

BOSSIER PARISH POLICE JURY
ROAD/SUBDIVISION REGULATIONS COMMITTEE MEETING
MINUTES

Mr. Philip Rodgers, Chairman
Mr. Bob Brotherton, Co-Chairman
August 21, 2024

The Road/Subdivision Regulations Committee of the Bossier Parish Police Jury met on this 21st day of August, 2024, at 10:30 a.m., in the Police Jury Conference Room, Bossier Parish Courthouse, Benton, Louisiana. Mr. Philip Rodgers, Chairman, called the meeting to order, with the following members present:

Mr. Philip Rodgers, Chairman, Mr. Bob Brotherton, Co-Chairman, Mr. Glenn Benton, Ms. Pam Glorioso, Mr. John Ed Jordan, Mr. Chris Marsiglia, Ms. Julianna Parks, Mr. Doug Rimmer.

Others present for the meeting:

Mr. Jimmy Cochran
Mr. Julian Darby
Ms. Ashley Ezell
Ms. Stacie Fernandez
Mr. Jim Firth
Mr. Butch Ford
Ms. Julie Gill
Ms. Monica Grappe
Mr. Eric Hudson
Mr. Patrick Jackson

Mr. T. Jacob Maddox
Mr. Sam Marsiglia
Ms. Megan Ramos
Mr. Matt Redmon
Mr. Tom Salzer
Mr. Keith Sutton
Benton Fire Chief J.T. Wallace
Dr. Ken Ward
Mr. Rod White

Mr. Eric Hudson, Parish Engineer, stated that following the last committee meeting and questions presented at that time, he has made changes to the parish commercial vehicle enforcement standards. He stated that these changes clarify some of the language contained in the proposed changes to the ordinance, including defining Letter Date. He further stated that he has provided a copy of these changes to committee members today for review and consideration.

Mr. Hudson stated that the permit fee schedule contained in the ordinance has been changed to adopt the state fee schedule verbatim. He further stated that the column previously entitled “Letter Date”, has now been changed to “51-100” miles of travel.

Mr. Philip Rodgers stated that state law allows an 18-wheeler weighing 84,200 pounds to operate on state roads. Mr. Patrick Jackson, Parish Attorney, asked for the statute of this particular law. Mr. Butch Ford, Parish Administrator, stated that the state of Louisiana does allow trucks to run heavier on state routes only, and advised that the federal government allows a truck weight of 80,000 pounds on interstates. Mr. Hudson stated that he is not familiar with a state law that allows a commercial vehicle weighing 84,200 pounds to operate on state routes. Mr. Rodgers stated that if a truck is pulled over by Louisiana State Police, it is allowed to weigh 84,200 pounds on a state

road. Mr. Ford stated that he is aware of this law due to his time spent working for the Louisiana Department of Transportation and Development. Mr. Rodgers stated that this is the allowed operating weight as long as the trucks are not travelling on interstates. He stated that when loading, trucks are loaded to 84,200 pounds. He further stated that he verified this information with his drivers, who confirmed that their trucks are loaded to this weight for travel on state roads.

Mr. Jackson stated that the state offers over forty permits that are not offered by the parish. Mr. Rodgers stated that this weight is provided for in state law and does not require a permit. Mr. Jackson stated that we allow 18-wheelers weighing 80,000 pounds to operate on parish roads without a permit, which is our stated and adopted law in the parish. He stated that has been the weight limit since the commercial vehicle enforcement unit program began, and advised he is unaware of any other state law that allows for a weight of 84,200 pounds. Mr. Ford stated that the parish set its weight limit at 80,000 pounds because that is the federal weight limit. He stated that trucks can operate at a weight of 84,200 pounds in Bossier Parish, with a permit for the extra weight. Mr. Jackson stated that Officer Russell Craig is not present today for the meeting and this new information is best answered by him. He stated that this matter can be extended to the next meeting to allow for Officer Craig's attendance. Mr. Rodgers asked if this revised ordinance will be presented for adoption at today's meeting.

