

MINUTES
HOUMA-TERREBONNE REGIONAL PLANNING COMMISSION (HTRPC)
MEETING OF MARCH 15, 2012

- A. The Chairman, Dr. L.A. “Budd” Cloutier, Jr., called to order the regular meeting of March 15, 2012 of the Houma-Terrebonne Regional Planning Commission (HTRPC) at 6:46 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by him and the Pledge of Allegiance led by Mrs. Marsha Williams.
- B. Upon Roll Call, present were: Dr. L.A. “Budd” Cloutier, Jr., Chairman; Mr. Richard Elfert; Mr. Jeremy Kelley; Alex Ostheimer, Vice-Chairman; Mr. Gerald Schouest; Mr. Wayne Thibodeaux; and Mrs. Marsha Williams, Secretary/Treasurer. Absent at the time of Roll Call were: Mr. James Erny and Mr. Keith Kurtz. Also present were Patrick Gordon, Director, Department of Planning & Zoning and Laddie Freeman, Legal Advisor.
- C. ACCEPTANCE OF MINUTES:
1. Mrs. Williams moved, seconded by Mr. Schouest: “THAT the HTRPC accept the minutes, as written, for the Regional Planning Commission for the regular meeting of February 16, 2012.”

The Chairman called for a vote on the motion offered by Mrs. Williams. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Kelley, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Erny and Mr. Kurtz. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
 2. Mr. Ostheimer moved, seconded by Mrs. Williams: “THAT the HTRPC accept the minutes, as written, for the Zoning & Land Use Commission for the regular meeting of February 16, 2012.”

The Chairman called for a vote on the motion offered by Mr. Ostheimer. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Kelley, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Erny and Mr. Kurtz. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
- D. Mrs. Williams moved, seconded by Mr. Kelley: “THAT the HTRPC emit payment for the March 15, 2012 invoices and approve the Treasurer’s Report of February 2012.”

The Chairman called for a vote on the motion offered by Mrs. Williams. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Kelley, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Erny and Mr. Kurtz. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
- E. COMMUNICATIONS:
1. Mr. Gordon read a letter from Leonard Chauvin, P.E., P.L.S., Inc. dated March 7, 2012 requesting to table Item F1 concerning D & G Estates until the next regular meeting of April 19, 2012 [See ATTACHMENT A].
 - a) Mr. Ostheimer moved, seconded by Mr. Kelley and Mr. Elfert: “THAT the HTRPC table the engineering application for Process C, Major Subdivision for D & G Estates until the next regular meeting of April 19, 2012 as per the Developer’s request [See ATTACHMENT A].”

The Chairman called for a vote on the motion offered by Mrs. Williams. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Kelley, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Erny and Mr. Kurtz. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
- F. OLD BUSINESS:
1. D & G Estates, Tabled [See ATTACHMENT A]
- G. APPLICATIONS:
1. The Chairman called to order the Public Hearing for an application by Janice Benoit for Process D, Minor Subdivision for the Redivision of Property belonging to the Estate of Corbett P. Richard.
 - a) Mr. Galen Bollinger, Charles L. McDonald Land Surveyors, Inc., discussed the location and division of property.
 - b) Mr. Gordon discussed the Staff Report and stated Staff recommended conditional approval provided upon the installation of a fire hydrant.

- c) No one from the public was present to speak.
- d) Mrs. Williams moved, seconded by Mr. Schouest: “THAT the Public Hearing be closed.”

The Chairman called for a vote on the motion offered by Mrs. Williams. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Kelley, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Erny and Mr. Kurtz. THE CHAIRMAN DECLARED THE PUBLIC HEARING CLOSED.

- e) Discussion was held with regard to drainage and a letter from the Schriever Fire Department.
- f) Mr. Schouest moved, seconded by Mr. Ostheimer: “THAT the HTRPC grant approval of the application for Process D, Minor Subdivision for the Redivision of Property belonging to the Estate of Corbett P. Richard conditioned upon the installation of a fire hydrant.”

The Chairman called for a vote on the motion offered by Mr. Schouest. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Kelley, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Erny and Mr. Kurtz. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

- 2. The Chairman called to order the Public Hearing for an application by Rickie & Gwynne Pitre for Process D, Minor Subdivision for Tract B & Lot Extension Tract A1 belonging to Rickie & Gwynne Pitre.

- a) Mr. Galen Bollinger, Charles L. McDonald Land Surveyors, Inc., discussed the location and division of property.
- b) Mr. Gordon discussed the Staff Report and stated Staff recommended conditional approval provided upon the submittal of all utility letters.
- c) No one from the public was present to speak.
- d) Mr. Thibodeaux moved, seconded by Mr. Ostheimer: “THAT the Public Hearing be closed.”

