

2013-0340

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
CAROLYN K. SCHEXNAYDRE, COUNCILWOMAN-AT-LARGE, DIVISION A**

A resolution requesting the Attorney General to provide an Attorney General Opinion, in light of Attorney General Opinion 13-0171, advising of 1) the means and methods available to the St. Charles Parish Administration to notify and to seek recovery of the cost associated with the Parish having provided dumpsters to private individuals, 2) the means and methods available to the Administration to seek recovery of the reimbursement funds owed by private individuals should a private individual refuse to pay subsequent to being properly notified of the funds owed, 3) whether or not there is limited amount of time that the Administration can go back in time in seeking reimbursement from the private individuals, 4) who is responsible, if anyone, for reimbursement of the funds beyond that time should there be only a certain amount of time that the Administration can go back in seeking reimbursement from some of the private individuals, 5) if there is a certain amount of time in which seeking reimbursement must be initiated or completed following the Attorney General Opinion which notified and stated that failure to secure reimbursement would result in a violation of La. Const. art. VII, Sec. 14(A), and 6) if there is such a certain amount of time, the action that needs to be taken and by whom, should the Administration fail to take action with that time.

NOW, THEREFORE, BE IT RESOLVED, THAT WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby request the Attorney General to provide an Attorney General Opinion, in light of Attorney General Opinion 13-0171, advising of 1) the means and methods available to the St. Charles Parish Administration to notify and to seek recovery of the cost associated with the Parish having provided dumpsters to private individuals, 2) the means and methods available to the Administration to seek recovery of the reimbursement funds owed by private individuals should a private individual refuse to pay subsequent to being properly notified of the funds owed, 3) whether or not there is limited amount of time that the Administration can go back in time in seeking reimbursement from the private individuals, 4) who is responsible, if anyone, for reimbursement of the funds beyond that time should there be only a certain amount of time that the Administration can go back in seeking reimbursement from some of the private individuals, 5) if there is a certain amount of time in which seeking reimbursement must be initiated or completed following the Attorney General Opinion which notified and stated that failure to secure reimbursement would result in a violation of La. Const. art. VII, Sec. 14(A), and 6) if there is such a certain amount of time, the action that needs to be taken and by whom, should the Administration fail to take action with that time.

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

YEAS: SCHEXNAYDRE, BENEDETTO, HOGAN

NAYS: WILSON, WOODRUFF, FLETCHER, FISHER-PERRIER

ABSENT: TASTET, COCHRAN

PROPOSED RESOLUTION FAILED FOR LACK OF A FAVORABLE MAJORITY
ON MARCH 10, 2014.