Foreman stated that the property located at 148 Prince Collins Street, owned by Ms. Martha Ann Bradley is currently in the Bankruptcy Court and a “Stay Order” has been issued. Ms. Foreman yielded the floor to the Special Legal Advisor for additional comments.

Special Legal Advisor Laddie Freeman stated that the aforementioned property is in Chapter 13 Bankruptcy and the Plan has been approved. He continued that the Legal Department is utilizing caution with respect to the matter due to some uncertainty as to the “Stay Order” preventing the Parish from condemning the property. Mr. Freeman stated that the attorney handling the matter has indicated that Ms. Bradley intends to renovate the property and to continue to paying the mortgage on the home. He added that the Legal Department intends to obtain a clear answer with respect to what action the Parish may take while the “Stay Order” is in effect if the matter is not resolved by the next hearing date.

Ms. A. Williams moved, seconded by Mr. P. Rhodes, “THAT, the Council concur with the recommendation of the Legal Advisor to continue, until November 26, 2007 at 6:00 p.m., the condemnation proceedings on the property located at 148 Prince Collins Street, owned by Ms. Martha Ann Bradley.”

The Chairman called for the vote on the motion offered by Ms. A. Williams.
UPON ROLL CALL THERE WAS RECORDED:
NAYS: None.
ABSENT: P. Lambert and K. Elfert.
The Chairman declared the motion adopted.

The Chairman recognized Mr. Joe Campbell, Mr. Joe Murphy Bogan, and Mr. James Bogan who were present to address the property located at 5960 North Bayou Black Drive, owned by the Estate of Mr. Levy Bogan. Mr. James Bogan noted that the family is in the process of renovating the structure, but they have been delayed in the work due to recent inclement weather.

Senior Planner Leesa Foreman recommended that the condemnation hearing on the aforementioned property be continued until November 26, 2007.

Ms. A. Williams moved, seconded by Ms. C. Duplantis, “THAT, the Council concur with the recommendation of Administration to continue, until November 26, 2007 at 6:00 p.m., the condemnation proceedings on the property located at 5960 North Bayou Black Drive, owned by the Estate of Mr. Levy Bogan.”

The Chairman called for the vote on the motion offered by Ms. A. Williams.
UPON ROLL CALL THERE WAS RECORDED:
NAYS: None.
ABSENT: P. Lambert and K. Elfert.
The Chairman declared the motion adopted.

Ad Hoc Attorney Kerry Byrne stated that a “whereabouts” ad was published regarding locating Mr. Gardiner DeHart and Mrs. Mary DeHart, owners of the mobile home located at
1478 Bayou Dularge Road, that the owners’ address has been confirmed on Pointe-aux-Chenes Road, but that repeated calls to Mr. & Mrs. DeHart have not been answered.

Special Planner Leesa Foreman stated that at the May 21, 2007 condemnation hearing, it was noted that there was some progress being made on the aforementioned structure; however, since that time no further work has taken place. Ms. Foreman recommended that the Council proceed with condemning the property.

Special Legal Advisor Laddie Freeman noted that should the Council wish to proceed with condemning the aforementioned property, it should specify the time period in which the property owner must remove the structure.

Ms. Foreman interjected that Administration has not had any additional communication with the owners of the aforementioned property.

Mr. C. Voisin moved, seconded by Mr. H. Lapeyre, “THAT, the Council concur with the recommendation of Administration and find that the mobile home located at 1478 Bayou Dularge Road, owned by Mr. Gardiner DeHart and Mrs. Mary DeHart, as per the legal description:

‘A certain batture lot of ground situated in the Parish of Terrebonne, State of Louisiana, at about ten (10) miles below the city of Houma, and lying on the left descending bank of Bayou Dularge said lot measuring 96.0 feet front on Louisiana Highway No. 315, by depth of 201.50 feet, more or less along its Southern boundary line and by depth of 173.50 feet, more or less along its Northern boundary line, said Southern boundary line and Northern boundary line being parallel to one another; said lot being bounded in front by said Louisiana Highway No. 315, in the rear by said Bayou Dularge, North by property of Estate P. O. E. Boudreaux, or assigns, and South by property of Donald Gautreaux; the said batture lot of ground being shown and designated on the plat of survey made by Wm. Clifford Smith, C. E., under date of January 18, 1963, attached to the Boundary Agreement made between Mrs. Eva Labbe, et al, recorded at COB 350, folio 30 under Entry No. 241856, records of Terrebonne Parish, Louisiana, together with all buildings and improvements located thereon, as well as all rights, ways, privileges and servitudes thereunto belonging or in anywise appertaining.’

is in a dilapidated and dangerous condition which endangers the health, safety, and welfare of the public and therefore the mobile home on subject property is hereby condemned and the owner is ordered to demolish and remove the structure within sixty (60) days in default of which the Terrebonne Parish Consolidated Government may proceed to do so and that in accordance therewith the Parish Administration be authorized to proceed with the bidding process for the removal.”

