



State of Louisiana

**OFFICE OF  
STATE INSPECTOR GENERAL**

**UNAUTHORIZED WORK**

**ON CULVERTS**

**Report by**

**Inspector General Bill Lynch**

**Prepared for**

**Governor M. J. "Mike" Foster, Jr.**

**October 22, 2001**

**File No. 1-02-0015**



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Report by

A handwritten signature in cursive script, appearing to be "BL", written over a horizontal line.

Inspector General Bill Lynch

Approved by

A handwritten signature in cursive script, appearing to be "M.J. Foster", written over a horizontal line.

Governor M.J. "Mike" Foster, Jr.

October 15, 2001

File No. 1-02-0015

# Unauthorized Work On Culverts

A Department of Transportation and Development employee, Caddo Parish maintenance superintendent Clinton Sharpley, Jr., violated Department policy and procedure, resulting in unnecessary expenditures of \$1,988. Mr. Sharpley removed culverts on La. Highway 169 without contacting the owner and placed them in another location for a friend.

In addition, the property owner receiving the culverts did not have a Department permit to install culverts in the state right-of-way.

The Department does not generally clean out or install culverts; it requires the property owner to maintain the culverts.

## Background

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The Department of Transportation and Development is responsible for maintaining state roads and servitudes. The Department has established maintenance barns throughout the state to facilitate these duties, which include repairing potholes, cutting grass, and maintaining ditches.

Mr. Sharpley is the maintenance superintendent for Caddo Parish.

The maintenance superintendent is responsible for prioritizing, planning and supervising maintenance activities within the parish. The superintendent also responds to complaints by public officials, property owners, and other parties, taking corrective action if warranted.

## Unauthorized Work

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At the direction of Mr. Sharpley, a Department crew removed and reinstalled culverts costing the Department at least \$1,988 for labor and equipment utilized during the two days of work.

Mr. Sharpley ordered the removal of concrete culverts from the state right-of-way at an unused entrance to property belonging to a private citizen. According to Mr. Sharpley, an anonymous telephone complaint was received stating water was backing up due to a problem with culverts near a church on La. Highway 169. The complaint form indicates a “driveway going nowhere has water going around it causing water to come out onto the roadway.”

Normal procedure would be for the Department to contact the owner of the culverts stating the problem and allowing sufficient time for the owner to correct the problem. If the owner does not correct the problem, the Department removes the culverts and places them on the owner’s property or returns the culverts to the maintenance yard. In some cases, damaged culverts are destroyed and used as fill material.

Mr. Sharpley failed to contact the owner of the culverts before ordering their removal. In fact, Mr. Sharpley said he considered giving the culverts to another property owner if they were found to be in usable condition after their removal.

Mr. Sharpley said he found the culverts, once removed, to be in good condition. Therefore, Mr. Sharpley said, he instructed the crew to reset them at a new location to make a driveway for a friend. As part of the job of resetting the culverts the ditch was cleaned. The Department crew worked approximately four hours on this job.

Department policy states that maintenance forces, equipment or materials shall not be used in the construction or maintenance of private driveways. The policy allows the removal and installation of culverts in certain cases which do not apply to this situation.

After a complaint was filed with the Caddo Parish Sheriff’s Office by the owner of the culverts, Mr. Sharpley ordered a Department crew to remove and reinstall the culverts in their original location. This crew worked approximately six and one half hours on this job.

Total cost for the work as determined by the Department is \$1,988.

## Failure to Obtain a Permit

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Mr. Sharpley ordered the culverts placed in the state right-of-way without the owner of the property obtaining a permit from the Department to install culverts.

Louisiana law gives the Department the authority to issue permits for the installation of culverts in the state right-of-way. The permits are free of charge and are required by the Department to insure uniform design and standards in the construction of driveways.

Work on a driveway is not to begin until the application for the permit has been approved by the Department. The applicant for the permit must be the owner or lessee of the property.

However, according to Department personnel, driveways are often installed by the property owner without having obtained a permit. If the driveway is in compliance with Department standards, a permit can be issued after the fact. If the driveway is not in compliance, the owner is required to bring the driveway up to standard or remove the structure.

*Conclusions:*

1. Mr. Sharpley ordered a Department crew to remove culverts and install them in another location in violation of Department policy and procedure. In order to correct the problem, Mr. Sharpley ordered a Department crew to remove and replace the culverts in their original location. The cost of labor and equipment was \$1,988.
2. Mr. Sharpley installed culverts on state right-of-way accessing private property without the owner obtaining a Department permit, a violation of Department policy.

*Recommendation:*

1. The Department of Transportation should take appropriate action.