

## **Approved Minutes of March 31, 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. in the O.P.S. room (basement) of the Barnes County Courthouse. In attendance were Commissioner John Froelich and Road Superintendent Kerry Johnson of Barnes County; Commissioners Joel Hamar and Joel Durham representing Dickey County; Road Superintendent, Gene Hebl of LaMoure County; and Commissioner Dale Marks of Stutsman County. With six of the eight representatives attending, a quorum was present. Commissioner Dave Schwartz, Stutsman County; and Commissioner Keith Heidinger, LaMoure County, were absent.

Also present were Brad Cruff, Assistant Barnes County State's Attorney; Tim Gillespie, Truck Regulatory Officer; Barnes County Sheriff Randy McClafin; Sheriff Chad Kaiser, of Stutsman County; LaMoure County Sheriff, Robert Fernandes; Keith Norman, Jamestown Sun; Troopers Cody Harstad and Jed Dahnke of the North Dakota Highway Patrol; Sheriff Jim Bohannon and Deputy Chris Estes of Dickey County. Chairman Froelich called the meeting to order.

Minutes of the March 24, 2011 meeting were approved as presented. Motion by Superintendent Johnson, seconded by Commissioner Marks. All voted aye, motion carried.

Treasurer's Report. None. Auditor McGough was absent and indicated prior to the meeting he would not have an end of month report ready to submit to the committee.

Officer Gillespie reported the following on proposed equipment:

Midstates priced out computer for \$\_\_\_\_\_.

Light bar approx \$1,300

Radar unit - Sandy \_\_\_\_\_ or 2 units at State Surplus

Car camera \$3,500. Sandy at DOT has grant funds to cover this - Tim will do paperwork

Superintendent Hebl reported the car radio the committee purchased does not have a remote body unit with it.

Officer Gillespie has his own shotgun and side arm that he will use.

Rifle - Sheriff McClafin reported that his deputies do not all use the same type of rifle. They make their purchases through State Surplus. Sheriff McClafin will check to see if he has an extra rifle available. An AR-15 rifle is about \$900.

Officer Gillespie stated that he has his own duty belt and vest.

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Kerry moved to allow Tim to purchase the above discussed equipment as needed with the approval of Sheriff McClafin. Second by Commissioner Durham. All voted aye, motion carried.

Additional equipment and expenses discussed were a Taser for approximately \$750; decals for the vehicle of approximately \$250; Uniforms and clothing of \$1,000; and a medical bag for approximately \$350.

Commissioner Hamar moved to approve the additional expenses of up to \$500 for decals; \$1,000 for clothing; and a medical bag. Second by Commissioner Marks. All voted aye, motion carried.

A measuring wheel will also be needed. This should be a nominal expense of less than \$100.

Superintendent Johnson raised the issue of how gas will be purchased. He indicated that Barnes County uses a Cardtrol system at the highway department that is also used by the Barnes County Sheriff's department. The Sheriff's departments in Dickey, LaMoure and Stutsman counties all use gas cards or charge at various service stations. They pay the price at the pump and then file for a refund on the taxes at the end of the year. Obtaining a Cenex card seems to be the best resolution. Commissioner Marks moved, Commissioner Hamar seconded to use a Cenex card. All voted aye, motion carried.

Chairman Froelich reported on the Barnes County Township Officers meeting held this morning. A public informational meeting will be held next week on Thursday April 7 at 9 a.m. at the Valley City Eagles club in Valley City. Commissioner Marks will get Officer Gillespie on the agenda for the Stutsman County Township officers meeting to be held in April. Troopers Harstad and Dahnke will see if a representative of their agency can attend the Barnes County public informational meeting to assist with questions regarding overweight.

