

**2016-0194**

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN-AT-LARGE, DIVISION B**

A resolution requesting an Attorney General's Opinion as to whether or not newly elected Parish President Larry Cochran has any obligation or responsibility to seek reimbursement of funds that were misspent by his predecessor V.J. St. Pierre, Jr. in light of AG Opinion 13-0171 and AG Opinion 14-0045.

**WHEREAS**, over \$150,000 in taxpayer money was misspent by former Parish President V.J. St. Pierre, Jr., for the benefit of private individuals, when he provided private property owners with commercial dumpsters at taxpayer expense for private use for free; and,

**WHEREAS**, AG Opinion 13-0171 stated "... in order to avoid running afoul of La. Const. art. VII, Sec. 14(A), which prohibits the gratuitous alienation of public funds, the Parish must seek to recover the expenses associated with providing the dumpsters"; and,

**WHEREAS**, AG Opinion 14-0045 stated "We have also opined that based on the language of La. Const. art. VII, Sec. 14(A), a public entity has no authority to set-aside, reduce, or otherwise forgive a debt owed to the public entity. See La. Atty. Gen. Op. Nos. 13-0079, 10-0287 and 10-0264. Therefore, if money is owed to the Parish, the Parish should take reasonable steps to recover it"; and,

**WHEREAS**, to this date, there has been no reimbursement whatsoever of any of the funds owed to the Parish by any of the private individuals.

**NOW, THEREFORE, BE IT RESOLVED, THAT WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL**, do hereby request an Attorney General opinion as to whether or not newly elected Parish President Larry Cochran has any obligation or responsibility to seek reimbursement of funds that were misspent by his predecessor V.J. St. Pierre, Jr. in light of AG Opinion 13-0171 and AG Opinion 14-0045.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: HOGAN

NAYS: BENEDETTO, WILSON, CLULEE, GIBBS, BELLOCK, FLETCHER, FISHER-PERRIER

ABSENT: WOODRUFF

PROPOSED RESOLUTION FAILED FOR LACK OF A FAVORABLE MAJORITY ON MAY 2, 2016.