Mr. Glenn Benton stated that parish roads cannot handle 84,200 pounds, regardless of what the state allows. He stated that trucks delivering to big box stores must exit the interstate and travel on local roads. He further stated that parish roads cannot handle that additional weight, and we set this 80,000-pound weight limit to protect our parish roads. Mr. Rodgers stated that if the proposed revisions are adopted, the parish will be contacted by those in the trucking industry. Mr. Jackson stated that the 80,000-pound weight limit is already in place and has been for approximately fifteen years. Mr. Rodgers stated that he believes if we are following current law, we should allow 84,200 pounds. Mr. Hudson stated that the commercial vehicle enforcement ordinance has already set the 80,000-pound weight limit on parish roads.

Mr. Benton stated that parish roads cannot handle the additional weight. He asked if the federal government increased its limit to allow a 90,000-pound weight limit, will the parish also increase its weight limit to match. Mr. Hudson stated that he is unaware of the law Mr. Rodgers is referring to and asked that he provide the same for review.

Mr. Jackson stated that the parish adopted a maximum weight of 80,000 pounds for 18-

wheelers, and set limits for trucks with dual-axle, tri-axle, and others. He stated this revised ordinance is due to a local company stating that their state permit for a tri-axle truck allows them to operate on all state roads at a set gross weight. He further stated that the company hired attorneys to go through parish ordinances and find any possible obscurity or ambiguity that is in their favor. Mr. Jackson stated as a result of that exchange, this revised ordinance clarifies those areas which are in question. He stated that the parish has maintained its 80,000-pound weight limit for at least a decade. He further stated that he is unaware of any additional weight amount allowed on state roads, but it is not a part of the parish law. Mr. Jackson stated that this revised ordinance does not change any of the weight limits previously set by the parish. He stated that he knows there are differences of opinion within the police jury concerning the commercial vehicle enforcement unit. He further stated that the science around these ordinances is highly complicated, and the parish has only adopted a portion of the state law to enforce in Bossier Parish. Mr. Jackson stated that there are at least forty permits allowed by the state which are not part of our program. He stated that as those instances occur, our staff is responsible for assessing each scenario to determine the best solution. He further stated that permit fees and fines parallel to state law are now verbatim in language as that was the concern of the police jury.

Mr. Jackson stated that there is no rush to adopt this revised ordinance, and one local business has asked to meet with him prior to the jury adopting the proposed revisions. He stated that he is certain other companies will also want to discuss this proposed ordinance prior to adoption by the police jury. He further stated that this local company will also have other hurdles to operations, but every effort has been made to carve out paths for local businesses to operate without damaging parish roads. Mr. Jackson stated he does not believe this proposed ordinance will be satisfactory to them because their trucks will not comply with the law, and advised that they cannot run their tri-axle trucks as they would like on the interstate or on parish roads. He stated that they will not be satisfied, but the parish cannot have a rule that allows for the damage of parish roads. He further stated that he appreciates that there is tremendous resistance of some jury members to this proposed revised ordinance.

Mr. Rodgers stated that he believes the parish should protect its roads. He further stated that if the state allows 84,200 pounds on its roads, and a company receives a \$5,000 fine once they turn onto a parish road, that fine will be a hardship for some.

Mr. Jackson stated that the parish has some roads currently in its system which will not

hold 80,000 pounds. He stated that many roads located in both Mr. Bob Brotherton's and Mr. John Ed Jordan's districts, as well as other rural areas, are not constructed to handle that amount of weight. Mr. Jordan stated that those roads were initially built for farming, agriculture, logging and oilfield travel, and they should be built to hold that weight. He stated that roads used for those purposes should be built to handle the loads traveling on them. Mr. Rodgers asked if roads built within the MPC are built to state standards. Mr. Hudson stated he is unaware of what specifications are used to build roads inside the Bossier City limits. Mr. Rodgers stated that parish roads which have not yet been rebuilt, were not built to hold that kind of weight at the time they were initially constructed. He stated that these are roads which are overlaid over the existing surface. Mr. Jordan stated that the Boggs Cemetery Road was recently overlaid, but should have been left gravel, due to the oilfield trucks tearing up the new asphalt. He stated that each time a funeral procession is scheduled, the road must be graded to provide a smooth surface for travel.

