

Approved Minutes of March 24, 2011
Truck Regulatory Committee

The meeting of the Barnes, Dickey, LaMoure and Stutsman Counties Truck Regulatory Committee (TRC) was held at 1:00 p.m. at the Barnes County Highway Department conference room. In attendance were Commissioner John Froelich and Road Superintendent Kerry Johnson of Barnes County; Commissioner Joel Hamar representing Dickey County; Commissioner Keith Heidinger and Road Superintendent, Gene Hebl of LaMoure County; and Commissioner Dave Schwartz of Stutsman County. With six of the eight representatives attending, a quorum was present. Commissioner Dale Marks, Stutsman County; and Commissioner Joel Durham, Dickey County, were absent.

Also present were Brad Cruff, Assistant Barnes County State's Attorney; Tim Gillespie, Truck Regulatory Officer designee; Captain Eldon Mehrer and Trooper Mitch Rumpel of the North Dakota Highway Patrol; Barnes County Sheriff Randy McClafin; Barnes County Auditor Ed McGough; Commissioner Dennis Ova and Sheriff Chad Kaiser, of Stutsman County; LaMoure County Sheriff, Robert Fernandez; and Lauren Worrel of the LaMoure County Highway Department.

Chairman Froelich called the meeting to order.

Minutes of the March 10, 2011 meeting were approved as presented. Motion by Commissioner Heidinger seconded by Commissioner Hamar to approve the minutes as presented. All voted aye, motion carried.

Treasurer's Report. Ed presented a bill for \$1,055.48 submitted by LaMoure County. This bill is for the TRC's 20% share of the radio for the TRC vehicle. LaMoure County paid 80% with grant funds. Motion by Commissioner Hamar to approve, second by Superintendent Johnson. All voted aye, motion carried.

The floor was turned over to Tim. Tim introduced himself and gave his professional background. Tim asked what the TRC and Sheriff wanted as far as enforcement and education. Commissioner Froelich indicated that Barnes County will be hosting a public education meeting sponsored by at least one of the local elevators in an effort to educate the public in regards to the position, duties, enforcement and so forth. Captain Mehrer and Trooper Rumpel suggested that Tim visit the local elevators to get to know them in the event Tim requests that a truck be weighed at their elevator under conditions that do not allow Tim to use the portable scales.

Captain Mehrer indicated that Trooper Jed Dahnke, who is weight certified and stationed in Valley City, is available to assist as needed for ride alongs etc. He further indicated that Tim cannot do motor carrier inspections or take a truck out of service as only the Highway Patrol can statutorily perform those functions under the Federal Motor Carrier Act. If Tim finds a truck that he feels needs to be taken out of service he will need to call the Highway Patrol. However, Tim can do weight, basic safety statute enforcement and ensure compliance with all other laws of the State of North Dakota. Tim can go through the 40 hour weight enforcement portion of the Basic Trooper Course this summer. Officer Joe Johnson of the Fargo Police Department recently did so.

Sheriff Kaiser requested that Tim prepare a monthly schedule to allow him and the other Sheriffs to know when Tim is in his county. A monthly schedule that rotates from month to month. Tim will be responsible to notify the respective Sheriffs if he varies from his schedule.

Tim will be a Barnes County Deputy and be cross deputized by the other member counties. Sheriff McClafin will obtain a unit number for Tim.

Discussion was had as to who Tim will get his department cell phone through. Most likely Barnes County.

Sheriff McClafin requested that Tim keep a daily log to allow the respective Sheriffs to monitor Tim's activity. Preferably web based as the Barnes and Stutsman County Sheriff's Departments are transitioning to web based computers and programs.

Tim wants to know if the TRC vehicle will have an MDT, preferably web based. The Stutsman County Sheriff's Department currently uses air cards. The Barnes County Sheriff's Department is waiting for their new web based equipment which is on order. Other prospective equipment is: In car camera; Cell phone booster; Speed radar; Shotgun; Sidearm; Safety cage for rear compartment to avoid scales becoming projectiles. Scale racks are available from State Surplus.

Sheriff McClafin has a grant that he can possibly pick up the computer (MDT?) through, but no grant funds are available to offset the cost. Tim will investigate what is available and funding options.

Uniform - consensus of law enforcement was that Tim's uniform will need to be that of a Barnes County Deputy Sheriff, with truck regulatory insignia / badge. Vehicle should be as generic as possible.

Commissioner Hamar raised the issue of what type of forms Tim should use for overweight trucks. Captain Mehrer suggested we use the forms of the Highway Patrol without their logo/insignia. Trooper Rumble suggested we use those of Richland County.

There being no further business the meeting was adjourned by Chairman Froelich.

Respectfully submitted,

Brad Cruff, Secretary
Assistant Barnes County State's Attorney