



ST. CHARLES PARISH

DEPARTMENT OF LEGAL SERVICES

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June 2, 2025

Hon. Liz Murrill
LA Attorney General
P. O. Box 94005
Baton Rouge, LA 70804

CERTIFIED R/R/ NO. 70173380000079104701

Re: La. R.S. 42:61, Part III, Dual Officeholding and Dual Employment

Dear Mrs. Murrill:

I have been requested by the St. Charles Parish Council to request an Attorney General Opinion pursuant to Resolution No. 6828 which is attached and marked No. 1. The question requested is whether the same individual can be appointed by the St. Charles Parish Council to two (2) different part time Boards simultaneously

St. Charles Parish is a local governmental subdivision as defined by Article VI, Section 44 of the Louisiana Constitution of 1974 and operates as a Home Rule Charter government under the authority of Article VI, Section 5 of the Constitution.

The St. Charles Parish Housing Authority was created by the St. Charles Parish Policy Jury under Title 40 of the Louisiana Revised Statutes for the purpose of alleviating unsanitary and unsafe inhabited dwelling accommodations in St. Charles Parish. Extract of the Minutes of the Policy Jury are attached as No. 2.

The St. Charles Parish Planning Commission was created by the St. Charles Parish Policy Jury under authority granted by the Louisiana Revised Statutes Title 33. Extract of the Minutes of the Policy Jury are attached as No. 3.

Given the above facts and pursuant to Louisiana Revised Statutes 42:61, Part III, Dual Office holding and Dual Employment, can an appointee by the St. Charles Parish Council to the St. Charles Parish Housing Authority serve simultaneously on the St. Charles Parish Planning Commission?

Your attention to this matter is greatly appreciated.

Sincerely,


Corey M. Oubre
Director of Legal Services

cc St. Charles Parish Council c/o Michelle Impastato

2025-0146

INTRODUCED BY: WALTER PILIÈ, COUNCILMAN, DISTRICT III

RESOLUTION NO. 6828

A resolution requesting the Louisiana Attorney General render an Opinion as to whether a member of the St. Charles Parish Housing Authority may serve as a member of the St. Charles Parish Planning & Zoning Commission simultaneously.

WHEREAS, the opinion of the Louisiana Attorney General is requested concerning the ability to hold two or more public offices or public jobs simultaneously, pursuant to R.S. 42:61, Part III. Dual Officeholding and Dual Employment.

NOW, THEREFORE, BE IT RESOLVED, THAT WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby request that Louisiana Attorney General render an Opinion as to whether a member of the St. Charles Parish Housing Authority may serve as a member of the St. Charles Parish Planning & Zoning Commission simultaneously.

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

YEAS: MOBLEY, FONSECA, WILSON, SKIBA, PILIE, COMARDELLE,
O'DANIELS, DEBRUIER
NAYS: NONE
ABSENT: FISHER

And the resolution was declared adopted this 19th day of May, 2025, to become effective five (5) days after publication in the Official Journal.

2025-0146 RQST FOR AG OPINION-RS4261 (002)

CHAIRMAN: *Yolley Fonseca*

SECRETARY: *Michelle Dupont*

DLVD/PARISH PRESIDENT: *May 20, 2025*

APPROVED: *✓* DISAPPROVED:

PARISH PRESIDENT: *Math Jones*

RETD/SECRETARY: *May 21, 2025*

AT: *10:28am* RECD BY: *[Signature]*

June 22, 1965

EXTRACT OF MINUTES OF A SPECIAL MEETING
OF THE POLICE JURY OF THE PARISH OF ST.
CHARLES, LOUISIANA, HELD AT THE REGULAR
MEETING PLACE IN THE COURT HOUSE IN HAHN-
VILLE, LOUISIANA ON JUNE 22, 1965 AT THE
HOUR OF 10 O'CLOCK A. M.

