

REGULAR MEETING UNION PARISH POLICE JURY

Farmerville, Louisiana
October 6th, 2020

The Union Parish Police Jury met this date in regular session in the Police Jury meeting room, Courthouse Annex, Farmerville, Louisiana with the following present: Curtis Moses, Nathan Pilgreen, DeWayne Ramsey, Johnny Buckley, Ben Bridges, Ceis Nyegaard, L.W. Nolan, Brenda Abercrombie and John W. Watley. Absent: None. Also present was Tracy Houck, Assistant District Attorney. The President called the session to order and welcomed all guests. Mr. Nyegaard offered the invocation and Mr. Watley led the group in the Pledge of Allegiance to the Flag.

President Buckley welcomed everyone to the meeting and asked if anyone in the audience would like to register for public comment. At this time the public was given the opportunity to comment on any item shown on the agenda.

Motion Mr. Bridges, seconded by Mr. Ramsey and declared adopted by unanimous vote of the Jury to approve the agenda as written.

Motion Mr. Nolan, seconded by Mr. Watley to adopt the minutes of the September 1st regular meeting and the September 8th special meeting. Motion carried unanimously.

The Secretary/Treasurer presented the Budget to Actual Revenue and Expense report for the month of September and explained to the jurors that the report reflects what has been budgeted for the year compared to what has been spent.

The Secretary/Treasurer reported that at this point in the year 75% of the budget should have been expended. The adjudicated property program has been implemented. Interested parties may visit www.parishtaxland.com for more information. Packets are also available at the front desk of the police jury annex.

The parish applied for payroll reimbursement and COVID expenditures through the CARES Act. The application was approved and the parish will be receiving \$714,688.24. These monies will go back to the fund from which they came. A large portion of the monies received will go to the Detention Center Fund. The remaining monies will go to reimburse the General Fund and the Landfill Fund.

The Green Oaks invoice increased from \$22,000 to \$24,600 for the month of September. There was a total of four (4) juveniles incarcerated at Green Oaks. The District Attorney and the Juvenile Court Judge have been contacted. The Juvenile Court judge said the current problem is attributable to the current pandemic, difficulties in having court and transportation issues. The Juvenile Court Judge said that whenever possible the juveniles are released with GPS ankle monitors that are paid for by their parents. The Secretary/Treasurer reported that she will continue to monitor the situation and stay in contact with the District Attorney and the Juvenile Court Judge.

Motion Mr. Nyegaard, seconded by Mr. Bridges to adopt the Revenue and Expenditures Report for the month of September. Motion carried unanimously.

Motion Mr. Watley, seconded by Mr. Bridges to open a public hearing regarding the proposed abandonment of Miales Parker Road in its entirety. Motion carried unanimously. President Buckley declared the public hearing open and asked the public if they had any comments relating to the road closure. No comments were made with regard to the road closure. Motion Mr. Ramsey, seconded by Mr. Moses to close the public hearing. Motion carried unanimously. President Buckley declared the public hearing closed.

Motion Mr. Nolan, seconded by Mr. Nyegaard to abandon Miales Parker Road in its entirety from the Union Parish Police Jury Road Program. Motion carried unanimously.

Motion Mr. Watley, seconded by Mr. Bridges to open a public hearing regarding the proposed abandonment of the end of Spearsville Road (approximately 530 feet) to the property at 2121 Spearsville Road. Motion carried unanimously. President Buckley declared the public hearing open and asked the public if they had any comments relating to the road closure. No comments were made with regard to the road closure. Motion Mr. Ramsey, seconded by Mr. Moses to close the public hearing. Motion carried unanimously. President Buckley declared the public hearing closed.

Motion Mr. Ramsey, seconded by Mr. Nolan to abandon the end of Spearsville Road (approximately 530 feet) to the property at 2121 Spearsville Road from the Union Parish Police Jury Road Program. Motion carried unanimously.

Motion Mr. Ramsey, seconded by Mr. Bridges to open a public hearing regarding the proposed abandonment of approximately 193.85 feet of the SE end of Williams Loop Road. Motion carried unanimously. President Buckley declared the public hearing open and asked the public if they had any comments relating to the road closure. Deborah Williams Major addressed the jury regarding her opposition to the road closure. Mrs. Williams has an issue with the entrance she will have to utilize. There was a question regarding eminent domain. Motion Mr. Nolan, seconded by Mr. Nyegaard to close the public hearing. Motion carried unanimously. President Buckley declared the public hearing closed.

Motion Mr. Bridges, seconded by Mr. Moses to table the discussion regarding the proposed abandonment of approximately 193.85 feet of the SE end of Williams Loop Road. This will allow counsel to research the issues that were raised. This matter will be discussed at the December regular meeting. Motion carried unanimously.

The following ordinance was offered by Mrs. Abercrombie and seconded by Mr. Pilgreen:

UNION PARISH ORDINANCE NO. 910

AN ORDINANCE Granting to Claiborne Electric Cooperative, Inc. its successors, affiliates, subsidiaries and assigns the franchise, right and privilege, for a period of twenty-five (25) years from the date of the adoption hereof, to supply electric power and energy and/or for other services to the Parish of Union, Louisiana, and the inhabitants thereof, or any person, firm or corporation, and to acquire or construct, operate and maintain such plants, structures, transmission lines, distribution systems and equipment as may be useful or necessary for the manufacture, transportation, distribution and/or sale of electric power and energy and/or for other services in and through the Parish of Union, Louisiana, and the right to erect, operate and maintain poles, masts, supports, wires, cables, transmission lines, conduits, conductors, substations, distribution systems, and all other appurtenances useful or necessary for the transportation and/or distribution and/or sale of electric power and energy and/or for other services on, over, under, along, upon and across all of the present and/or future streets, roads, highways, alleys, and public places of the Parish of Union, Louisiana, not within the limits of any incorporated city, town or village, and the right to repair, replace or remove same, or any portion thereof, and the right to connect any such transmission line or distribution systems to any other transmission line or distribution system for the purpose of transporting electric power and energy and/or for other services into, through, or beyond the boundaries of the Parish.

SECTION 1. BE IT ORDAINED by the Police Jury of the Parish of Union, Louisiana, in regular session convened, that the Parish of Union herein called the "Parish" grants and there is hereby granted to Claiborne Electric Cooperative, Inc(hereinafter called "Cooperative"), its successors, affiliates, subsidiaries and assigns a franchise, right and privilege, from date of the adoption hereof, to supply electric power and energy and/or for other services to the Parish of Union, Louisiana, and the inhabitants thereof, or any person, firm or corporation, and to acquire or construct, operate and maintain such plants, structures, transmission lines, distribution systems and equipment as may be useful or necessary for the manufacture, transportation, distribution and/or sale of electric power and energy and/or for other services in and through the Parish of Union, Louisiana, and the right to erect, operate, and maintain poles, masts, supports, wires, cables, transmission lines, conduits, conductors, substations, distribution systems, and all other appurtenances useful or necessary for the transportation and/or distribution and/or sale of electric power and energy and/or for other services on, over, under, along, upon and across all of the present and/or future streets, roads, highways, alleys, and public places of the Parish of Union, Louisiana, not within the limits of any incorporated city, town or village, and the right to repair, replace or remove the same, or any portion thereof, and the right to connect any such transmission line or distribution systems to any other transmission line or distribution system for the purpose of transporting electric power and energy and/or for other services into, through, or beyond the boundaries of the Parish.

SECTION 2. BE IT FURTHER ORDAINED, etc., that this franchise is granted upon and subject to the following provisions:

1. This franchise, so far as it applies to the use of any state highway for the purposes herein specified, shall be without effect without the written consent and approval of the Louisiana State Highway Engineer, and no work shall be undertaken by the Cooperative on any state highway without the written consent of the State Highway Engineer in accordance with the provisions of Revised Statute 33:4362.

2. In maintaining its properties, the Cooperative shall not unnecessarily or unreasonably impair or obstruct the streets, roads, highways, alleys, sidewalks and public grounds, and the Cooperative shall, at its own expense, without unreasonable delay, make all necessary repairs to remedy any damages or remove any obstruction caused by its operations hereunder.

3. The Cooperative shall use reasonable precautions to avoid damage or injury to persons or property, and shall hold and save harmless the Parish from all damages, losses or expense caused by the negligence of the Cooperative, its agents or employees, while exercising any of the rights herein granted.

4. If it should, in good faith, be found during the term of this franchise that any of the Cooperative's poles or structures located on any parish road in Union Parish, interferes with or obstructs the Police Jury's maintenance or improvement of such parish road, the Cooperative shall, at the request of the Police Jury, relocate such poles or structures at its own expense.

SECTION 3. BE IT FURTHER ORDAINED, etc., that the Parish shall make and adopt all ordinances necessary to protect the property and property rights of the Cooperative owned and operated under this franchise.

SECTION 4. BE IT FURTHER ORDAINED, etc., that this ordinance, the public health and welfare and the public necessity requiring it, shall take effect from and after its adoption.