The Chairman called for the vote on the motion offered by Mr. C. Voisin.

UPON ROLL CALL THERE WAS RECORDED:


NAYS:  None.

ABSENT:  P. Lambert and K. Elfert.

The Chairman declared the motion adopted.

The Chairman relinquished the chair to the Vice Chairwoman.

Senior Planner Leesa Foreman stated that the property located at 230 Boudreaux Street, owned by Mr. Vincent Jones, is one of the success stories of properties placed on the condemnation list. Ms. Foreman stated that the appropriate motion at this time would be to rescind the condemnation order for the aforementioned property.
Special Legal Advisor Laddie Freeman stated that the more appropriate motion would be to close the condemnation hearing on the aforementioned property and added that a condemnation order was never issued on said property.

Councilman A. Tillman commended the property owner for expeditiously removing the structure at said location.

Mr. A. Tillman moved, seconded by Mr. H. Lapeyre, “THAT, the Council concur with the recommendation of the Legal Advisor to close the condemnation proceedings on the property located at 230 Boudreaux Street, owned by Mr. Vincent Jones.”

The Vice Chairwoman called for the vote on the motion offered by Mr. A. Tillman.
UPON ROLL CALL THERE WAS RECORDED:
NAYS:  None.
ABSENT:  P. Lambert and K. Elfert.
The Vice Chairwoman declared the motion adopted.

The Chairman resumed the chair.

Senior Planner Leesa Foreman presented a report of the successful removal of the structure located at 424 Sixth Street, owned by Ms. Ida Laverne Boddie Murphy, and recommended that the condemnation proceedings be closed.

Councilwoman C. Duplantis thanked the property owner for quickly removing the structure and noted that the property owner intends to build a new structure on the property.

Ms. C. Duplantis moved, seconded by Mr. H. Lapeyre, “THAT, the Council concur with the recommendation of Administration to close the condemnation proceedings on the property located at 424 Sixth Street, owned by Ms. Ida Laverne Boddie Murphy.”

The Chairman called for the vote on the motion offered by Ms. C. Duplantis.
UPON ROLL CALL THERE WAS RECORDED:
NAYS:  None.
ABSENT:  P. Lambert and K. Elfert.
The Chairman declared the motion adopted.

Ad Hoc Attorney Kerry Byrne stated that the owner of record for the property located at 7351 Shrimpers Row is deceased and her adopted child, Mrs. Bruce Collins (Mrs. Lucia Evangelista Collins) and her daughter – Ms. Geretta Foret, were present at the previous condemnation hearing. Mr. Byrne stated that he has not been successful in contacting the property owner or her daughter.

Mr. C. Voisin moved, seconded by Ms. A. Williams, “THAT, the Council find that the structure located at 7351 Shrimpers Row, owned by the Estate of Ms. Marie D. Foret, as per the legal description:

`A batture lot of ground in the Parish of Terrebonne, Louisiana, on the right descending bank of Bayou Grand Caillou about 16 miles below the City of Houma, in Section 86, T-19-S, R-17-E, measuring a front of One Hundred Forty-four (144’) feet on the east side of the Grand Caillou Public Road by depth to Bayou Grand Caillou; bounded above or north by property of Estev Voisin formerly, now Paul Voisin, on the east by Bayou Grand Caillou, below or south by property of Charles Billiot, or assigns, and in front or west by the Grand Caillou Public Road; together with all buildings and improvements thereon and all rights, ways, privileges, prescriptions and servitudes thereto belonging.`
AND

A tract of land in the Parish of Terrebonne, Louisiana, about 25 miles below the City of Houma, measuring sixty-four (64') feet, more or less, front on the right descending bank of Bayou Grand Caillou by depth of survey between parallel lines; the lower line of said tract being located sixty-four (64') feet, more or less, below or south of a small unnavigable bayou or ditch which empties into Bayou Grand Caillou; bounded above or north by said ditch, being the boundary line between this tract and the land of Joseph Dion, and below by property of Etienne LeBoeuf; together with all improvements thereon and all rights, ways, privileges, prescriptions and servitudes thereto belonging.’

is in a dilapidated and dangerous condition which endangers the health, safety, and welfare of the public and therefore the mobile home on subject property is hereby condemned and the owner is ordered to demolish and remove the mobile home within sixty (60) days in default of which the Terrebonne Parish Consolidated Government may proceed to do so and that in accordance therewith the Parish Administration be authorized to proceed with the bidding process for the removal.”