Mr. Jackson stated that he, along with Mr. Rimmer, Ms. Parks and Mr. Rodgers, met with members of a large church recently concerning infrastructure needs. He stated that during this meeting, there were suggested infrastructure needs discussed which are valid and absolutely needed, at an approximate cost of \$30,000,000 to \$40,000,000. He further stated that the parish does not have that kind of capital to build those needed roads. Mr. Jackson stated that in response to Mr. Jordan's suggestion that the parish construct its rural roads to a standard which will support this kind of infrastructure demand, the parish does not have the funds to accomplish this suggestion. He stated the battle in rural parishes is balancing whether to allow companies to destroy parish roads, which work for the residents, occasional trash and moving trucks, and hay haulers. He further stated that if we allow 200 saltwater trucks to travel a rural road daily, we know it will destroy the road and the parish does not have the funds to make the repairs which will become necessary.

Mr. Jackson stated that the parish has already reached its maximum amount received for severance taxes. He stated that for the locals, this increased commercial activity is a detriment and not an improvement. He further stated that the staff needs guidance from the jury, as it is difficult for staff to enforce the rules when there is resistance to enforcement of the regulations already in place.

Mr. Ford stated that when he began with the parish in 2003 as the Parish Engineer, everything was running smoothly. He stated that if companies destroyed parish roads during their

operations, they paid for the repair to the damaged areas. He further stated that all changed around 2006, with the discovery of the Haynesville Shale in Bossier Parish. Mr. Ford stated that once Haynesville Shale operations began, the parish started seeing loads of 225,000 to 250,000 pounds traveling on parish roads. He stated that Smith Road developed ruts approximately two feet deep and extending two miles in length, and advised that he worked with Mr. Jackson to make the decision to close Smith Road.

Mr. Ford stated at that time, the parish had to revamp the way we design roads. He stated that oil companies were asked to participate in order for them to travel in and out of well sites. He further stated that all bridges in the parish were made of wood at that time, and holes were knocked in them, causing significant issues. Mr. Ford stated that at Loggy Bayou, the bridge was rated at five tons and was 225 feet in length. He stated that oil companies contacted him requesting construction of a new bridge to allow them access to their well sites. He further stated that he advised the oil companies they could put a barge on the river to travel across to access the sites. Mr. Ford stated that in response, Petrohawk Energy Corporation built the parish a two-million-dollar bridge at that location.

Mr. Ford stated that our roads were not designed for the kind of traffic we saw when the Haynesville Shale became active in Bossier Parish. He stated that roads were built with eight inches of sand clay gravel, or iron-ore, with three-shot asphalt on top until approximately 1996. He further stated that once citizens passed a \$0.015 sales tax for the highway department, the parish entered the asphalt business by purchasing an asphalt machine. Mr. Ford stated that even these asphalt roads were not capable of handling the loads carried by oil and gas companies and had to be rebuilt due to the increased activity. He stated that the parish hired Benton and Brown, Inc., around 2005-2006, to cut soil cement and re-lay those same roads. He further stated that over the years, more asphalt has been added to these roads through the road program.

Mr. Ford stated in the last two years, another oil company has entered the parish north of Cypress Bayou Reservoir and destroyed Coleman Road. He stated that he advised Mr. Hudson and Officer Craig of the damage, and asked Officer Craig to conduct patrol in the area. He further stated that Officer Craig conducted a stop with a subcontractor of Empresa Energy operating overweight on parish roads. Mr. Ford asked Mr. Hudson what Empresa's response was to his calls. Mr. Hudson advised that Empresa representatives told him they did not operate their trucks overweight. Mr. Ford stated that the parish had citations from its commercial vehicle enforcement

unit to verify that their trucks were indeed operating overweight. He stated that as a result, Empresa paid approximately \$800,000 towards repair of that road. He further stated this is why the commercial vehicle enforcement unit is so vital, as their work provides proof of companies operating overweight without permits in the parish.