SECTION 5. BE IT FURTHER ORDAINED, etc., that this franchise shall be for a period of twenty-five (25) years from the date hereof, and upon exercise by the Cooperative of any of the privileges granted by this franchise, it shall be irrevocable.

WHEREUPON, in open session said Ordinance was read and considered section by section and as a whole.

The foregoing ordinance was introduced by **Mrs. Abercrombie**, who moved its adoption and duly seconded by **Mr. Pilgreen** and then adopted by the following YEA and NAY VOTE:

MEMBERS:	YEAS:	NAYS:	ABSENT:	ABSTAINING:
Curtis Moses	x			
Nathan Pilgreen	x			
Dewayne Ramsey	x			
Johnny Buckley	x			
Ben Bridges	x			
Ceis Nyegaard	x			
L.W. Nolan	x			
Brenda Abercrombie	x			
John W. Watley	x			

WHEREUPON, the Ordinance was declared duly adopted this 6th day of October, 2020.

s/ Paula Strickland
PAULA STRICKLAND
SECRETARY-TREASURER
UNION PARISH POLICE JURY

s/ Johnny Buckley
JOHNNY BUCKLEY
PRESIDENT
UNION PARISH POLICE JURY

CERTIFICATE

I, the undersigned Secretary/Treasurer of the Police Jury of the Parish of Union, State of Louisiana, do hereby certify that the foregoing pages constitute a true and correct copy of an ordinance adopted by said Union Parish Police Jury on the 6th day of October, 2020.

s/ Paula Strickland
 Police Jury Secretary/Treasurer
 Parish of Union, Louisiana

Alan Hyde, Union Parish E911 Communications Director, addressed the jury regarding a RAVE Alert System that 911 is implementing. The RAVE Alert System can be a good tool for the police jury in notifying citizens regarding road closures, downed trees and when maintenance is being performed on roads. This would be similar to an Amber alert and a blanket text message would be sent out to all cell phones in a particular area in the event of an emergency. **Motion Mr. Ramsey, seconded by Mr. Nolan to authorize the contribution of \$1,000 to the Union Parish E911 Communications District to be used for the RAVE Alert System. Motion carried unanimously.**

Michelle Bryan, a resident of Kings Lake II Subdivision, addressed the jury concerning new street signs similar to the ones used in Kings Lake I Subdivision and adding a stone/wood entrance in the ROW of North Spillway/Wildwood Drive designating Kings Lake II Subdivision. **Motion Mrs. Abercrombie, seconded by Mr. Nolan to allow signage placed in the ROW of North Spillway/Wildwood Drive and the replacement of the street signs in the Kings Lake II Subdivision. The property owners will pay for all costs associated with this endeavor. Motion carried unanimously.**

Motion Mr. Moses, seconded by Mr. Nolan to allow Jackie Hill to place a silhouette display on the Union Parish Courthouse lawn in honor of Domestic Violence Victims. Motion carried unanimously.

The Secretary/Treasurer addressed the jury regarding an amendment to the Contract for Consulting Engineer Services between the Union Parish Police Jury and Dumas & Associates, Inc. for the Parish's Gustav/Ike CDBG Disaster Recovery Program. The original Dumas & Associates contract was effective as of May 28, 2010 with an expiration date of May 28, 2012. Work was performed and invoices were paid by the state after the termination date. The contract extension will correct the term so that all costs associated with the Dumas contract are covered. This is just a formality and is related to the Gustav/Ike project only and will not interfere with any other contracts Dumas has with the parish. **Motion Mr. Bridges, seconded by Mr. Ramsey to approve the amendment to the Contract for Consulting Engineer Services between the Union Parish Police Jury and Dumas & Associates, Inc. for the Parish's Gustav/Ike CDBG Disaster Recovery Program and authorize the President to execute any necessary documents. Motion carried unanimously.**

Mr. Houck addressed the jury regarding Ordinance 708. Ordinance 708 will be replaced by a new ordinance with amended language on page 10, Section 15.1-3.1.2 Subsection D. The new language allows for a non-refundable administrative fee in the sum of \$10,000 to be paid to the Union Parish Police Jury for administrative fees, inspections, and any engineering fees associated with the application process.

The following ordinance was offered by Mr. Ramsey and seconded by Mr. Nyegaard:

UNION PARISH ORDINANCE NO. 911

AN ORDINANCE TO PROVIDE SAFEGUARDS AND REGULATIONS FOR OPERATIONS RELATED TO THE EXPLORING, DRILLING, PRODUCING, TRANSPORTING AND STORING OF OIL AND GAS AND OTHER SUBSTANCES PRODUCED IN ASSOCIATION WITH OIL AND GAS PRODUCTION AND OTHER MAJOR CONSTRUCTION PROJECTS WITHIN UNION PARISH; TO PROVIDE WITH RESPECT TO PERMITS REQUIRED FOR SUCH PROJECTS; TO PROVIDE FOR THE REMEDIATION OF ROAD DAMAGE WHICH OCCURS AS A RESULT OF SUCH OPERATIONS; TO PROVIDE WITH RESPECT TO THE SECURITY TO BE DEPOSITED IN CONNECTION WITH SUCH PROJECTS AND/OR OPERATIONS; TO PROVIDE FOR THE REMEDIES AVAILABLE TO THE UNION PARISH POLICE JURY IN THE EVENT OF FAILURE TO COMPLY WITH THIS ORDINANCE; TO PROVIDE FOR THE EFFECTIVE DATE THEREOF; AND OTHERWISE TO PROVIDE WITH RESPECT THERETO.

NOW, THEREFORE, BE IT ORDAINED by the Police Jury of Union Parish, Louisiana, convened in Regular Session this 6th day of October, 2020, that the following Ordinance is hereby adopted:

Section 15.1 PROJECT PERMITS

Sec. 15.1-1. Purpose and Intent.

The exploration, development, and production and transportation of oil and gas and other major construction projects in Union Parish are activities that necessitate reasonable regulation to ensure that such activities do not impose an undue burden on public finances by causing damage to public roads, bridges or other infrastructure. It is hereby declared that the purpose of this ordinance is to establish safeguards and regulations for operations related to the exploring, drilling, producing, transporting and storing of oil and gas and other substances produced in association with oil and gas production and other major construction projects within Union Parish to protect the health, safety and general welfare of the public while allowing the orderly development of available mineral resources and needed improvements.

Sec. 15.1-2. Definitions.

All technical industry words or phrases related to the drilling and production of gas and/or oil wells, construction of pipelines, seismic surveys or other construction terms not specifically defined shall have the meanings customarily attributable thereto by prudent operators in the related industries. For the purposes of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Abandonment: "Abandonment" as defined by the Louisiana Department of Natural Resources which includes the plugging of the well and restoration of the drill site.

Applicant: A person requesting a project permit for 1) drilling and production of gas and/or oil wells; 2) regulated and/or non-regulated pipeline construction; 3) seismic surveys; or 4) other major construction projects within Union Parish that would be issued under this ordinance, including but not limited to the applicant's heirs, legal representatives, successors or assigns.

Building: Any structure used or intended for supporting or sheltering any use or occupancy, which includes, but not limited to all related site work and placement of construction materials on the site.

Completion of Drilling, Re-drilling and Re-working: The date the work is completed for drilling, re-drilling or re-working and the crew is released by completing its work or contracted by its employer.

Compression Facility: Those facilities that compress natural gas after production-related activities occur.

Construction: Causing or carrying out any building, bulk head, filling, clearing, excavation or substantial improvement to land or to the size of any structure whether above or below ground.

Daytime: The period from sunrise to sunset.

Dedication: A transfer of an interest in real property to a party for purposes of complying with regulatory requirements, including but not limited to a permanent easement or fee simple title for a specific purpose.

Derrick: Any portable framework, tower, mast and/or structure that is required or used in connection with drilling or re-working a well for the production of oil and/or gas.

Drilling: Digging or boring a new well for the purpose of exploring for, developing or producing oil and/or gas or other hydrocarbons, or for the purpose of injecting gas, water or any other fluid or substance into the earth.

Drilling Equipment: The derrick, draw works, power plant, rotary table, pumps, together with all parts of an apparatus to such structure, every piece of apparatus, machinery or equipment used in connection with drilling and operations.

Drill Site: Any area used during the drilling, re-drilling or re-working of a well or wells prior to the reduction and conversion of the area to an operation site.

Environmentally Sensitive Area: An area under the jurisdiction of the U.S. Army Corps of Engineers where scientific, ecological, cultural or aesthetic features have been identified by the Corps of Engineers.

Established Pipeline Corridor: Either (1) an area within a public right-of-way in which Parish-owned and/or franchised utilities are already located or within which franchised utilities are to be located, or (2) a utility easement created to contain either (a) a utility other than a pipeline; or (b) a pipeline which pre-existed the pipeline under consideration, provided the location of such pipeline has been approved as part of a project permit.

Exploration: Geologic or geophysical activities, including but not limited to surveying and seismic exploration, related to the search for oil and gas or other sub-surface hydrocarbons.