The Chairman called for the vote on the motion offered by Mr. C. Voisin.

UPON ROLL CALL THERE WAS RECORDED:
NAYS:  None.
ABSENT:  P. Lambert and K. Elfert.
The Chairman declared the motion adopted.

The Chairman recognized Mr. Patrick Robertson of Ridgeway Street in Thibodaux and owner of the property located at 419 Fieldcrest Drive, who was present to address the matter.

Senior Planner Leesa Foreman presented the historical background on the aforementioned property, noted that Mr. Robertson has made tremendous strides to repair the structure, and recommended that the condemnation proceedings on said property be continued until November 26, 2007.

Ms. T. Cavalier moved, seconded by Mr. H. Lapeyre and Ms. C. Duplantis, “THAT, the Council concur with the recommendation of Administration to continue, until November 26, 2007 at 6:00 p.m., the condemnation proceedings on the property located at 419 Fieldcrest Drive, currently owned by Mr. Patrick Robertson.”

Special Legal Advisor Laddie Freeman interjected that since the last meeting, Mr. Robertson has purchased the property from his father and is now the recorded owner.

**The Chairman called for the vote on the motion offered by Ms. T. Cavalier.

UPON ROLL CALL THERE WAS RECORDED:
NAYS:  None.
ABSENT:  P. Lambert and K. Elfert.
The Chairman declared the motion adopted.

The Chairman recognized Mr. Merlin Foret, of Grand Caillou Road and prospective buyer, and Ms. Carolyn Brunet, an heir of the property located at 120 Old Bridge Road. Mr. Foret stated that he has hired someone to clean the aforementioned property and the bayouside property. He continued that once the property has been cleaned, an appraisal will be completed and an appointment has been scheduled with an attorney to determine the legal description of the property.
Senior Planner Leesa Foreman interjected that Administration has had no communication with the property owners, who have no building permit, and requested clarification of the owner’s intent.

In response to questioning, Mr. Foret stated that he intends to build a camp on said property and will utilize the bayouside for his boat. Mr. Foret continued that the family is in the process of discussing the potential sale of the property with other heirs of the property.

Upon questioning, Ad Hoc Attorney Kerry Byrne stated that he has not spoken with the property owners with respect to the aforementioned transfer of ownership and noted that the succession of Ms. Emelida P. Verdin has been opened. He presented a report on those believed to be rightful heirs of the property.

Upon additional discussion, Mr. Foret noted that he is Ms. Carolyn Billiot’s son-in-law and the previous sale of the property fell through.

Mr. C. Voisin moved, seconded by Mr. H. Lapeyre, “THAT, the Council continue, until November 26, 2007 at 6:00 p.m., the condemnation proceedings for the property located at 120 Old Bridge Road, owned by Ms. Emelida P. Verdin and Mr. Vernice Parfait.”

The Chairman called for the vote on the motion offered by Mr. C. Voisin.

UPON ROLL CALL THERE WAS RECORDED:
NAYS: None.
ABSENT: P. Lambert and K. Elfert.
The Chairman declared the motion adopted.

Senior Planner Leesa Foreman presented the historical background on the property located at 106 Mulberry Street, owned by Mr. David C. Clause and Mrs. Dawn Clause, and noted that an inspection of the aforementioned property on August 13, 2007 revealed that the grass has been cut although there has been no change to the structure. Ms. Foreman recommended that the Council proceed with condemning the aforementioned property.

Mr. H. Lapeyre moved, seconded by Mr. P. Rhodes, “THAT, the Council concur with the recommendation of Administration and find that the structure located at 106 Mulberry Street, owned by Mr. David C. Clause and Mrs. Dawn Clause, as per the legal description:

