

2019-0166

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

A resolution calling for the Chairman of the Council to appoint a Special Committee in accordance with Council Rule No. 32 to investigate the matters noted in the two "Special Matters To Be Considered By Council" which have appeared in the March 11 and May 20, 2019 council meeting agendas, both pertaining to the apparent Misuse of Public Equipment on Private Property.

WHEREAS, Council Rule 32 states *"The Council may authorize the appointment of special committees by an affirmative vote of at least five (5) of its members. At each Organizational Meeting of a new term and at the first regular meeting in January annually thereafter, the Chairman of the Council shall name a Councilman to act as Chairman of each committee and give instructions as to the committee's responsibilities and when it is to report. The Council may discharge the committee by an affirmative vote of at least five (5) of its members"*; and,

WHEREAS, at the March 11, 2019 parish council meeting and the May 20, 2019 parish council meeting, the following Special Matters To Be Considered By Council was read by the Council Chairman; "Misuse of Public Equipment on Private Property on July 1, 2018 in Paradis, Louisiana, was referred by the Legal Department to the District Attorney, who has since advised in a meeting held on May 8, 2019, his position remains that after careful review, he finds no criminal intent, would decline to prosecute and refuse any charges brought against the individuals involved, and it was his understanding this matter was referred to St. Charles Parish officials, which he believes is the appropriate agency to deal with this particular matter and its policies and procedure for employees going forward"; and,

WHEREAS, at the May 20, 2019 parish council meeting, the following Special Matters To Be Considered By Council was read without further discussion by the Council Chairman; "Misuse of Public Equipment on Private Property in early 2018, when the Parish performed clearing and ditch work that was to be done by the developer of River Road Estates Subdivision shown on the construction plans, done by the Parish under the false pretense that it had a historical servitude in the work area, which documents obtained through normal channels and through public records request confirmed that the Parish has no historical servitude and that the first time the Parish ever performed work in this area was when it performed the illegal work in 2018, which is supported by a conversation had with two of the family members whose family owned the property from 1936 until sold for subdivision development in 2004, who stated that they have no knowledge of the Parish ever having worked on their property"; and,

WHEREAS, it is the desire of the St. Charles Parish Council that there be the appointment of a Special Committee to investigate these matters and to provide a report to the Council through its secretary.

NOW, THEREFORE BE IT RESOLVED, THAT WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL do hereby call for the Chairman of the Council to appoint a Special Committee in accordance with Council Rule No. 32 to investigate the matters noted in the two "Special Matters To Be Considered By Council" which have appeared in the March 11 and May 20, 2019 council meeting agendas, both pertaining to the apparent Misuse of Public Equipment on Private Property.

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

YEAS: HOGAN

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

ABSENT: NONE

PROPOSED RESOLUTION FAILED FOR LACK OF A FAVORABLE MAJORITY ON JUNE 3, 2019.