Excavation: Any movement or alteration of the surface of the ground by machinery in conjunction with or anticipation of drilling activities or construction of a pipeline, seismic surveys or other major construction, including but not limited to scraping or grading a site.

Filling: Any addition of rock, dirt, soil, or other earthen material in conjunction with or anticipation of drilling activities or construction of a pipeline, seismic surveys or other major construction, including but not limited to, disposal of excavated materials.

Floodplain: Any land area susceptible to a general and temporary condition of partial or complete inundation of normally dry land areas in a base flood from overflow of inland waters or from the unusual and rapid accumulation or runoff of surface waters from any source, as designated by the Union Parish Police Jury, the Federal Emergency Management Agency, the U.S. Army Corps of Engineers, or other regulatory authority.

Frac, Fracture or Fracturing: The process of fracture stimulation of a rock formation, including but not limited to the process of pumping sand laden fluids down a well to stimulate a rock formation.

Franchise: An agreement between a utility provider and the Union Parish Police Jury permitting such utility to utilize public rights-of-way for the location of such utility's service lines for the purpose of providing utility services to the public located within Union Parish.

Franchised Utility: An entity authorized to provide utility services within Union Parish pursuant to a franchise agreement with the Union Parish Police Jury; provided, however, that such definition shall not extend to any pipelines or other utility lines which collect or transport gas, hazardous liquids or chemicals from wells located within Union Parish into a larger pipeline system, regardless of whether such pipelines are owned by an entity which holds a franchise within Union Parish for other purposes.

Gas: Any fluid, either combustible or noncombustible, which is produced in a natural state from the earth and which maintains a gaseous or rarefied state at standard temperature and pressure conditions and/or the gaseous components or vapors occurring in or derived from petroleum or natural gas, and/or any material defined or referred to as "gas" in the rules, regulations or forms of the Louisiana Department of Natural Resources.

Habitable Structures: Structures suitable for human habitation or occupation, including but not limited to single or multifamily residences, hotels, condominium buildings, public buildings, buildings for commercial or industrial purposes and enclosed spaces in which individuals congregate for education, worship, amusement, or similar purposes, or in which occupants are engaged at labor, which is equipped with means of egress, light and ventilation facilities. Each building of a condominium regime is considered a separate habitable structure, but if a building is divided into apartments, then the entire building, not the individual apartments, is considered a single habitable structure. A habitable structure shall not include accessory buildings, garages and sheds. Any structure for which a certificate of occupancy is required shall be deemed to be a habitable structure.

Hazardous Liquid: Any liquid identified as hazardous by any federal or state law or regulation, including but not limited to those liquids defined by the Louisiana Department of Environmental Quality, specifically including but not limited to, petroleum or any petroleum product, and any substance or material which is in a liquid state when transported by pipeline facilities and which has been determined by the U.S. Secretary of Transportation to pose an unreasonable risk to life or property when transported by pipeline facilities. The term shall be enlarged to include liquified natural gas and anhydrous ammonia should such materials at any time be introduced into any pipeline subject to this ordinance. It shall also include carbon dioxide, defined at 49 CFR 192.2 as a fluid consisting of more than 90 percent carbon dioxide molecules compressed to a supercritical state.

Hazardous Materials Management Plan: The hazardous materials management plan and hazardous materials inventory statements required by the fire code.

Idled Pipeline: A pipeline that has been inactive for at least two years, regardless of whether there may be specific plans to reactivate the pipeline.

Inactive Pipeline: A pipeline that has temporarily been taken out of service for a period of at least six months for hazardous materials or hazardous liquids, or for a period of at least one year for natural gas, with the expectation that the pipeline may be reactivated within two years, even though there may be no specific plans to reactivate the pipeline.

Line Marker: A marker identifying the location of a buried pipeline, as further defined in 49 CFR 192.707.

Major Construction Project: A project being constructed for public or private purposes for which will by necessity of material delivery and/or equipment operation impose loads and wear on roads/streets/bridges or other infrastructure maintained by the Parish in excess of normal conditions. Construction or the setting up of single family residences are not included under this definition.

Major Construction Project Owner: The owner of a major construction project.

New Pipelines: Pipelines constructed after the effective date of this ordinance, provided that the following shall not be included; (a) the repair of any existing pipeline; (b) the realignment of a portion of an existing pipeline not to exceed 200 feet in length to a position that is not greater than 50 feet from its original position; or (c) surface appurtenances added to existing pipelines.

New Well: A new well bore or new hole established at the ground surface and shall not include the re-working of an existing well that has not been abandoned unless the re-working involves drilling to a deeper total depth.

Nighttime: The period commencing at sunset and ending at sunrise.

Operation Site: The area used for 1) drilling and production of gas and/or oil wells; 2) regulated and/or non-regulated pipeline construction; 3) seismic surveys; or 4) other major construction projects. The area used for development and production of oil and gas and all related operational activities after drilling activities are complete.

Operations: Activities leading to and supporting 1) drilling and production of gas and/or oil wells; 2) regulated and/or non-regulated pipeline construction; 3) seismic surveys; or 4) other major construction projects.

Operator: The person listed on regulatory forms for a well as the person that is, has applied for, or will be, actually in charge and in control of drilling, maintaining, operating, pumping or controlling any well including, without limitation, a unit operator. If the operator, as defined herein, for any well is not the lessee of any premises affected by the

provisions of this ordinance, then such lessee shall also be deemed to be an operator. In the event there is no oil and gas lease relating to any premises affected by this ordinance, the owner of the fee mineral estate in the premises shall also be deemed an operator.

Pad Site: The area around a well that serves as a foundation for the drilling rig.

Parish: The Parish of Union as a political subdivision of the State of Louisiana and its legal authority and jurisdictional boundaries.

Permittee: Any person authorized to act under a project permit issued by the Union Parish Police Jury.

Person: An individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, other non-corporeal legal entity, the U.S. Government, a state, a municipality, commission, political subdivision or any international or interstate body or any other governmental entity.

Pipeline: All parts of those physical facilities through which gas, hazardous liquids or chemicals move in transportation, including but not limited to pipe, valves and other appurtenance attached to pipe, whether or not laid in public or private easement or public or private right-of-way within Union Parish, including but not limited to gathering lines, production lines and transmission lines.

Pipeline or Well Emergency: A pipeline or well incident in which any of the following has occurred or is occurring:

1. Fire or explosion not intentionally initiated by the operator as part of its normal and customary operations (in accordance with accepted safety practices).
2. Release of a gas, hazardous liquid or chemical that could adversely impact the environment or health of individuals, livestock domestic animals and/or wildlife within Union Parish.
3. Death of any person or individual directly attributable to the operations of the pipeline or well.
4. Bodily harm to any person that result in any of the following: loss of consciousness, the need to assist a person from the scene of the incident, or the necessity of medical treatment in excess of first aid.
5. Damage to private or public property not owned by the well operator or the pipeline operator, as the case may be, in excess of \$5,000.00 in combined values, as determined by the administrator.
6. The rerouting of traffic or the evacuation of buildings.

Pipeline Permit: A Project Permit - (Type II) applied for and issued or denied pursuant to this ordinance permitting the construction of a pipeline.

Pipeline Review Committee: A committee, consisting of the President, the Chairman of the Road Committee, the Road Superintendent, the Secretary/Treasurer, the Union Parish Engineer, and if necessary, legal counsel and/or a third-party technical advisor, appointed to seek resolution of any substantive, non-resolvable technical issues related to the issuance of a pipeline permit.

Pipeline Operator: Any person owning, operating or responsible for operating a pipeline.

Practicable: That which reasonably may be accomplished, considering the effectiveness, scientific feasibility and commercial availability of current technology and/or techniques, and cost, as determined by the pipeline review committee.

President: The President of the Union Parish Police Jury or the President's designated representative assigned to administer the requirements of this ordinance.

Regulated Pipeline: Those pipelines within Union Parish under federal and state rules and regulations.

Residence: A building used or intended to be used as a place of general abode or dwelling place.

Road Damage Remediation Agreement: A written agreement obligating the operator to repair damage, if any, to public streets and/or roads, including but not limited to bridges, caused by the operator or its employees, agents, contractors, subcontractors or representatives in the performance of drilling or production of any wells, pipeline construction, seismic surveys or other major construction projects permitted by the Union Parish Police Jury.

Project Permit (Type): A permit issued by the Union Parish Police Jury for the construction or installation of a project within the jurisdiction of the Union Parish Police Jury.

Road/Street: The entire width between the boundary lines of the street right-of-way that is open to the use of the public for purposes of vehicular travel.

Road/Street Right-of-way: Land dedicated by plat, easement or by fee simple, or qualifies as a prescriptive easement, or prescriptive right-of-way, for the use and construction of a road/street or roadway, including any sidewalks, ditches and/or adjacent areas included in such dedication.

Structure: Without limitation, any building, or combination of related components constructed in an ordered scheme that constitutes a work or improvement constructed on or affixed to land, including but not limited to habitable structures, partially enclosed structures, and enclosed tanks.