The meeting was called to order by the President and upon
the roll being called the following members were present:

L. P. MADERE
NORA BABIN
EDWARD MIRE
CEDRIC ANDERSON
ALBERT LAQUE
ROOSEVELT DUFRENE
C. L. NAUMANN

Absent: NONE

The following resolution was proposed by Mr. Laque
seconded by Mr. Naumann :

RESOLUTION

A RESOLUTION FINDING AND DECLARING THAT THERE
EXISTS A NEED FOR THE HOUSING AUTHORITY OF THE
PARISH OF ST. CHARLES, LOUISIANA TO FUNCTION

BE IT RESOLVED BY THE POLICE JURY OF THE PARISH OF ST.
CHARLES, STATE OF LOUISIANA, ACTING AS THE GOVERNING AUTHORITY OF
SAID PARISH, as follows:

Section 1. The Police Jury of the Parish of St. Charles,
Louisiana, hereby determines, finds and declares upon its own
initiative in pursuance of the "Housing Authorities Law" of the
State of Louisiana, that:

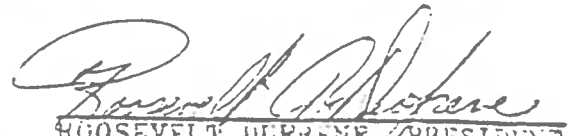
1. Insanitary and unsafe inhabited dwelling accommodations
exists in the Parish of St. Charles, Louisiana; and
2. There is a lack of safe and sanitary dwelling accommoda-
tions in the Parish of St. Charles, Louisiana; available
to families of low income from incomes they can afford;
and
3. Slum and blighted areas exist in the Parish of St. Charles,
Louisiana; and
4. There is a need for the Housing Authority of the Parish of
St. Charles, Louisiana to function.

Section 2. In accordance with the foregoing finding, the
Housing Authority of the Parish of St. Charles, Louisiana is authorize
to transact business and exercise its powers pursuant to the "Housing
Authorities Law" of the State of Louisiana.

Section 3. The President of the Police Jury of the Parish of St. Charles should be, and he hereby is, directed to file the necessary certificate relative to the appointment of the Commissioners and designation of the First Chairman of said Housing Authority in the office of the Clerk of Court of the Parish of St. Charles, Louisiana.

Section 4. That the shortage of safe and sanitary dwelling accommodations for families of low income compels such families to occupy unsafe, insanitary and overcrowded dwelling accommodations and making an increase in and spread of disease and crime, thereby creating an emergency and making it necessary for the preservation of the public peace, health and safety that this resolution becomes effective without delay, and therefore this resolution shall take effect and be in force immediately upon its adoption

The following resolution having been submitted to a vote was adopted unanimously.


ROOSEVELT DUFRENE, PRESIDENT

ATTEST:


INEZ R. SCHILLACI, SECRETARY

CERTIFICATE

I, Inez R. Schillaci, Secretary of the Police Jury of the Parish of St. Charles, hereby certify that I have compared the extract of the special meeting of the Police Jury of the Parish of St. Charles, Louisiana, held on the 22nd day of June, 1965, with the original thereof, recorded in the official minute book, and that it is a correct transcript therefrom and of the whole of said original; that the annexed extract of the minutes of the meeting is a true and complete transcript of such minutes and that the Resolution contained therein is a true, complete and accurate copy of the Resolution adopted at said meeting.

I further certify that at the time of the adoption of the annexed Resolution the duly elected and qualified incumbents in office were Albert Laque, Preston Madere, Mrs. Nora Babin, Roosevelt Dufrene, Christopher Naumann, Edward Mire and Cedric Anderson.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND THE SEAL OF THE POLICE JURY OF ST. CHARLES PARISH, LOUISIANA THIS 22nd DAY OF JUNE, 1965.


Secretary

(SEAL)

CERTIFICATE OF APPOINTMENT OF COMMISSIONERS
AND DESIGNATION OF THE FIRST CHAIRMAN OF THE
HOUSING AUTHORITY OF THE PARISH OF ST. CHARLES,
LOUISIANA

WHEREAS, the Police Jury of the Parish of St. Charles, Louisiana, hold a duly authorized meeting on the 22nd day of June, 1965, at which meeting the following entitled resolution was passed and adopted;

"A RESOLUTION FINDING AND DECLARING THAT THERE EXISTS A NEED FOR THE HOUSING AUTHORITY OF THE PARISH OF ST. CHARLES, LOUISIANA TO FUNCTION."

NOW, THEREFORE, pursuant to the provisions of said resolution and of Section 401 of the "Housing Authorities Law" of the State of Louisiana, and by virtue of my office as President:

I hereby appoint the five (5) persons hereinafter named to serve as Commissioners of the Housing Authority of the Parish of St. Charles, Louisiana, each of whom resides in this Parish and all of whom are to serve for the number of years appearing after their names, respectively, from the 22nd day of June, 1965.