‘LOTS FOUR (4) and FIVE (5) of ADDENDUM NO. SIX (6) of PATRICK L. LEBLANC SUBDIVISION, situated in Section 72, Township 15 South, Range 16 East, in the Parish of Terrebonne, State of Louisiana, as shown on a plan of said subdivision prepared by Bobby F. Warren, C.E., entitled “Addendum No. 1, 2, 4, 5, and 6 to Patrick L. LeBlanc Subdivision, dated June 10, 1964, revised June 16, 1969, a copy of which is recorded under Entry No. 397111, records of Terrebonne Parish, Louisiana. Said Lot 4 measures 62.41 feet front on the southerly side of Mulberry Street, by a depth of 63.74 feet on its Easterly sideline, and by a depth of 61.39 feet on its Westerly sideline, with a width across the rear of 61.29 feet. Lot 5 measures 62.41 feet front on the Southerly side of Mulberry Street, by a depth of 61.39 feet on its Easterly sideline, and by a depth of 59.05 feet on its Westerly sideline and with a width across the rear of 61.29 feet; together with all rights, ways, privileges and servitudes thereunto belonging or in anywise appertaining.’
is in a dilapidated and dangerous condition which endangers the health, safety, and welfare of the public and therefore the structure on subject property is hereby condemned and the owner is ordered to demolish and remove the structure within sixty (60) in default of which the Terrebonne Parish Consolidated Government may proceed to do so and that in accordance therewith the Parish Administration be authorized to proceed with the bidding process for the removal.” (**MOTION ADOPTED AFTER DISCUSSION)
Special Legal Advisor Laddie Freeman noted that Mr. and Mrs. Clause filed for bankruptcy; however, the aforementioned property was removed and disclaimed by the Bankruptcy Court. He continued that the mortgage company has filed a seizure of the property and is having the property sold at a Sheriff’s sale. Mr. Freeman stated that the attorney for the mortgage company was notified, that the attorney is not present this evening, and added that it is appropriate to proceed with the condemnation.

**The Chairman called for the vote on the motion offered by Mr. H. Lapeyre.**

UPON ROLL CALL THERE WAS RECORDED:


NAYS:  None.

ABSENT:  P. Lambert and K. Elfert.

The Chairman declared the motion adopted.

The Chairman recognized Mr. Tim McCubbin of Century 21 and representative for Countrywide Home Mortgage, who stated that Countrywide has foreclosed on the property located at 502 Elysian Drive through a Sheriff’s sale. He continued that the property was listed for sale and has a potential buyer for said property. Mr. McCubbin stated that the buyer has requested that the sale be placed on hold until the condemnation proceeding is settled. He added that the grass has been cut and the trash has been removed from inside and outside of the structure.

Councilman P. Rhodes interjected that the Parish cut the grass at said location on August 8, 2007. Mr. Rhodes noted that he has had considerable trouble in getting someone to cut the grass at said location.

Senior Planner Leesa Foreman stated that Administration has had problems with getting the property owner to maintain the grass at said location. She recommended that the Council proceed with condemning the aforementioned property and that the property owners be given until November 26, 2007 to repair or demolish said structure in default of which Administration be given the authority to proceed with obtaining bids to remove the structure.

Mr. McCubbin interjected that Countrywide Home Mortgage received notice of the sale of the property on May 14, 2007, noted that the property has been in foreclosure for some time, and that Federal guidelines placed a moratorium on foreclosures of properties in Terrebonne Parish. He presented pictures of the structure as it exists today and noted that he has a signed contract for the sale of the home. Mr. McCubbin stated that the structure should not be demolished because the investor intends to renovate the structure and place it back on the market.

Ms. Foreman noted that Administration has had perennial problems with maintenance of the grass at said site and is constantly sending out notices of tall grass violations.

Mr. P. Rhodes moved, seconded by Mr. H. Lapeyre, “THAT, the Council concur with the recommendation of Administration and find that the structure located at 502 Elysian Drive, owned by Wells Fargo Bank, N. A. (Countrywide Home Mortgage, subsidiary), as per the legal description:

‘One certain lot of ground, together with all buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, advantages and appurtenances thereto belonging or in anywise appertaining, situated in the Parish of Terrebonne, in that portion thereof known as Addendum No. 1 of Elysian Park Subdivision, being a subdivision of a portion of Lot No. 176 of Honduras Plantation Subdivision, in Section 105, T 17 S, R 17 E, as delineated on a survey by Bernard B. Davis, C.E., dated April 17, 1957, a print whereof is on file in the office of the Clerk of Court of Terrebonne Parish, in Block No. 12 thereof, bounded by Elysian Drive, Laban Avenue, the dividing line between Block No. 12 of Addendum No. 1 to Elysian Park Subdivision and Lot No. 177 of Honduras Plantation Subdivision and the property belonging to Harry W. Todd, Hibernia Place and
Paris Lane, which said lot is designated by the No. 2 on the aforesaid survey by Bernard B. Davis, C.E., according to which survey, and according to a survey by Bernard B. Davis, C.E., dated July 28, 1956, said Lot No. 2 commences at a distance of 60 feet from the corner of Elysian Drive and Laban Avenue and measures thence 60 feet front on Elysian Drive, the same in width in the rear, by a depth of 129 feet, 7-1/2” Inches on the side line adjoining Lot No. 1 and a depth of 130 feet, 3-3/8” inches on the opposite side line adjoining Lot No. 3; subject to restrictions, servitudes, rights-of-way and outstanding mineral rights of record affecting the property.’