Tank Battery: Point of collection (tanks) and disbursement (tank, meter, lease automated custody transfer unit) of oil or gas from producing well(s).

Technical Advisor: A person(s) familiar with and educated in the oil and gas industry or the law as it relates to oil and gas matters who may be retained from time to time by the Union Parish Police Jury.

Unregulated Pipeline: Those pipelines within Union Parish that under federal and state rules and regulations are exempt from local regulations and ordinances regarding construction standards, safety standards or reporting requirements.

Well: A hole or bore to any horizon, formation, or strata for the purpose of producing gas, oil, or other hydrocarbons.

Well Permit: A Project Permit - (Type I) applied for and issued or denied pursuant to this ordinance permitting the drilling, production, and operation of one well.

Workover Operations: Work performed in a well after its completion in an effort to secure production where there has been none, restore production that has ceased or increase production.

Sec. 15.1-3 Project Permit Required.

The 1) drilling and production of gas and/or oil wells in excess of 3,000 feet in depth; 2) regulated and/or unregulated pipeline construction; 3) seismic surveys; or 4) other major construction projects within Union Parish shall only be permitted by a Project Permit. A Project Permit specific to the project (Type I, II, III or IV as specified in this ordinance) shall be required for each of the above activities whether they are separate or combined. All applications for a Project Permit shall be accompanied by an application fee in the amount set in Union Parish's fee schedule.

Sec. 15.1-3.1 Project Permit - (Type I) (Applies to Gas/Oil Well Drilling and Production)

(a) No person shall engage in the drilling and production of oil and/or gas wells in excess of 3,000 feet in depth within Union Parish without first obtaining a Project Permit - (Type I).

(b) An application for a well project permit, Project Permit - (Type I), and if applicable, a pipeline project permit, Project Permit - (Type II), must be filed with the Union Parish Police Jury concurrently with the application for a Project Permit - (Type I); provided, however, that the Union Parish Police Jury shall not be required to consider the application for the well project permit or the pipeline project permit unless and until a Road Damage Remediation Agreement is approved by the Union Parish Police Jury and all applicable regulations of this ordinance and all other applicable local, state or federal regulations are met.

(c) When a well project permit, Project Permit - (Type I), has been issued, the permit shall constitute authority for the use of public roads and bridges within the jurisdiction of the Union Parish Police Jury for the drilling and production of oil and gas in accordance with the limitations set forth in this ordinance. The laying of pipelines shall require separate permitting in accordance with the applicable section of this ordinance.

(d) An original well project permit, Project Permit - (Type I), shall not constitute authority for the re-entering and drilling of an abandoned well or for the drilling of additional new wells. Re-entry and drilling of an abandoned well or the drilling of additional new wells shall require a new well permit for each well.

Sec. 15.1-3.1.1 Road Damage Remediation Agreement.

A statement of intent to enter into a Road Damage Remediation Agreement shall be submitted in conjunction with the application for any Project Permit. The terms of the Road Damage Remediation Agreement must be approved by the Union Parish Police Jury as a condition of any Project Permit and the Road Damage Remediation Agreement shall be signed by the operator prior to the issuance of any Project Permit. The President of the Union Parish Police Jury shall have the authority to execute the Road Damage Remediation Agreement on behalf of the Union Parish Police Jury.

Sec. 15.1-3.1.2 Application and Review of Project Permit - (Type I) (Applies to Gas/Oil Well Drilling and Production).

(a) Every application for a Project Permit - (Type I) shall be in writing on a form provided by the Union Parish Police Jury, signed by the operator or person duly authorized to sign on the operator's behalf, and filed with the Secretary/Treasurer of the Union Parish Police Jury. A separate application is required for each well bore.

(b) Each Project Permit - (Type I) application shall contain the following information:

(1) The date of the application;

(2) An accurate legal description of the property to be used for the oil and/or gas operation. Property recorded by plat should be referenced by subdivision, block/lot numbers, Section Township, Range, as applicable;

(3) A map showing the proposed transportation route(s) identifying all public and private roads/routes intended for use for all activities within the jurisdiction of the Union Parish Police Jury;

(4) The proposed well name(s);

(5) Operator name, phone number(s), facsimile transmission number,

address, and, if available, e-mail address;

(6) If the operator is a corporation or other non-corporeal entity, the state of incorporation or organization; or if the operator is a partnership, the names and addresses of the general partners;

(7) Name, phone number, address, and, if possible, email address of the individual designated to receive notice on behalf of the operator;

(8) Name of representative with supervisory authority over all oil and/or gas operation site activities and a 24-hour phone number;

(9) A site plan of the proposed drill site and operation site;

(10) The name, address and 24-hour phone number of the person to be notified in case of an emergency;

(11) A signed statement of intent to execute a Road Damage Remediation Agreement with the Union Parish Police Jury as provided in this ordinance, or, if a Project Permit has already been approved for the pad site and a road repair agreement signed, a copy of the Project Permit and signed Road Damage Remediation Agreement;

(12) Copies of bond forms or other security to be provided as required by this ordinance.

(c) All applications for a Project Permit - (Type I) shall be accompanied by an application fee in the amount set in the Union Parish Police Jury's fee schedule.

(d) If the application for a Project Permit - (Type I) is approved, prior to a permit being issued, the operator shall provide a non-refundable administrative fee made payable to the Union Parish Police Jury in the sum of ten thousand dollars for each pad site containing a Project Permit - (Type I) application approved. The funds will be used by Union Parish Police Jury for the actual administrative fees, inspection, activities and, and any all engineering fees associated with the application process. Any residual can be used by the Union Parish Police Jury for any purpose as needed. If the operator fails to tender any and all fees as required by this Section, such failure shall constitute a violation of this ordinance, and the President may suspend or revoke the Project Permit - (Type I) and the Union Parish Police Jury may pursue all remedies provided in this ordinance or under the law for such violation.

(e) Each well permit, Project Permit - (Type I), issued by the Union Parish Police Jury shall state the following:

(1) The name of the well and its operator;

- (2) The date on which the Union Parish Police Jury issued each permit;
- (3) That if drilling is commenced on the well covered by the permit before the permit expires, the permit shall continue until the well covered by the permit is completed, abandoned and the site restored;
- (4) By reference, the indemnity, insurance and security requirements set forth in this ordinance;
- (5) That no drilling operations (including the construction of internal private access roads) shall commence until the operator has provided such information;
- (6) By reference, the requirement for periodic reports;
- (7) By reference, the information contained in the permit application;
- (8) The name, address and phone number of the person designated to receive notices from the Union Parish Police Jury; and
- (9) By reference, all permits and fees required by the Union Parish Police Jury.

(f) A decision to deny an application for a Project Permit - (Type I) shall be provided to the operator in writing, including the reason for the decision.

(g) If an application for a Project Permit - (Type I) is denied, nothing herein contained shall prevent a new application from being submitted to the Union Parish Police Jury for the same well. A new application fee is not required if the application is denied without prejudice. Applications denied with prejudice must be accompanied by a new application fee upon re-application.

(h) A Project Permit - (Type I) shall automatically expire one year after the date of issuance of such permit if drilling has not commenced on the well covered by the permit within such period, provided, however, that the Union Parish Police Jury may grant a one-year extension of time if existing conditions have not changed and an application for extension is filed with the Secretary/Treasurer prior to expiration of the initial permit. If a well permit expires, the operator must file a new application for a new well permit as provided in this ordinance.

Sec. 15.1-3.1.3 Road Inspector.

(a) The President shall designate the inspector(s) who shall monitor the provisions of this ordinance. The inspector shall report to the Union Parish Police Jury any failure of any person to comply with any requirement of this ordinance, permit or any lawful order or directive issued thereunder. Said failure shall constitute a violation of this ordinance or associated agreement.

(b) The inspector shall conduct inspections of all agreed to transportation routes in Union Parish to determine and inventory any damages to the roads/street/bridges. Said inspections shall strive to identify all emergency conditions that may pose an immediate danger to the public. The operator shall strive to assist in identifying any such dangers and immediately report them to the inspector.

Sec. 15.1-3.1.4 Operator's Agent.

Every operator of any well shall designate an agent, who is a resident of the state, upon whom all orders and notices provided in this article may be served in person or by registered or certified mail. Every operator so designating such agent shall within ten business days notify the Union Parish Police Jury Secretary/Treasurer in writing of any change in such agent or such mailing address unless operations within Union Parish are discontinued.

Sec. 15.1-3.1.5 Security.

(a) The operator shall file with the Union Parish Police Jury a cash bond or letter of credit in the full amount of the estimated cost to provide road damage remediation as determined by the cost determined under Exhibit "A" of the Road Damage Remediation Agreement before the issuance of the well permit, Project Permit - (Type I).

(b) As to each well project permit, the cash bond or letter of credit shall secure the obligations of the operator to:

- (1) Comply with the Road Damage Remediation Agreement and any other provisions set forth in this ordinance;
- (2) Pay fines and penalties imposed upon the operator by the Union Parish Police Jury for any breach of the well permit, Project Permit - (Type I), or other provisions of this ordinance within 15 days of the assessment of such fines or penalties;
- (3) Comply with the conditions of the Project Permit - (Type I) ;
- (4) Comply with the performance obligations of this ordinance.