The Chairman called for a vote on the motion offered by Mr. Thibodeaux. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Kelley, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Erny and Mr. Kurtz. THE CHAIRMAN DECLARED THE PUBLIC HEARING CLOSED.

- e) Mr. Ostheimer moved, seconded by Mrs. Williams: “THAT the HTRPC grant approval of the application for Process D, Minor Subdivision for Tract B & Lot Extension Tract A1 belonging to Rickie & Gwynne Pitre conditioned upon the submittal of all utility letters.”
- f) Discussion was held with regard to additional access reserved for further development of the rear property and the 10' servitude for utilities and drainage.

The Chairman called for a vote on the motion offered by Mr. Ostheimer. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Kelley, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Erny and Mr. Kurtz. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

H. STAFF REPORT:

- 1. Mr. Gordon discussed the proposed changes to the HTRPC By-Laws with regard to a change in State law that was not reflected in the by-laws as well as tie votes [See *ATTACHMENT B*].
 - a) Mr. Ostheimer moved, seconded by Mrs. Williams: “THAT the HTRPC approve both amendments, as proposed, to the Houma-Terrebonne Regional Planning Commission By-Laws concerning a change in State law that was not reflected in the by-laws as well as tie votes [See *ATTACHMENT B*].”
 - b) Mr. Freeman indicated that six (6) votes of the Commission would be needed for the amendments to be approved.

The Chairman called for a vote on the motion offered by Mr. Ostheimer. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Kelley, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Erny and Mr. Kurtz. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

I. ADMINISTRATIVE APPROVALS:

Mrs. Williams moved, seconded by Mr. Kelley and Mr. Ostheimer: "THAT the HTRPC acknowledge for the record the following Administrative Approvals 1-12."

1. Line shift between property belonging to Nolan Wesley, Sr. and Christy & Keith LeBlanc, Section 2, T16S-R17E, Terrebonne Parish, LA
2. Redivision of Property belonging to D.C. Walther, Sections 56, 57, & 11, T16S-R16E, Terrebonne Parish, LA
3. Revised Lot 19 & Revised Lot 20 of Block 3, Addendum No. 1 to Petit Caillou Estates Subdivision, Section 63, T19S0R18E, Terrebonne Parish, LA
4. Revised Lot 22R & Revised Lots 15R-18R of Norby Estates Subdivision belonging to Patrick J. Duplantis, et al, Section 18, T18S-R18E and Section 48, T18S-R19E, Terrebonne Parish, LA
5. Tract A-B-C-D-A to be acquired by and made part of D O C Rentals, Inc., Section 12, T17S-R17E, Terrebonne Parish, LA
6. Lot Line Shift for Property belonging to Richard J. Boudreaux, III, Sections 4 & 5, T16S-R15E, Terrebonne Parish, LA
7. Survey of Tract A-E-F-D-A and Tract E-B-C-F-E, A Redivision of Property belonging to Rickie Breaux, et al, Sections 8, 9, & 17, T18S-R19E, Terrebonne Parish, LA
8. Survey of Tract "A", A Redivision of a portion of property belonging to Ellendale Development Corporation, Sections 14 & 15, T16S-R16E and Section 80, T17S-R16E, Terrebonne Parish, LA (Raw Land)
9. Revised Lots 37 & 38-B, A Redivision of Lot 37 & 38-B of Greenwood Plantation Estates Subdivision, Sections 6, 7, 8, 9, 10, 11, & 13, T17S-R15E, Terrebonne Parish, LA
10. Survey of Revised Lots 1, 3, 4, & 6 of Block 1, A Redivision of Lots 1, 3, 4, 5, & 6, Terrebonne Industrial Park, Property belonging to Lynn B. Dean, Sections 12, 47, 101, & 104, T17S-R17E, Terrebonne Parish, LA
11. Survey of Revised Lot 22R & Revised Lots 19R & 20R of Norby Chabert Estates Subdivision belonging to Patrick J. Duplantis, et al, Section 18, T18S-R18E, and Section 48, T18S-R19E, Terrebonne Parish, LA
12. Survey and Redivision of Tract 7-A belonging to Joshua J. Fanguy and Lot 8-A belonging to Kevin John Fanguy into Tract 7-A-1 and Lot 8-A-1, Section 57, T16S-R17E, Terrebonne Parish, LA

The Chairman called for a vote on the motion offered by Mrs. Williams. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Kelley, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Erny and Mr. Kurtz. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

J. COMMITTEE REPORTS:

1. Subdivision Regulations Review Committee: None.
2. Comprehensive Master Plan Update:
 - a) Mr. Gordon stated there was a Community Input meeting tonight and there would be two more next week.