is in a dilapidated and dangerous condition which endangers the health, safety, and welfare of the public and therefore the structure on subject property is hereby condemned and the owner is ordered to demolish and remove the structure by November 26, 2007 in default of which the Terrebonne Parish Consolidated Government may proceed to do so and that in accordance therewith the Parish Administration be authorized to proceed with the bidding process for the removal.” (**MOTION AMENDED AND ADOPTED AFTER DISCUSSION)

The Chairman recognized Mr. Wayne Auprecht, attorney for Countrywide Home Mortgage, who stated that Countrywide Home Mortgage purchased the aforementioned property on April 18, 2007 and that Century 21 has a pending sale of the property. He requested that the Council consider retaining the property in commerce and continue the proceedings until November 26, 2007.

Special Legal Advisor Laddie Freeman requested clarification of the motion with respect to demolishing or repairing the structure.

**Mr. P. Rhodes offered an amendment, seconded by Mr. H. Lapeyre, “THAT, the Council concur with the recommendation of Administration and find that the structure located at 502 Elysian Drive, formerly owned by owned by Mr. Jarrod Hamilton and Ms. Anissa Hamilton and currently owned by Wells Fargo Bank, N. A. (Countrywide Home Mortgage, subsidiary), as per the legal description:

‘One certain lot of ground, together with all buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, advantages and appurtenances thereto belonging or in anywise appertaining, situated in the Parish of Terrebonne, in that portion thereof known as Addendum No. 1 of Elysian Park Subdivision, being a subdivision of a portion of Lot No. 176 of Honduras Plantation Subdivision, in Section 105, T 17 S, R 17 E, as delineated on a survey by Bernard B. Davis, C.E., dated April 17, 1957, a print whereof is on file in the office of the Clerk of Court of Terrebonne Parish, in Block No. 12 thereof, bounded by Elysian Drive, Laban Avenue, the dividing line between Block No. 12 of Addendum No. 1 to Elysian Park Subdivision and Lot No. 177 of Honduras Plantation Subdivision and the property belonging to Harry W. Todd, Hibernia Place and Paris Lane, which said lot is designated by the No. 2 on the aforesaid survey by Bernard B. Davis, C.E., according to which survey, and according to a survey by Bernard B. Davis, C.E., dated July 28, 1956, said Lot No. 2 commences at a distance of 60 feet from the corner of Elysian Drive and Laban Avenue and measures thence 60 feet front on Elysian Drive, the same in width in the rear, by a depth of 129 feet, 7-1/2” Inches on the side line adjoining Lot No. 1 and a depth of 130 feet, 3-3/8” inches on the opposite side line adjoining Lot No. 3; subject to restrictions, servitudes, rights-of-way and outstanding mineral rights of record affecting the property.’

is in a dilapidated and dangerous condition which endangers the health, safety, and welfare of the public and therefore the structure on subject property is hereby condemned and the owner is ordered to demolish and remove the structure or make repairs as approved and verified by the Planning and Zoning Department by November 26, 2007 in default of which the Terrebonne Parish Consolidated Government may proceed to do so and that in accordance therewith the Parish Administration be authorized to proceed with the bidding process for the removal.” **

**The Chairman called for the vote on the amended motion offered by Mr. P. Rhodes.

UPON ROLL CALL THERE WAS RECORDED:
NAYS:  None.
ABSENT:  P. Lambert and K. Elfert.
The Chairman declared the amended motion adopted.

Mr. P. Rhodes moved, seconded by Ms. C. Duplantis, “THAT, there being no further business to come before the Council, the meeting be adjourned.”

The Chairman called for the vote on the motion offered by Mr. P. Rhodes.
UPON ROLL CALL THERE WAS RECORDED:
NAYS:  None.
ABSENT:  P. Lambert and K. Elfert.
The Chairman declared the motion adopted and the meeting adjourned at 6:44 p. m.

SUZETTE THOMAS
MINUTE CLERK

ATTEST:

ALVIN TILLMAN, SR., CHAIRMAN
TERREBONNE PARISH COUNCIL

PAUL A. LABAT, COUNCIL CLERK
TERREBONNE PARISH COUNCIL