Sec. 15.1-3.1.6 Periodic Reports.

(a) The operator shall notify the Union Parish Police Jury of any change to the following information within one business day after the change occurs:

- (1) The name, address or phone number of the operator;

- (2) The name, address or 24-hour phone number of the person(s) with supervisory authority over drilling, production or operations activities;
 - (3) The name, address or phone number of the person designated to receive notices from the Union Parish Police Jury.
- (b) The operator shall provide a copy of any "incident reports" or written complaints submitted that are related to the agreed to transportation route(s) within 15 days after the operator has notice of the existence of such reports or complaints.

Sec. 15.1-3.1.7 Remedies of the Union Parish Police Jury.

- (a) If an operator or the operator's officers, employees, agents, contractors, subcontractors or representatives fails to comply with the conditions of the applicable Project Permit and associated site plan or any requirement of a Project Permit - (Type I) (including any requirement incorporated by reference as part of the permit), or any applicable provisions of this ordinance or any other Parish ordinances, the Union Parish Police Jury shall endeavor to give written notice to the operator specifying the nature of the alleged failure and giving the operator a specified time to cure, taking into consideration the nature and extent of the alleged failure, the extent of the efforts required to cure, and the potential impact on the health, safety, and welfare of the public; provided, however, that if circumstances warrant proceeding without notice, no notice will be sent. In any case, failure to give such notice shall not prohibit the Union Parish Police Jury from pursuing any available remedy.
- (b) If the operator does not cure the alleged failure within the time specified by the Union Parish Police Jury, the Union Parish Police Jury may pursue all other remedies allowed by law, including but not limited to any or all of the following:
- (1) The President may suspend the Project Permit - (Type I) until the alleged failure is cured;
 - (2) The Union Parish Police Jury may revoke the Project Permit - (Type I) if the operator fails to initiate and diligently pursue a cure;
 - (3) The Union Parish Police Jury may seek recourse against the security required by provisions of this ordinance;
 - (4) A criminal citation may be issued for violation of the Project Permit - (Type I), this ordinance or any other ordinance or order of the Union Parish Police Jury.
- (c) The operator may appeal a decision to suspend or revoke the well permit or other remedial order or action of the Union Parish Police Jury taken pursuant to this ordinance (other than a criminal citation) to the Union Parish Police Jury.

Sec. 15.1-3.2 Project Permit - (Type II) (Applies to Pipelines)

- (a) No person shall engage in the construction or installation of a pipeline for the transportation of gas, oil or any other product within Union Parish without first obtaining a Project Permit - (Type II).
- (b) An application for a pipeline project permit, Project Permit - (Type II), must be filed with the Union Parish Police Jury prior to the commencement of construction or installation; provided, however, that the Union Parish Police Jury shall not be required to consider the application for the pipeline project permit unless and until a Road Damage Remediation Agreement is approved by the Union Parish Police Jury and all applicable regulations of this ordinance and all other applicable local, state or federal regulations are met.
- (c) When a pipeline project permit, Project Permit - (Type II), has been issued, the permit shall constitute authority for the use of public roads and bridges within the jurisdiction of the Union Parish Police Jury for construction or installation of a pipeline in accordance with the limitations set forth in this ordinance.
- (d) An original pipeline project permit, Project Permit - (Type II), shall not constitute authority for the construction or installation of additional pipelines unless multiple lines were included in the original permit. The construction or installation of new pipelines whether in the same corridor or not shall require a new pipeline permit for each pipeline project.

Sec. 15.1-3.2.1 Road Damage Remediation Agreement.

A statement of intent to enter into a Road Damage Remediation Agreement shall be submitted in conjunction with the application for any Project Permit. The terms of the Road Damage Remediation Agreement must be approved by the Union Parish Police Jury as a condition of any Project Permit and the Road Damage Remediation Agreement shall be signed by the operator prior to the issuance of any Project Permit. The President of the Union Parish Police Jury shall have the authority to execute the Road Damage Remediation Agreement on behalf of the Union Parish Police Jury.

Sec. 15.1-3.2.2 Application and Review of Project Permit - (Type II) (Applies to Pipelines).

- (a) Every application for a Project Permit - (Type II) shall be in writing on a form provided by the Union Parish Police Jury, signed by the operator or person duly authorized to sign on the operator's behalf, and filed with the Secretary/Treasurer of the Union Parish Police Jury. A separate application is required for each pipeline project.
- (b) Each Project Permit - (Type II) application shall contain the following information:

- (1) The date of the application;
- (2) A route map and/or set of construction plans showing the pipeline route and sufficient legal description, geographic co-ordinates or landmarks to allow identification of the route on maps and on the ground;
- (3) Maps and/or construction plans showing the proposed transportation route(s) identifying all public and private roads/routes intended for use for all activities within the jurisdiction of the Union Parish Police Jury;
- (4) The proposed pipeline name(s);
- (5) Operator name, phone number(s), facsimile transmission number, address, and, if available, e-mail address;
- (6) If the operator is a corporation or other non-corporeal entity, the state of incorporation or organization; or if the operator is a partnership, the names and addresses of the general partners;
- (7) Name, phone number, address, and, if possible, email address of the individual designated to receive notice on behalf of the operator;
- (8) Name of representative with supervisory authority over all pipeline construction, installation and operation site activities and a 24-hour phone number;
- (9) The name, address and 24-hour phone number of the person to be notified in case of an emergency;
- (10) A signed statement of intent to execute a Road Damage Remediation Agreement with the Union Parish Police Jury as provided in this ordinance;
- (11) Copies of bond forms or other security to be provided as required by this ordinance.

(c) All applications for a Project Permit - (Type II) shall be accompanied by an application fee in the amount set in the Union Parish Police Jury's fee schedule.

(d) Upon approval of a pipeline permit, Project Permit - (Type II), and prior to the issuance of such permit, the pipeline operator shall deposit with the Union Parish Police Jury, and shall maintain at all times during the continuation of pipeline operations, a fund with the Union Parish Police Jury containing a minimum running balance of \$15,000.00 for each pipeline permit application approved. The funds shall be maintained by the Union Parish Police Jury in an interest bearing account from which the Union Parish Police Jury shall reimburse itself for the actual administrative expenses, consulting fees, contracting fees or the funding of

inspection activities. All interest earned shall be credited to the fund balance or refunded to the operator if and when the minimum balance is achieved. The Union Parish Police Jury shall invoice and notify the operator, in writing of any deduction from the application fund and within 15 days of receipt thereof, the operator shall pay to the Union Parish Police Jury for deposit into the fund the amount necessary to return the balance to \$15,000.00. The operator may appeal any charge assessed against the fund by filing an appeal as provided in this article. If the operator fails to maintain the fund as required by this section, such failure shall constitute a violation of this ordinance, and the President may suspend or revoke the Project Permit - (Type II) and the Union Parish Police Jury may pursue all remedies provided in this ordinance or under the law for such violation. Upon completion of all pipeline activities, final inspection and approval by the Union Parish Police Jury of restored roads/streets/bridges, and fulfillment by the operator of all of operator's obligations under this ordinance, the Union Parish Police Jury shall return any remaining account balance to the operator or the operator's approved assign.

(e) Each pipeline permit, Project Permit - (Type II), issued by the Union Parish Police Jury shall state the following:

- (1) The name of the pipeline and its operator;
- (2) The date on which the Union Parish Police Jury issued each permit;
- (3) That if construction and/or installation is commenced on the pipeline project covered by the permit before the permit expires, the permit shall continue until the pipeline project covered by the permit is completed;
- (4) By reference, the indemnity, insurance and security requirements set forth in this ordinance;
- (5) That no construction operations shall commence until the operator has provided such information;
- (6) By reference, the requirement for periodic reports;
- (7) By reference, the information contained in the permit application;
- (8) The name, address and phone number of the person designated to receive notices from the Union Parish Police Jury;
- (9) By reference, all permits and fees required by the Union Parish Police Jury.

(f) A decision to deny an application for a Project Permit - (Type II) shall be provided to the operator in writing, including the reason for the decision.

(g) If an application for a Project Permit - (Type II) is denied, nothing herein contained shall prevent a new application from being submitted to the Union Parish Police Jury for the same pipeline project. A new application fee is not required if the application is denied without prejudice. Applications denied with prejudice must be accompanied by a new application fee upon re-application.

(h) A Project Permit - (Type II) shall automatically expire one year after the date of issuance of such permit if construction operations have not commenced on the pipeline project covered by the permit within such period, provided, however, that the Union Parish Police Jury may grant a one-year extension of time if existing conditions have not changed and an application for extension is filed with the Secretary/Treasurer of the Union Parish Police Jury prior to expiration of the initial permit. If a pipeline permit expires, the operator must file a new application for a new pipeline permit, Project Permit - (Type II), as provided in this ordinance.