Commissioner Hamar asked if the four respective Sheriff's departments were on board with the program. Sheriff Bohannon indicated that he wants to meet with the other three Sheriff's and then meet with Officer Gillespie prior to rendering his opinion on whether he wishes to support the program. Sheriff Kaiser indicated that he is hopeful that it works but acknowledged that it is getting off to a rocky start. He wants it to work but feels as if the Sheriff's were excluded from the process. Chairman Froelich stated that it was the opinion of the committee that the position is truck regulator first and a law enforcement officer second. Sheriff Fernandes stated that Officer Gillespie is a law enforcement officer first and foremost and a truck regulatory officer second. Sheriff's McClafflin, Kaiser and Fernandes reported that they have received calls expressing

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concerns with Officer Gillespie but are willing to give him a chance. Sheriff Kaiser noted that educating the public is key to the venture succeeding.

Chairman Froelich asked the group how often they want to meet. He proposed once a month for the next six months to work out any wrinkles in the program. Superintendent Hebl thought that once the program is up and running that quarterly or less should be sufficient. Sheriff Fernandes offered that once per month for the next three months should be sufficient. Sheriff McClafflin concurred with three months noting that additional purchases will come up during this time frame that will need to be discussed and approved. Others mentioned that there should be continuous dialogue with all of the respective Commissioners and Sheriffs with Officer Gillespie stopping by various commission meetings and Sheriff's departments each month. The next meeting will be scheduled in approximately one month.

Markings for the vehicle were then discussed. The SUV is currently in Fargo getting a white stripe applied. It should be in Valley City in a week or so. Consensus was that the vehicle should have decals identifying it as being affiliated with a Sheriff's department, but also identifying it as a truck regulatory agency and 911. Barnes County Sheriff's department has its decals done locally. Trooper Harstad indicated that if it is to be licensed as a class A emergency vehicle it needs to have a law enforcement designation such as Sheriff's Department. Sheriff Fernandes stated that a gentleman in Nortonville charges about \$250 per vehicle to decal his department vehicles. Officer

Gillespie indicated that \$250 is comparable to a gentleman he has used in the past from East Grand Forks, Minnesota. Reflective decals cost considerably more than non reflective decals. It was decided that the Sheriff's department logo will not be reflective, but decals on the rear bumper / hatch shall be reflective for better visibility. Visibility can be compromised when the rear hatch is open as the fully elevated hatch door can block the light bar from view.

Officer Gillespie stated that he has had all of his respective peace officer immunizations.

Purchase of an AED unit at an approximate cost of \$1,800 was discussed. Not all law enforcement vehicles within the four county district carry AED units. It was the consensus not to purchase an AED unit at this time.

The status of the road bill introduced in the legislature that would allow counties to keep overweight fees was discussed. The status of the bill is unknown at this time.

Commissioner Durham indicated that Dickey County only issues approximately 20 overweight permits per year.

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Superintendent Johnson noted that frost and harvest permits have been eliminated.

Officer Gillespie is working on a monthly schedule and assure that it is disseminated to all of the Sheriff's departments. With the vehicle and equipment in limbo a firm start date has not been established.

Officer Gillespie will prepare the worksheets he is going to use for calculating overweights. Modifying those used by the Highway Patrol or Richland County. The fee schedule must remain the same as that used by the Highway Patrol/State.

Sheriff McClafin will work with Jason Thiel, Barnes County Information Systems Manager, and Officer Gillespie about the options for a cell phone. Possibly a smart phone to allow Officer Gillespie to receive emails while on duty. Or in the alternative, an air card for the MDT. Regardless, either alternative should have an unlimited data package. Officer Gillespie noted that there may be a monthly fee of \$36 for the MDT to be on the state system.

Sheriff's think that they may need to do overweight enforcement on township roads so as not to push the overweight trucks off county roads and onto township roads. Chairman Froelich stated that Officer Gillespie will need to go where he needs to go to get the job done.

Members questioned if townships can legally raise the weight limit on their roads above 80,000.

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

Respectfully submitted,  
Brad Cruff, Secretary  
Assistant Barnes County State's Attorney