Mr. Ford stated that there have been many battles over the years regarding damaged roads, and the proof from the commercial vehicle enforcement unit has always been how the parish continues to prove damage to roads caused by overweight vehicles. He stated if this program goes away, roads will continue to be damaged, but the taxpayers will bear the burden of the costs for repairs because there will be no evidence to prove damage.

Mr. Jorden stated that he has an issue with the attitude of some CVEU staff during stops. Mr. Ford reminded him that anyone operating 80,000 pounds or under does not need a permit to travel on parish roads. He stated that the only trucks required to obtain a permit, or who receive fines and penalties, are those operating 80,000 pounds and over. He further stated that the heaviest load in the parish to date weighed 255,000 pounds. Mr. Ford stated that a truck carrying that amount of weight requires a certain number of axles to operate on parish roads, and any bridge crossed must be inspected both before and after the truck crosses it. He stated that the permits and fines in our ordinances are for overweight vehicles. He further stated that the fine for the 255,000-pound truck was approximately \$20,000 to \$25,000 and the company, due to the nature of the business, should have known to obtain a permit.

Mr. Ford stated that the parish has an approximately 90% cooperation rate from the industry now, an increase from 25% when the program first began. He stated that the Bossier Parish Police Jury is a model for its commercial vehicle enforcement unit throughout the state. He further stated that there will always be those who will not operate in compliance with the law.

Mr. Benton stated that Webster Parish, DeSoto Parish, and Red River Parish are working to set up the same program. Mr. Ford stated that Mr. Jackson advised him last week that Webster Parish has requested combining efforts to enforce commercial vehicle weights and standards. He stated that their permit fees do not cover the cost of the damage.

Mr. Hudson clarified that Empresa did not pay for road repairs just because they were overweight, but because their subcontractors were so overweight, they caused damage to the road. He stated that a truck can be overweight without immediately seeing damage to the road. He further stated that roads were obliterated as a result of the damage caused by Empresa.

Mr. Chris Marsiglia asked how the newest roads in the parish are built. Mr. Hudson stated that a pavement design is developed to handle a certain amount of traffic and anticipated loads, which is 5.5 inches of asphalt with 12.5 inches of rock. Mr. Marsiglia asked if these new roads can handle commercial vehicles with a weight of 80,000 pounds daily. Mr. Hudson stated the roads can handle that but clarified that every road has a useful life. He stated that roads are designed for a certain service life, and some last longer, or shorter, than others. Mr. Ford stated that the construction of Swan Lake Road changed the way things are done, due to the state requiring 12 inches of rock under five inches of asphalt in some sections. He stated that there are three classifications of roads being: major roads, minor roads, and residential streets. He further stated that on major thoroughfares, a pavement design is done to determine thickness requirements, and that is not needed for residential streets. Mr. Ford stated that the pavement design is based on the amount of traffic.

Mr. Jackson stated that on residential streets that are 2-3 inches of asphalt, if we allow tri-axle concrete trucks to bring 210 yards of concrete, 12 yards at a time, it will destroy those residential streets. Mr. Jorden asked if a garbage truck has been weighed recently. Mr. Hudson stated that trash trucks have been weighed in the last month and offered to pull the most recent records for Mr. Jorden. Mr. Jackson stated that we do have problems with the weight of garbage trucks when it is raining. Mr. Jorden asked about the weight limit on two-axle trucks. Mr. Hudson stated that the gross weight is around 60,000 pounds.