Sec. 15.1-3.2.3 Road Inspector.

(a) The President shall designate the inspector(s) who shall monitor the provisions of this ordinance. The inspector shall report to the Union Parish Police Jury any failure of any person to comply with any requirement of this ordinance, permit or any lawful order or directive issued thereunder. Said failure shall constitute a violation of this ordinance or associated agreement.

(b) The inspector shall conduct inspections of all agreed to transportation routes in Union Parish to determine and inventory any damages to the roads/street/bridges. Said inspections shall strive to identify all emergency conditions that may pose an immediate danger to the public. The operator shall strive to assist in identifying any such dangers and immediately report them to the inspector.

Sec. 15.1-3.2.4 Operator's Agent.

Every operator of any pipeline shall designate an agent, who is a resident of the state, upon whom all orders and notices provided in this article may be served in person or by registered or certified mail. Every operator so designating such agent shall within ten business days notify the Union Parish Police Jury Secretary/Treasurer in writing of any change in such agent or such mailing address unless operations within Union Parish are discontinued.

Sec. 15.1-3.2.5 Security.

(a) The operator shall file with the Union Parish Police Jury a cash bond or letter of credit in the full amount of the estimated cost to provide road damage remediation as determined by the cost determined under Exhibit "A" of the Road Damage Remediation Agreement before the issuance of the pipeline permit, Project Permit - (Type II).

(b) As to each pipeline project permit, the cash bond or letter of credit shall secure the obligations of the operator to:

- (1) Comply with the Road Damage Remediation Agreement and any other provisions set forth in this ordinance;
- (2) Pay fines and penalties imposed upon the operator by the Union Parish Police Jury for any breach of the pipeline permit, Project Permit - (Type II), or other provisions of this ordinance within 15 days of the assessment of such fines or penalties;
- (3) Comply with the conditions of the Project Permit - (Type II);
- (4) Comply with the performance obligations of this ordinance.

Sec. 15.1-3.2.6 Periodic Reports.

(a) The operator shall notify the Union Parish Police Jury of any change to the following information within one business day after the change occurs:

- (1) The name, address or phone number of the operator;
- (2) The name, address or 24-hour phone number of the person(s) with supervisory authority over pipeline construction/installation or operation activities;
- (3) The name, address or phone number of the person designated to receive notices from the Union Parish Police Jury.

(b) The operator shall provide a copy of any "incident reports" or written complaints submitted that are related to the agreed to transportation route(s) within 15 days after the operator has notice of the existence of such reports or complaints.

Sec. 15.1-3.2.7 Pipeline Markers.

(a) In accordance with U.S. Department of Transportation requirements, each pipeline operator subject to this ordinance shall place and maintain permanent line markers as close as practical over all regulated and unregulated pipeline(s) at each crossing of a public road/street, utility easement and railroad. Marker(s) shall also be maintained along each regulated and unregulated pipeline that is located above ground in an area accessible to the public. The markers shall be of permanent type construction and contain labeling identifying the:

- (1) Pipeline operator;
- (2) Twenty-four-hour contact telephone number;

(3) A general description of the product transported in the pipeline; i.e., natural gas, oil, petroleum, etc.

(b) No person shall tamper with, deface, damage or remove any pipeline marker, except the pipeline operator.

Sec. 15.1-3.2.8 One Call System.

A pipeline operator that transports gas, oil, liquids or hydrocarbons through a regulated or unregulated pipeline located in Union Parish shall be a member in good standing with the one call system or other approved excavation monitoring system as required by state law.

Sec. 15.1-3.2.9 Remedies of the Union Parish Police Jury.

(a) If an operator or the operator's officers, employees, agents, contractors, subcontractors or representatives fails to comply with the conditions of the applicable Project Permit and associated site plan or any requirement of a Project Permit - (Type II) (including any requirement incorporated by reference as part of the permit), or any applicable provisions of this ordinance or any other Parish ordinances, the Union Parish Police Jury shall endeavor to give written notice to the operator specifying the nature of the alleged failure and giving the operator a specified time to cure, taking into consideration the nature and extent of the alleged failure, the extent of the efforts required to cure, and the potential impact on the health, safety, and welfare of the public; provided, however, that if circumstances warrant proceeding without notice, no notice will be sent. In any case, failure to give such notice shall not prohibit the Union Parish Police Jury from pursuing any available remedy.

(b) If the operator does not cure the alleged failure within the time specified by the Union Parish Police Jury, the Union Parish Police Jury may pursue all other remedies allowed by law, including but not limited to any or all of the following:

(1) The President may suspend the Project Permit - (Type II) until the alleged failure is cured;

(2) The Union Parish Police Jury may revoke the project Permit – (Type II) if the operator fails to initiate and diligently pursue a cure;

(3) The Union Parish police Jury may seek recourse against the security required by provisions of this ordinance;

(4) A criminal citation may be issued for violation of the Project Permit – (Type II), this ordinance or any other ordinance or order of the Union Parish Police Jury.

(c) The operator may appeal a decision to suspend or revoke the pipeline permit, Project Permit - (Type II), or other remedial order or action of the Union

Parish Police Jury taken pursuant to this ordinance (other than a criminal citation) to the Union Parish Police Jury.

Sec. 15.1-3.3 Project Permit - (Type III) (Applies to Seismic Surveys)

(a) A seismic survey permit, Project Permit - (Type III), shall be required for all seismic surveys. The operator conducting the seismic survey shall complete and submit a seismic survey application in writing on a form provided by the Union Parish Police Jury, to the Secretary/Treasurer of the Union Parish Police Jury containing, at a minimum, the following information:

- (1) Operator name, phone number(s), facsimile transmission number, address, and, if available, email address;
- (2) If the operator is a corporation or other non-corporeal entity, the state of incorporation or organization; or if the operator is a partnership, the names and addresses of the general partners;
- (3) Map(s) showing location of seismic survey along with public road route maps showing routes traveled to and within the survey area;
- (4) Date and time the seismic survey will be conducted;
- (5) Detailed explanation of the seismic survey method to be used on site;
- (6) Date and time the seismic survey will be completed;
- (7) Identification of all staging areas.

(b) Under no circumstances may explosive charges, including but not limited to the use of dynamite, be used to conduct a seismic survey. In addition, the seismic survey activity shall be conducted in accordance with all applicable Parish ordinances.

(c) A fee in the amount set in the Union Parish Police Jury's fee schedule must accompany each seismic survey permit application.

Sec. 15.1-3.3.1 Security.

Upon approval of a seismic survey permit, Project Permit - (Type III), and prior to the issuance of such permit, the seismic survey operator shall deposit with the Union Parish Police Jury, and shall maintain at all times during the continuation of seismic survey operations, a fund with the Union Parish Police Jury containing a minimum running balance of \$5,000.00 for each seismic survey permit application approved. The funds shall be maintained by the Union Parish Police Jury in an interest bearing account from which the Union Parish Police Jury shall reimburse itself for the actual repair costs, administrative

expenses, consulting fees, contracting fees or the funding of inspection activities. All interest earned shall be credited to the fund balance or refunded to the operator if and when the minimum balance is achieved. The Union Parish Police Jury shall invoice and notify the operator, in writing of any deduction from the application fund and within 15 days of receipt thereof, the operator shall pay to the Union Parish Police Jury for deposit into the fund the amount necessary to return the balance to \$5,000.00. The operator may appeal any charge assessed against the fund. If the operator fails to maintain the fund as required by this ordinance, such failure shall constitute a violation of this ordinance, and the President may suspend or revoke the Project Permit - (Type III) and the Union Parish Police Jury may pursue all remedies provided in this ordinance or under the law for such violation. Upon completion of all seismic survey activities, final inspection of the roads traveled and approval by the Union Parish Police Jury of any repaired roads/streets/bridges, and fulfillment by the operator of all of operator's obligations under this ordinance, the Union Parish Police Jury shall return any remaining account balance to the operator or the operator's approved assign.

Sec. 15.1-3.4 Project Permit - (Type IV) (Applies to Major Construction Projects)

- (a) No person shall engage in the construction of a major construction project within Union Parish without first obtaining a Project Permit - (Type IV).
- (b) An application for a major construction project permit, Project Permit - (Type IV); provided, however, that the Union Parish Police Jury shall not be required to consider the application for the major construction project permit unless and until a Road Damage Remediation Agreement is approved by the Union Parish Police Jury and all applicable regulations of this ordinance and all other applicable local, state or federal regulations are met.
- (c) When a major construction project permit, Project Permit - (Type IV), has been issued, the permit shall constitute authority for the use of public roads and bridges within the jurisdiction of the Union Parish Police Jury for the purpose of implementing a major construction project in accordance with the limitations set forth in this ordinance.

Sec. 15.1-3.4.1 Road Damage Remediation Agreement.

