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2008-0443

**INTRODUCED BY: DENNIS NUSS, COUNCILMAN, DISTRICT VII
LARRY COCHRAN, COUNCILMAN, DISTRICT V
SHELLEY M. TASTET, COUNCILMAN, DISTRICT II
WENDY BENEDETTO, COUNCILWOMAN, DISTRICT III**

RESOLUTION NO. 5590

A resolution asking the Parish Council to support forwarding a letter for an opinion from the Louisiana Board of Ethics and Office of the Louisiana Attorney General regarding the withholding and/or destruction of documentation by Councilmembers related to a public record request.

WHEREAS, all correspondence between constituents and Councilmembers, Councilmembers and Councilmembers, and Councilmembers and Administration is public record and should be made available upon request; and,

WHEREAS, in accordance with Public Records Laws, II. Public Records Statutes, LSA-R S. 44:1 ET SEQ., B. General Provisions, 33. Availability of Records, B (1) If the public record applied for is immediately available, because of its not being in active use at the time of the application, the public record shall be immediately presented to the authorized person applying for it. If the public record applied for is not immediately available, because of its being in active use at the time of the application, the custodian shall promptly certify this in writing to the applicant, and in his certificate shall fix a day and hour within three days, exclusive of Saturdays, Sundays, and legal public holidays, for the exercise of the right granted by this Chapter.

NOW, THEREFORE, BE IT RESOLVED, THAT WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby support forwarding a letter for an opinion from the Louisiana Board of Ethics and Office of the Louisiana Attorney General regarding the withholding and/or destruction of documentation by Councilmembers related to a public record request.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, TASTET, BENEDETTO, COCHRAN,
LAMBERT, NUSS
NAYS: RAYMOND, HOGAN
ABSENT: NONE

And the resolution was declared adopted this 3rd day of November, 2008, to become effective five (5) days after publication in the Official Journal.

Board of Ethics Refusal To Submit Documentation

CHAIRMAN: *[Signature]*

SECRETARY: *Barbara Jane Tucker*

DLVD/PARISH PRESIDENT: November 4, 2008

APPROVED ☒ DISAPPROVED ☐

PARISH PRESIDENT: *[Signature]*

RETD/SECRETARY: November 5, 2008

AT 9:05 am RECD BY *[Signature]*