Mr. Rodgers stated that he does not have any issues with the ordinance revisions if we are adopting what the state has in place. Mr. Hudson stated that he has studied weights and standards for the last three months. Mr. Rodgers stated that he agrees with the changes if they match the state laws, but if weights are different, there may be issues that arise. Mr. Ford stated that local companies received a \$450 permit in 2018 from DOTD, which provides for overweight operation on interstate frontage roads. He stated that the permit explicitly states that it is not for local roads. He further stated that representatives from local companies believe they can operate on any roads with that permit. Mr. Jackson stated that they hold this belief due to language in our current ordinances which states that we honor state permits. He stated that if you isolate that statement, a lawyer will say that means you can do anything you want anywhere in the parish. He further stated that if you read on, it excludes all parish roads and parish bridges. Mr. Jackson stated that with these changes, we have made it absolutely clear that the state permits cannot be used in that

fashion.

Mr. Ford stated that if we allow such use with this state permit, it will require us to increase the thickness of our residential streets. He stated that Mr. Matt Redmon, Assistant Parish Engineer, has reviewed the pavement design, and the asphalt thickness in residential subdivisions will have to increase and road construction standards will have to be changed.

Mr. Jackson stated that to Mr. Rodgers' point concerning additional weight on vehicles, we are continuing to evaluate our current roads to determine the best routes for heavy, commercial vehicles. He stated that certain newer construction areas can handle the increased weight, but it will come at a cost, and advised that residential streets and rural roads will not handle the increased weight. He further stated that we can also evaluate our current roads to determine which roads cannot handle the weight and lower the limits on those roads. Mr. Jackson stated that if allowable weights are lowered, this will affect school buses, trash trucks, and logging trucks. Mr. Rodgers stated that if someone is building a house, those heavy vehicles will have to travel on residential streets to complete the build regardless of the weight limit. Mr. Jackson stated that they can obtain a permit to operate on the road. Mr. Rodgers stated the parish does have a duty to protect its infrastructure and if these revisions to the current parish ordinances follow the state language, he does not have an issue with this proposed ordinance. He stated that everyone should be treated the same in enforcement and compliance.

Mr. Benton stated that he has a lot of friendships that suffered for a time as a result of beginning this program. He stated that work to educate the business owners and operators went a long way to mend those relationships and help provide understanding as to the necessity of this program. He further stated that the Haynesville Shale was just beginning when he was elected to the police jury and advised that Bossier Parish was one of the first parishes to experience what the Haynesville Shale did to the roads. Mr. Benton encouraged jurors to meet with fellow parishes at the upcoming Police Jury Association of Louisiana, Region 4 meeting, to understand their plight of needing a program like ours, but without the funding needed to implement. He stated that the parish is very lucky to have had the funding to implement its program.

Mr. Jorden asked about the weight of a fire truck fully loaded with water. Benton Fire Chief J. T. Wallace stated that a truck holds 1,000 gallons of water, while a tanker holds 3,500 gallons of water. He stated that the truck weighs 47,000 pounds when empty, before water and equipment are added. Mr. Ford stated that emergency vehicles travelling to an emergency are exempt from

permit requirements. Mr. Jackson stated that the parish learned in its effort to ensure everyone is treated the same, that the police jury itself was not abiding by the rules and advised that parish operations have since been adjusted to make sure that we are abiding by our ordinances. He stated that previous directors have had the opinion that the highway department makes the repairs to roads, so that gives them the ability to operate heavier than legally allowed by ordinance. He further stated that it is ultimately the Bossier Parish taxpayers who are responsible for paying for parish roads.

Mr. Jackson stated that he often compares road life to cell phone battery life. He stated that a fully charged phone battery will last a certain amount of time, but with increased activity, the battery is drained quickly. He further stated that common sense is necessary in the operation of emergency vehicles and the like, as they are exempt from any permitting requirements.

Ms. Julianna Parks stated that garbage trucks, school buses, and fire trucks benefit all residents of Bossier Parish. She stated that as representatives of the parish, the jury is agreeable to the use of these types of vehicles on our roads, and any repairs that may be necessary as a result, because of their benefit to everyone. She further stated that oil and gas overweight vehicles causing damage on parish roads is not necessarily a benefit to every parish resident. Ms. Parks stated that as Mr. Jackson has advised, the parish does not receive a proportionate amount of return on the severance taxes it pays. She stated that those companies should be responsible for their part of the damage to roads, because the taxpayers should not have to bear the burden of the damage they cause. Mr. Jordan stated that a landowner receiving oil and gas royalties and spending their dollars in the local economy does benefit the parish. Ms. Parks stated that the landowner is disproportionately benefiting from said oil and gas production, as opposed to education, fire trucks and others, which provide services to everyone in the community.