A statement of intent to enter into a Road Damage Remediation Agreement shall be submitted in conjunction with the application for any Project Permit. The terms of the Road Damage Remediation Agreement must be approved by the Union Parish Police Jury as a condition of any Project Permit and the Road Damage Remediation Agreement shall be signed by the major construction project owner prior to the issuance of any Project Permit. The President of the Union Parish Police Jury shall have the authority to execute the Road Damage Remediation Agreement on behalf of the Union Parish Police Jury.

Sec. 15.1-3.4.2 Application and Review of Project Permit - (Type IV) (Applies to Major Construction Projects).

(a) Every application for a Project Permit - (Type IV) shall be in writing on a form provided by the Union Parish Police Jury, signed by the major construction project owner or person duly authorized to sign on the major construction project owner's behalf, and filed with the Secretary/Treasurer of the Union Parish Police Jury.

(b) Each Project Permit - (Type IV) application shall contain the following information:

- (1) The date of the application;
- (2) An accurate legal description of the property to be used for the major construction project. Property recorded by plat should be referenced by subdivision, block/lot numbers, Section, Township, Range, as applicable;
- (3) Map(s) showing the proposed transportation route(s) identifying all public and private roads/routes intended for use for all activities within the jurisdiction of the Union Parish Police Jury;
- (4) The proposed major construction project name(s);
- (5) Major construction project owner name, phone number(s), facsimile transmission number, address, and, if available, e-mail address;
- (6) If the major construction project owner is a corporation or other non-corporeal entity, the state of incorporation or organization; or if the major construction project owner is a partnership, the names and addresses of the general partners;
- (7) Name, phone number, address, and, if possible, email address of the individual designated to receive notice on behalf of the major construction project owner;
- (8) Name of representative with supervisory authority over the major construction project site activities and a 24-hour phone number;
- (9) A site plan of the major construction project site;
- (10) The name, address and 24-hour phone number of the person to be notified in case of an emergency;
- (11) A signed statement of intent to execute a Road Damage Remediation Agreement with the Union Parish Police Jury as provided in this ordinance, or, if a Project Permit has already been approved for the pad site and a Road

Damage Remediation Agreement signed, a copy of the Project Permit and signed Road Damage Remediation Agreement;

(12) Copies of bond forms or other security to be provided as required by this ordinance.

(c) All applications for a Project Permit - (Type IV) shall be accompanied by an application fee in the amount set in the Union Parish Police Jury's fee schedule.

(d) If the application for a Project Permit - (Type IV) is approved, prior to a permit being issued, the operator shall deposit with the Union Parish Police Jury the sum of \$15,000.00 for each operating site containing a Project Permit - (Type IV) application approved. The funds shall be maintained by Union Parish in an interest-bearing account from which the Union Parish Police Jury may reimburse itself for the actual administrative expenses, consulting fees, contracting fees or the funding of inspection activities. All interest earned shall be credited to the fund balance or refunded to the operator if and when the minimum balance is achieved. The Union Parish Police Jury shall invoice and notify the operator, in writing of any deduction from the application fund and within 15 days of receipt thereof, the operator shall pay to the Union Parish Police Jury for deposit into the fund the amount necessary to return the balance to \$15,000.00. The operator may appeal any charge assessed against the fund by filing an appeal as provided in this article. If the operator fails to maintain the fund as required by this section, such failure shall constitute a violation of this ordinance, and the President may suspend or revoke the Project Permit - (Type IV) and the Union Parish Police Jury may pursue all remedies provided in this ordinance or under the law for such violation. Upon completion of all construction activities, final inspection and approval by the Union Parish Police Jury of restored roads/streets/bridges, and fulfillment by the operator of all of operator's obligations under this ordinance, the Union Parish Police Jury shall return any remaining account balance to the operator or the operator's approved assign.

(e) Each major construction project permit, Project Permit - (Type IV) issued by the Union Parish Police Jury shall state the following:

(1) The name of the major construction project and its major construction project owner;

(2) The date on which the Union Parish Police Jury issued each permit;

(3) That if construction is commenced on the major construction project covered by the permit before the permit expires, the permit shall continue until the major construction project covered by the permit is completed;

(4) By reference, the bond and security requirements set forth in this ordinance;

- (5) That no construction shall commence until the major construction project owner has provided such information;
 - (6) By reference, the information contained in the permit application;
 - (7) The name, address and phone number of the person designated to receive notices from the Union Parish Police Jury; and
 - (8) By reference, all permits and fees required by the Union Parish Police Jury.
- (f) A decision to deny an application for a Project Permit - (Type IV) shall be provided to the major construction project owner in writing, including the reason for the decision.
- (g) If an application for a Project Permit - (Type IV) is denied, nothing herein contained shall prevent a new application from being submitted to the Union Parish Police Jury for the same well. A new application fee is not required if the application is denied without prejudice. Applications denied with prejudice must be accompanied by a new application fee upon re-application.
- (h) A Project Permit - (Type IV) shall automatically expire one year after the date of issuance of such permit if major construction project has not commenced on the major construction project covered by the permit within such period, provided, however, that the Union Parish Police Jury may grant a one-year extension of time if existing conditions have not changed and an application for extension is filed with the Secretary/Treasurer prior to expiration of the initial permit. If a major construction project permit expires, the major construction project owner must file a new application for a new major construction project permit as provided in this ordinance.

Sec. 15.1-3.4.3 Road Inspector.

- (a) The President shall designate the inspector(s) who shall monitor the provisions of this ordinance. The inspector shall report to the Union Parish Police Jury any failure of any person to comply with any requirement of this ordinance, permit or any lawful order or directive issued thereunder. Said failure shall constitute a violation of this ordinance or associated agreement.
- (b) The inspector shall conduct inspections of all agreed to transportation routes in Union Parish to determine and inventory any damages to the roads/street/bridges. Said inspections shall strive to identify all emergency conditions that may pose an immediate danger to the public. The major construction project owner shall strive to assist in identifying any such dangers and immediately report them to the inspector.

Sec. 15.1-3.4.4 Major Construction Project Owner's Agent.

Every major construction project owner shall designate an agent, who is a resident of the state, upon whom all orders and notices provided in this article may be served in person or by registered or certified mail. Every major construction project owner so designating such agent shall within ten business days notify the Union Parish Police Jury Secretary/Treasurer in writing of any change in such agent or such mailing address unless operations within Union Parish are discontinued.

Sec. 15.1-3.4.5 Security.

(a) The major construction project owner shall file with the Union Parish Police Jury a cash bond or letter of credit in the full amount of the estimated cost to provide road damage remediation as determined by the cost determined under Exhibit "A" of the Road Damage Remediation Agreement before the issuance of the well permit, Project Permit - (Type IV).

(b) As to each major construction project permit, the cash bond or letter of credit shall secure the obligations of the operator to:

- (1) Comply with the Road Damage Remediation Agreement and any other provisions set forth in this ordinance;
- (2) Pay fines and penalties imposed upon the operator by the Union Parish Police Jury for any breach of the major construction project permit, Project Permit - (Type IV), or other provisions of this ordinance within 15 days of the assessment of such fines or penalties;
- (3) Comply with the conditions of the Project Permit - (Type IV) ;
- (4) Comply with the performance obligations of this ordinance.

Sec. 15.1-3.4.6 Periodic Reports.

(a) The major construction project owner shall notify the Union Parish Police Jury of any change to the following information within one business day after the change occurs:

- (1) The name, address or phone number of the major construction project owner;
- (2) The name, address or 24-hour phone number of the person(s) with supervisory authority over the major construction project activities;
- (3) The name, address or phone number of the person designated to receive notices from the Union Parish Police Jury.

(b) The major construction project owner shall provide a copy of any "incident reports" or written complaints submitted that are related to the agreed to transportation route(s) within 15 days after the major construction project owner has notice of the existence of such reports or complaints.

Sec. 15.1-3.4.7 Remedies of the Union Parish Police Jury.

(a) If the major construction project owner or the major construction project owner's officers, employees, agents, contractors, subcontractors or representatives fails to comply with the conditions of the applicable Project Permit and associated site plan or any requirement of a Project Permit - (Type IV) (including any requirement incorporated by reference as part of the permit), or any applicable provisions of this ordinance or any other Parish ordinances, the Union Parish Police Jury shall endeavor to give written notice to the major construction project owner specifying the nature of the alleged failure and giving the major construction project owner a specified time to cure, taking into consideration the nature and extent of the alleged failure, the extent of the efforts required to cure, and the potential impact on the health, safety, and welfare of the public; provided, however, that if circumstances warrant proceeding without notice, no notice will be sent. In any case, failure to give such notice shall not prohibit the Union Parish Police Jury from pursuing any available remedy.

(b) If the major construction project owner does not cure the alleged failure within the time specified by the Union Parish Police Jury, the Union Parish Police Jury may pursue all other remedies allowed by law, including but not limited to any or all of the following:

- (1) The President may suspend the Project Permit - (Type IV) until the alleged failure is cured; and
- (2) The Union Parish Police Jury may revoke the Project Permit - (Type IV) if the major construction project owner fails to initiate and diligently pursue a cure; and
- (3) The Union Parish Police Jury may seek recourse against the security required by provisions of this ordinance; and
- (4) A criminal citation may be issued for violation of the Project Permit - (Type IV), this ordinance or any other ordinance or order of the Union Parish Police Jury.