<u>Donald Guidry</u>	, 1 Year
<u>Harold J. Mire</u>	, 2 Years
<u>Larry Troxler</u>	, 3 Years
<u>J. I. Waguespack</u>	, 4 Years
<u>John J. Growl</u>	, 5 Years

I hereby designate John J. Growl to serve as the first Chairman of the Housing Authority of the Parish of St. Charles, Louisiana.

IN WITNESS WHEREOF, I have hereunto signed my name as President of the Police Jury of the Parish of St. Charles, Louisiana, and caused the official corporate seal of said Parish to be attached hereto by the Parish Secretary this 22nd day of June, 1965.

(SEAL)

ATTEST:

Lucy R. Sullivan
Secretary

John J. Growl
President

APPROVED:

Governor of the State of Louisiana

The following resolution was introduced by Mr. Anderson who moved its adoption:

RESOLUTION CONFIRMING APPOINTMENT OF COMMISSIONERS

WHEREAS, The President of the Police Jury of the Parish of St. Charles, Louisiana, has appointed five individuals to serve as Commissioners of the Housing Authority of the Parish of St. Charles, Louisiana, said individuals to serve for terms as designated by the said President, and the President has also appointed a Chairman of the Housing Authority; and

WHEREAS, the Police Jury of the Parish of St. Charles, Louisiana has been apprised of the appointments and concurs therein;

NOW, THEREFORE, Be it resolved by the Police Jury of the Parish of St. Charles, Louisiana, that the appointment of the President of the Police Jury of the following named persons to serve as Commissioners of the Housing Authority of the Parish of St. Charles, Louisiana, for terms as set opposite their names is hereby confirmed, said Commissioners to serve for the terms as indicated from the 22nd day of June, 1965.

<u>Donald Guidry</u>	, 1 year	<u>J. I. Waguespack</u>	, 4 years
<u>Harold J. Mire</u>	, 2 years	<u>John J. Growl</u>	, 5 years
<u>Larry Troxler</u>	, 3 years		

BE IT FURTHER RESOLVED, that the appointment of John J. Growl, to serve as the first Chairman of the Housing Authority of the Parish of St. Charles, Louisiana is hereby confirmed.

Irvin R. Schillaci
Secretary

James M. Dufrene
President

The motion to adopt said resolution was seconded by Mr. Mire and upon roll call the following vote was recorded:

AYE: Madere, Babin, Mire, Anderson, Laque, Dufrene, Naumann

NAY: None

Thereupon the resolution was declared duly adopted and passed.

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O R D I N A N C E

65-5-31

An ordinance creating a Parish Planning Commission under the authority granted in R.S. 33:101 through R.S. 33:119 and designating said Commission as the Parish Zoning Commission under the authority granted by Act 301 of 1964.

BE IT ORDAINED, by the Police Jury of the Parish of St. Charles, Louisiana.

Section 1. There is hereby created a Parish Planning Commission which shall consist of seven members, all to be appointed by the Police Jury, who may remove any member of the Commission, after public hearing, for inefficiency, neglect of duty or malfeasance.

Section 2. All members of the Commission shall serve without compensation and shall hold no other public office. The members of the Commission first appointed shall hold office for terms of one, two, three, four, five, six and seven years, respectively; their successors shall be appointed for a term of seven years from and after the expiration of the term of their predecessors in office. If a vacancy occurs otherwise than by an expiration of term it shall be filled by appointment for the unexpired term.

Section 3. The commission shall elect a chairman from its members and create and fill such other of its offices as it may determine. The term of Chairman shall be one year, with eligibility of re-election. The Commission shall hold at least one regular meeting each month. It shall adopt rules for transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record.

Section 4. The Commission may appoint such employees as it may deem necessary for its work and may also contract with planning experts, engineers, architects and other consultants for such services as they may require. The expenditures of the Commission, exclusive of those made from funds received by gift, shall be within the amounts appropriated for that purpose by the Police Jury.

Section 5. The Commission shall exercise all of the powers and duties conferred by R. S. 33:101 through R. S. 33:119 inclusive.

Section 6. The Commission herein established shall serve as the Parish Zoning Commission, and when acting as such it shall hold separate meetings with separate minutes and records. When acting as the Parish Zoning Commission, it shall exercise all of the powers and duties conferred by Act 301 of 1964.

Section 7. The invalidity for any reason of any part hereof shall not affect the validity of any other part.

Section 8. That this Ordinance shall be published in the Official Journal of the Parish, the St. Charles Herald, according to law.