Mr. Marsiglia asked Mr. Jackson if the parish receives severance tax money back from the state. Mr. Jackson stated that the parish is maxed in severance tax, and the parish is one of eight parishes in the state who are also maxed in severance tax. He stated that the parish previously used all its political capital in an attempt to get back what we pay in through timber, oil and gas, and sand production, which is all subject to severance tax. He further stated that because all other parishes and the state government benefit from our largess, it is difficult to effect change in that area. Mr. Benton stated that 19 parishes receive a benefit of the amount of severance tax paid in by Bossier Parish along with the seven others. Mr. Jackson stated that there is a trigger to increase

our return once a certain amount of money is collected by the state, but it is very small. He stated that one of our best years of severance tax resulted in a return of approximately one million dollars, but if the Johnson Koran Road must be rebuilt, that comes at a cost of approximately two million dollars. He further stated that amount only pays for a portion of the cost to rebuild a bridge.

Mr. Jackson stated that when we approach an oil and gas company to advise that they have destroyed a rural parish road and the cost to rebuild is two million dollars, their response is that the road should have been built to a better standard. He stated that is easy to see in hindsight, but the parish does not always foresee a boom in oil and gas production in particular areas. He further stated that the residents of the road are the ones who suffer and advised that when the companies are told the road is closed to commercial traffic, they will offer to pay for repairs.

Mr. Jackson stated that the companies often feel justified in their use of roads because of the exorbitant amount of taxes they pay to the state. He stated that it is hard to make companies understand that money does not come back to the parish, but instead pays for new roads and infrastructure in other parts of the state. He further stated that when roads must be closed due to damage, it frustrates businesses who claim that the parish is anti-business and/or attempting to destroy the oil and gas industry. Mr. Jackson stated that in the long run, the citizens of Bossier Parish are taxed out on the roads. He stated that a decision will have to be made eventually as to whether we should fix the standard and complete less roads, or continue with this program and try to repair as many as we can.

Mr. Rodgers asked if the money generated from the commercial vehicle enforcement unit goes back into the highway department fund. Mr. Jackson stated that it already goes to the highway department and advised that the commercial vehicle enforcement unit pays for itself. Mr. Rodgers stated that it is his understanding that the CVEU pays for itself, and the money it generates, along with what the parish contributes, funds the highway department. He stated that the current climate in the parish concerning taxes is not positive due to the increase in property taxes, and there have been previous discussions about the millages. He further stated all these issues influence decision making. Ms. Parks stated that the permits and fines are a cost of doing business and the person doing business should pay the cost of doing business, not the taxpayers. Ms. Pam Glorioso stated that it is like a use tax, and she agrees with the program and enforcement. She stated that she congratulates the parish and its staff who developed these ordinances which are emulated and envied throughout the state. She further stated that as far as staffing is concerned, staff may come

and go, but these ordinances are set to protect the assets of the parish, and it is the jury's elected duty to do the same.

Mr. Doug Rimmer stated that he is in support of adopting the proposed ordinance, as it has stood the test of time to protect the best interests of the parish, its infrastructure, and the millions of dollars already invested in our roads and bridges. He stated that he initially had questions about the program, but once he educated himself as to its purpose, he is happy to support its mission. He further stated that he enjoys hearing from the staff and engineers and leans into their understanding of the issues and experience.

Mr. Jackson stated that he proposes we revisit this ordinance at the next meeting and encouraged jurors to reach out to him with any questions or concerns. He stated that Officer Craig will attend the next meeting to help answer questions.