The major construction project owner may appeal a decision to suspend or revoke the well permit or other remedial order or action of the Union Parish Police Jury taken pursuant to this ordinance (other than a criminal citation) to the Union Parish Police Jury.

Sec. 16 Effective Date.

This Ordinance shall take effect immediately upon its passage by the Union Parish Police Jury.

Sec. 17 Severability.

If any section, paragraph, sentence, clause and/or phrase of this Ordinance or the application thereof is declared unconstitutional, unenforceable or invalid by the valid judgment of any court of competent jurisdiction such unconstitutionality, unenforceability or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses and/or phrases of this Ordinance, since the same would have been enacted by the Parish of Union without the incorporation in this Ordinance of any such unconstitutional, unenforceable or invalid section, paragraph, sentence, clause or phrase. To that end, the provisions of this Ordinance are hereby declared severable.

Sec. 18 Repealer.

All other ordinances, or any parts thereof, which are in conflict with the provisions of this Ordinance are hereby repealed.

The ordinance was read and considered by sections and as a whole, and on motion by **Mr. Ramsey** and seconded by **Mr. Nyegaard**, and was adopted by the following YEA and NAY vote:

MEMBERS:	YEAS:	NAYS:	ABSENT:	ABSTAINING:
Curtis Moses	x			
Nathan Pilgreen	x			
Dewayne Ramsey	x			
Johnny Buckley	x			
Ben Bridges	x			
Ceis Nyegaard	x			
L.W. Nolan	x			
Brenda Abercrombie	x			
John W. Watley	x			

WHEREUPON, the Ordinance was declared duly adopted this 6th day of October, 2020.

s/ Paula Strickland
PAULA STRICKLAND
SECRETARY-TREASURER
UNION PARISH POLICE JURY

s/ Johnny Buckley
JOHNNY BUCKLEY
PRESIDENT
UNION PARISH POLICE JURY

CERTIFICATE

I, the undersigned Secretary/Treasurer of the Police Jury of the Parish of Union, State of Louisiana, do hereby certify that the foregoing pages constitute a true and correct copy of an ordinance adopted by said Union Parish Police Jury on the 6th day of October, 2020.

s/ Paula Strickland
Police Jury Secretary/Treasurer
Parish of Union, Louisiana

Motion Mr. Pilgreen, seconded by Mr. Bridges to authorize the Secretary/Treasurer to advertise for the deletion of Sand Road from the Union Parish Police Jury Road System. The hearing is to be held on December 1, 2020. Motion carried unanimously.

Sharon Dixon, HUD Director, addressed the Jury concerning two issues pertaining to Union Parish Section 8 Housing: (1) Utility Allowance Schedule and (2) Payment Standard. **Motion Mrs. Abercrombie, seconded by Mr. Bridges to approve the Utility Allowance Schedule for Union Parish Section 8 Housing and approve the payment standard for 2021 for metropolitan areas as the fair market rent for Section 8 Housing. Motion carried unanimously.**

Insurance Committee Recommendations:

Motion Mrs. Abercrombie, seconded by Mr. Bridges to approve the opt-out insurance policy prepared by Trevor Fry, Gold Weems Law firm. Motion carried unanimously.

Landfill Committee Recommendations:

Mr. Pilgreen addressed the jury on behalf of the Landfill Committee. The Landfill Committee would like to inform the whole Jury that the President is aware of the parameters of our negotiations with both the Jackson Parish Police Jury and the Lincoln Parish Police Jury concerning their solid waste disposal in the Union Parish Landfill and the Landfill Committee recommends to the whole Jury that the President should be authorized to finalize the negotiations with those juries and also should be authorized to execute all necessary documents. **Motion Mr. Pilgreen, seconded by Mr. Ramsey to authorize the President to finalize the negotiations**

with the Lincoln Parish Police Jury and the Jackson Parish Police Jury and execute any necessary documents. Motion carried unanimously.

Motion Mr. Pilgreen, seconded by Mr. Nolan to contract with Gulf Coast Aerial Mapping Company in the amount of \$7,600 for an aerial topography survey of portions of the Landfill and authorize the President to execute any necessary documents. This will be used for design purposes and quantity calculations. Motion failed to pass when vote was taken. Mr. Nolan was the only juror voting for the contract. Motion failed.

Motion Mr. Pilgreen, seconded by Mr. Bridges to authorize the President and the Secretary/Treasurer to negotiate with Weyerhaeuser regarding property acquisition to be used for dumpster locations and authorize the President to execute any necessary documents. Motion carried unanimously.

Motion Mr. Pilgreen, seconded by Mr. Ramsey to authorize the purchase of a one-acre tract of land from J.L. Williams in the amount of \$3,000 pending clear title and authorize the President to execute any necessary documents. Motion carried unanimously.

Recommendations from the Road Committee:

Motion Mr. Bridges, seconded by Mrs. Abercrombie to approve the annual bridge certification and authorize the President to sign all necessary documents relating to the Annual Certification of Compliance for 2020.

RESOLUTION 2020-08

ANNUAL CERTIFICATION OF COMPLIANCE WITH STATE OF LOUISIANA OFF SYSTEM BRIDGE REPLACEMENT PROGRAM

WHEREAS, the Code of Federal Regulations as enacted by the United States Congress mandates that all structures defined as bridges located on all public roads shall be inspected, rated for safe load capacity and posted in accordance with the National Bridge Inspection Standards and that an inventory of these bridges be maintained by each state; and

WHEREAS, the responsibility to inspect, rate and load post these bridges under the authority of Union Parish in accordance with those Standards is delegated by Louisiana Department of Transportation and Development to Union Parish,

THEREFORE, BE IT RESOLVED by the governing authority of Union Parish that the Parish in regular meeting assembled does hereby certify to the Louisiana Department of Transportation and Development (herein referred to as the DOTD) that for a period **October 1, 2019 through September 30, 2019**: The Parish has performed all interim inspections on all Parish owned or maintained bridges in accordance with the National Bridge Inspection Standards.

All bridges owned and maintained by the Parish have been structurally analyzed and rated by the parish as to the safe load capacity in accordance with AASHTO Manual for Maintenance Inspection of Bridges. The load posting information that has been determined by the LA DOTD for all bridges where the maximum legal load under Louisiana State law exceeds the load permitted under the operating rating as determined above has been critically reviewed by the Parish. Load posting information has been updated by the Parish. Load Posting information has been updated by the Parish to reflect all structural changes, any obsolete structural ratings or any missing structural ratings.

All Parish owned or maintained bridges which require load posting or closing are load posted or closed in accordance with the table in the DOTD Engineering Directives and Standard Manual Directive No. 1.1.1.8. All DOTD supplied load posting information concerning a bridge has been critically reviewed by the Parish Engineer prior to load posting.

All bridges owned or maintained by the Parish are shown on the attached list in the format specified by the DOTD. Corrections to data supplied to the Parish by the LA DOTD are noted.

Roll Call Vote:

YEAS:	Moses, Pilgreen, Ramsey, Buckley, Bridges, Nyegaard, Nolan, Abercrombie and Watley
NAYS:	None
ABSENT:	None
ABSTAINING:	None

WHEREUPON, the motion was declared duly adopted by unanimous vote of the Jury this the 6th day of October, 2020.

s/ Paula Strickland
PAULA STRICKLAND
SECRETARY-TREASURER
UNION PARISH POLICE JURY

s/ Johnny Buckley
JOHNNY BUCKLEY
PRESIDENT
UNION PARISH POLICE JURY

CERTIFICATE

**STATE OF LOUISIANA
PARISH OF UNION**

I, **Paula Strickland**, Secretary/Treasurer of the Police Jury of Union Parish, Louisiana, do hereby certify that the foregoing is a true and correct copy of one (1) motion adopted by the Union Parish Police Jury in regular session on October 6th, 2020 at which meeting a quorum was present. Given under my Official Signature and Seal of Office on this the ____ day of October, 2020.

s/ Paula Strickland
Paula Strickland
Secretary/Treasurer
Police Jury of Union Parish, Louisiana

Recommendations from the Finance Committee:

**Motion Mr. Bridges, seconded by Mrs. Abercrombie to authorize the Secretary/Treasurer to pursue a Capital Outlay Request for the elevator at the Union Parish Courthouse.
Motion carried unanimously.**

Mr. Bridges gave a brief update on the CARES money that is being reimbursed to the Union Parish Police Jury.

In accordance with Ordinance 549, time for public comment was given.

Johnny Creed addressed the jury concerning the Claiborne Electric Ordinance/Franchise Agreement.

There being no further business to come before the Jury, the President declared the meeting adjourned upon motion by Mr. Ramsey, seconded by Mr. Bridges on this the 6th day of October, 2020.

Paula Strickland
Paula Strickland, Secretary-Treasurer
Union Parish Police Jury

Johnny Buckley
Johnny Buckley, President
Union Parish Police Jury