

2016-0122

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

A resolution authorizing and calling for the Parish Council to initiate a formal investigation of the Parish affairs within 30 days of the passing of this resolution, in accordance with the authority provided by the Home Rule Charter, with respect to the gratuitous alienation of public funds by former Parish President V.J. St. Pierre, Jr., which allegedly occurred when former Parish President V.J. St. Pierre, Jr. allegedly ran afoul of La. Const. art. VII, Sec. 14(A) when he provided dumpsters to private individuals at Parish expense, and to specifically investigate the specific efforts undertaken by former Parish President V.J. St. Pierre, Jr. to resolve the alleged issue of the gratuitous alienation of public funds, and to provide its findings in a report as to whether or not the actions taken by former Parish President V.J. St. Pierre, Jr. to resolve the alleged issue of the gratuitous alienation of public funds were reasonable in attempting to collect +\$150,000 of public funds owed to the Parish as was necessary according to AG Opinion 14-0045, and to advise in its report and in specific detail the basis of the Council's findings made with respect to the actions taken by the prior Administration in an attempt to resolve the issue of the gratuitous alienation of public funds, and for the Council to present its findings to the Parish's District Attorney and request that he conduct a formal investigation should the findings of the Council indicate that a formal investigation appears to be warranted with respect to former Parish President V.J. St. Pierre's alleged gratuitous alienation of public funds.

- WHEREAS,** over \$150,000 in taxpayer money was misspent by former Parish President V.J. St. Pierre, Jr. for the benefit of private individuals in association with the Blight Elimination Program which he created; and,
- WHEREAS,** the Parish Council is not aware of any evidence indicating that former Parish President V.J. St. Pierre, Jr. has made a reasonable attempt to collect these funds from the private individuals; 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,** the Parish allegedly sent a form letter to each of the individuals that received dumpsters which were addressed to "Dear Resident", which did not state how much was owed, and did not advise on how to learn of how much they owed; and,
- WHEREAS,** the form letters were allegedly sent standard mail to each individual that received a dumpster but there is no known evidence showing that they were actually sent to and received by each individual since they were allegedly not sent by any documentable means such as certified mail; and,
- WHEREAS,** it is the desire of the Parish Council to conduct an investigation into the alleged misuse of public funds by the former Parish President V.J. St. Pierre, Jr.; and,

WHEREAS, it is the desire of the Parish Council that the findings of the Council be forwarded to the District Attorney for him to conduct a formal investigation into the matter should the findings of the Council indicate that a formal investigation is warranted.

NOW, THEREFORE, BE IT RESOLVED, THAT WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby agree to conduct a formal investigation of the Parish affairs within 30 days of the passing of this resolution, in accordance with the authority provided by the Home Rule Charter, with respect to the gratuitous alienation of public funds by former Parish President V.J. St. Pierre, Jr., which allegedly occurred when former Parish President V.J. St. Pierre, Jr. allegedly ran afoul of La. Const. art. VII, Sec. 14(A) when he provided dumpsters to private individuals at Parish expense, and to specifically investigate the specific efforts undertaken by former Parish President V.J. St. Pierre, Jr. to resolve the alleged issue of the gratuitous alienation of public funds, and to provide its findings in a report as to whether or not the actions taken by former Parish President V.J. St. Pierre, Jr. to resolve the alleged issue of the gratuitous alienation of public funds were reasonable in attempting to collect +\$150,000 of public funds owed to the Parish as was necessary according to AG Opinion 14-0045, and to advise in its report and in specific detail the basis of the Council's findings made with respect to the actions taken by the prior Administration in an attempt to resolve the issue of the gratuitous alienation of public funds, and for the Council to present its findings to the Parish's District Attorney and request that he conduct a formal investigation should the findings of the Council indicate that a formal investigation appears to be warranted with respect to former Parish President V.J. St. Pierre's alleged gratuitous alienation of public funds.

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

YEAS: HOGAN

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

ABSENT: WILSON

PROPOSED RESOLUTION FAILED FOR LACK OF A FAVORABLE MAJORITY
ON MARCH 21, 2016.