Mr. Hudson stated that he encourages everyone to read through this proposed ordinance and call him with any questions. He stated he has made an effort to incorporate changes as requested by the committee during the last meeting and advised that he is available if anyone has questions. He further stated the language highlighted in yellow has been added, while the red language with strikethrough has either been deleted or moved within the ordinance.

Ms. Glorioso asked if the parish has issued any golf cart permits. Mr. Benton stated that one golf cart permit has been issued in Forest Hills. Mr. Jackson stated that there was a request several years ago for golf cart friendly communities, and the sheriff's office advised that if allowed, the golf carts must be to a certain standard. He stated that we looked to our counterparts around the state in drafting the ordinance for golf cart permits. Ms. Parks stated that some neighborhoods have placed golf cart signs within the neighborhoods.

Mr. Hudson stated that he asked Benton Fire District No. 4 Chief J. T. Wallace to attend today's meeting regarding some possible burning restrictions in urban areas of the parish. He stated that complaints have arisen concerning burning of construction materials near subdivisions, and advised that while the fires were placed at an appropriate distance from the subdivisions, the complaints involved the resulting ash and smoke travelling to the subdivisions. He further stated that Chief Wallace is here today to discuss this matter to determine if the jury wishes to pursue this further.

Chief Wallace stated that he has drafted an ordinance similar to the City of Bossier City,

which provides for a permit process mainly for commercial burning. He stated that residents will burn storm damaged trees that are located on their property as not every garbage company picks up storm debris. He further stated that storm debris burning is similar to commercial burning in that if a neighbor has breathing problems, the state law provides that these types of fires must be 1,000 feet from structures.

Mr. Jackson stated that the parish has received complaints from some homeowners regarding various individuals burning something which is coming onto their property. He stated that there are many types of burning complaints such as after construction of a home, storm debris, garbage burning, as well as others. He further stated that there are restrictions in state law, such as burning tires, and advised that the police jury has always given authority to the fire chiefs association in the parish to issue burn bans. Mr. Jackson stated that if there is not a burn ban, the jury has always adopted a use-your-judgment type of position as it relates to burning.

Chief Wallace stated that the population density has increased around the parish, such that half of District 4 now has a heavier density of population than ever before. He stated that with this increase in population, it may be necessary to consider a permit process. He further stated that his suggestion is to have an online permit which is a guide for what can and cannot be burned, along with a process for obtaining the permit. Chief Wallace stated that this is a no-fee permit, which is an information only permit so the fire district will know the location of the burning.

Mr. Rimmer asked if there is a use period for the permit, such as the permit is valid for only two weeks. Chief Wallace stated that it will be similar and advised that many residents simply enjoy burning as a pastime.

Mr. Benton asked if this is primarily an issue of the materials from home construction being burned at or near the site. He stated that there is already a state law concerning that and it should be enforced. Mr. Jordan stated that residents will not want to call to obtain a permit for burning leaves and other yard materials. Chief Wallace stated that he is not interested in permitting that kind of activity, but instead the commercial burning activity. Mr. Rodgers stated that is illegal to burn construction trash materials and instead it should be hauled off the site. Mr. Jackson advised that even though it is illegal, companies still engage in this activity. Mr. Benton stated that the state law should be enforced. Mr. Rodgers stated that within the last five years this kind of activity has decreased as companies are more aware of the penalties.

Mr. Rodgers stated that this regulation has the potential for the parish to receive nuisance

complaints when trees that cannot be removed due to size are burned. He stated that many residents burn yard debris in their yards. Mr. Benton stated that he does not want companies burning construction materials on site, but he has no issue with companies burning trees when clearing property. He stated that requiring burn pits and fans is a reasonable requirement for this type of burning. Chief Wallace stated that the intent is not to shut down construction, but to know who is burning, what and how they are burning, and the location.