K. COMMISSION COMMENTS:

1. Planning Commissioners' Comments:
 - a) Mr. Ostheimer discussed Mr. Gordon giving his Staff Report after the Public Hearing rather than before and the ability for Mr. Gordon to change his recommendation if necessary after hearing the public speak.
 - b) Mr. Schouest discussed the Vision 2030 Community Input Sessions and the sparse attendance and suggested flyers being handed out at local area markets, etc. to get the word out more.
 - c) Mr. Elfert encouraged the Commissioners to consider attending the National Planning Conference in April.
2. Chairman's Comments: None.

L. PUBLIC COMMENTS: None.

- M. Mrs. Williams moved, seconded Mr. Schouest: “THAT there being no further business to come before the Houma-Terrebonne Regional Planning Commission, the meeting be adjourned at 7:15 p.m.”

The Chairman called for a vote on the motion offered by Mrs. Williams. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Erny, Mr. Kelley, Mr. Kurtz, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

*Becky M. Becnel, Minute Clerk
Houma-Terrebonne Regional Planning Commission*

627 JACKSON STREET
THIBODAUX, LA. 70301

(985) 449-1376 TEL
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LEONARD CHAUVIN P.E., P.L.S., INC.

Civil Engineer - Land Surveyor

March 7, 2012

Houma-Terrebonne Regional Planning Commission
Attn: Mr. Pat Gordon
P. O. Box 1446
Houma, LA 70361-1446

RE: Submittals for D & G Estates

Dear Mr. Gordon:

We would like to postpone consideration of the referenced matter from the March 15th Planning Commission meeting to the April 19th meeting. That will allow adequate time to prepare and resubmit the additional information required by the commission.

Please call if there are questions or further information required.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leonard J. Chauvin Jr.', with a long horizontal flourish extending to the right.

LEONARD J. CHAUVIN JR., P.E., P.L.S.

LJC/dsn

Cc: Gwen Cavaness

Proposed Amendments
Houma-Terrebonne Regional Planning Commission By-Laws

Amendment #1

Changes were made to RS 42:14 and RS 42:19, and the Houma-Terrebonne Regional Planning Commission By-Laws were not amended to reflect these changes. For your review, RS 42:14 and RS 42:19 are as follows:

§14. Meetings of public bodies to be open to the public
D. Except school boards, which shall be subject to R.S. 42:15, **each public body conducting a meeting which is subject to the notice requirements of R.S. 42:19(A) shall allow a public comment period at any point in the meeting prior to action on an agenda item upon which a vote is to be taken.** The governing body may adopt reasonable rules and restrictions regarding such comment period.

§19. Notice of meetings
(ii) Such notice shall include the agenda, date, time, and place of the meeting, provided that **upon unanimous approval of the members present at a meeting of a public body, the public body may take up a matter not on the agenda.** Any such matter shall be identified in the motion to take up the matter not on the agenda with reasonable specificity, including the purpose for the addition to the agenda, and entered into the minutes of the meeting. **Prior to any vote on the motion to take up a matter not on the agenda by the public body, there shall be an opportunity for public comment on any such motion in accordance with R.S. 42:14 or 15.** The public body shall not use its authority to take up a matter not on the agenda as a subterfuge to defeat the purposes of this Chapter.

The proposed amendment to the Houma-Terrebonne Regional Planning Commission By-Laws, Section 8.8 as warranted by RS 42:14 and RS 42:19:

8.8 Order of Business. Prior to each regular or special meeting, the Chairman and the Planning Department staff shall prepare an agenda of all matters to be considered at the meeting. Said agenda should be published according to law. By majority vote of the members present the order of the agenda items may be rearranged. Unless applicable law requires prior and/or public notice, items may be added to the agenda by the affirmative unanimous vote of ~~two-thirds (2/3)~~ of the quorum present after first allowing the opportunity for public comment on any such motion.

Amendment #2

Another amendment for consideration is regarding Section 7.6.d of the By-Laws as it pertains to tie votes. As per Mr. Laddie Freeman, *Robert's Rules* allows the Chairman to break a tie vote as well as make a tie vote. The proposed amendment as suggested by Mr. Freeman:

7.6.d In the event of a tie vote on any official issue, the Chairman may exercise his prerogative under *Robert's Rules of Order Newly Revised* to break a tie vote or to make a tie vote. The Chairman may exercise his right as a Commission member to debate on a motion only after relinquishing the chair to the Vice-Chairman.

February 1, 2012