Mr. Sutton stated that when he worked in the fire department in Caddo Parish, they had a similar program that required a permit by phone call which provided information as to the location and materials to be burned. He stated that if it was too windy that day, they advised the caller that they could not burn. He further stated this kind of program helps the fire department to know what is going on in their district. Mr. Rodgers stated that construction companies planning to burn should call the fire department to alert them, as the department will receive phone calls as soon as the fire begins. Chief Wallace stated his department was inundated with phone calls the week of this recent issue of burning near an existing subdivision. Mr. T. Jacob Maddox, Benton Fire District No. 4, stated that every smoke investigation call is treated like a possible house fire, which requires a heavy fire truck to be on the residential streets. He stated that similarly, calls regarding a potential woods fire requires a tanker truck to be on the residential streets. He further stated that a simple permit phone call can reduce the amount of large, heavy traffic on residential streets if the districts are aware of the burning.

Mr. Rodgers stated that he is agreeable with an ordinance requiring commercial burning permits, but he does not want to require residents to obtain a permit for burning on their property. Mr. Benton stated that subdivisions can also write prohibitions into the covenants to prevent residents burning in their yards. He stated that he does not believe construction companies should be burning construction materials and advised that the debris from small lots can be hauled off. He further stated that for a major 300-400 lot development, burning of trees is expected because you cannot haul off that number of cleared trees. Chief Wallace stated that for those instances when burning the trees is the only option, his suggestion is the requirement of a burn pit with fan to blow the smoke away from residential areas.

Ms. Parks asked Chief Wallace if the threshold for requirement of the permit is commercial activity. Chief Wallace stated that is for the jury to decide, but his suggestion is that a permit be required for burning in or near high-density populated areas. He stated that within Bossier City

limits, open burning is not permitted, but advised that commercial burning is allowed if the company digs a burn pit. He further stated that the problem is burning on top of the ground, which takes a week to burn the trees completely.

Mr. Hudson stated that this proposed regulation will give the fire districts the ability to require burn pits. He stated that he understands the jurors have been contacted concerning this burning, and he asked Chief Wallace to provide some possible solutions for consideration.

Mr. Jackson stated that this could be enacted by neighborhoods, similar to the current leash law ordinances, by police jury district, or not at all. He stated that the question is whether the jury feels it is a big enough issue that the parish should enact regulations.

Mr. Rodgers stated that part of the new subdivision requirements can be to contact the fire district for any burning at the property. Mr. Hudson stated that if Chief Wallace suggests a burn pit due to the size of the development, there is currently no regulation in place to require it. Mr. Benton stated that if it is a nuisance, the fire chiefs have authority to extinguish the fire.

Ms. Glorioso suggested that a provision be included in the parish subdivision ordinances that clearing and grubbing requires coordination with the fire district. Mr. Hudson stated that he suggests a provision in the fire prevention code. He stated that he understands the jury does not wish to regulate residents burning on their property and while the Department of Environmental Quality regulates construction debris, there is some interest in developing ordinances concerning large land clearing operations near high density areas. He further stated that this can be a Benton Fire District No. 4 regulation, if the jury desires.

Chief Wallace stated he suggests this be written like the fire prevention bureau language, which allows any district with the capability to meet the standards to enact a fire prevention bureau. He stated each district can then decide if it is warranted for its population density. He further stated that there are approximately 10,000 people between Bossier City and Kingston Road, and advised the most recent instance of complaints received was a very bad situation. Mr. Benton asked what exactly occurred with the most recent incident. Chief Wallace stated that the company was burning trees from cleared property.

Mr. Ford stated that he has advised developers in the past to contact the fire district for this type of clearing and burning. Mr. Jorden asked the reason for putting a fan on an active fire in a burn pit. Ms. Glorioso explained that it is an exhaust-type fan, advising that when land was cleared for the Louisiana Boardwalk development, an exhaust fan was used on the burn pit to burn the

trees cleared from the property.

Mr. Hudson stated that he has a better understanding of how the jury would like him to proceed with this matter.

There being no further business, the meeting was adjourned at 11:38 a.m. by the Chairman.

MEGAN C. RAMOS
INTERIM PARISH SECRETARY

PHILIP RODGERS, CHAIRMAN
BOSSIER PARISH POLICE JURY