Agenda

August 9, 2017 – 1:00 to 3:00 pm

129,000 Pound Large Truck Network

NDDOT Room 127

1:00 Call to Order, Introduction/Roll Call of Attendees – Brad Darr

1:15 Permit process in place for August 1st /Discussion

2:00 Potential process for adding new roads to network/Discussion

2:45 Potential Charter for Advisory Committee

2:50 Update on Federal Legislation

3:00 Adjourn

Call to order – Attending Brad Darr, Wayde Swenson, Kevin Sonsalla, Jay Schuller, Tom Soucy for Jason Benson, Dan Zink, Lance Meyer, Doug Goehring, Capt. Eldon Mehrer, Jackie Darr, Gary Doerr, Derek Pfeifer, Scott Zainhofsky, Melanie Gaebe. Brady Pelton (NDCC), John Ketterling, Tom Bold, Kyle Evert, Chuck Steffan by Phone.

Brad opened with a brief of July’s meeting. Meeting minutes were sent out to the committee for review. Initial meeting was to bring the Committee up to speed, it is our hope to produce some directives and results with this meeting, as we do have a quorum in attendance.

Reviewed meeting minutes from July 13th meeting. No comments. Eldon motioned to approve the meeting minutes, Dan Zink second, unanimous approval of meeting minutes.

Permit process was put in place for August 1st, at the last committee meeting showed permit and process (copy in packet) Eldon asked for a quick review of what permit does. Permit route is for designated highways as designed by map on the back, configuration follows federal bridge formula, can purchase as a single day trip or annual permit. $10.00 service fee. Jackie said this will not apply to single day or annual permits. Jackie stated that the permit went on line on August 1st, the department has sold 6, refunded 1, and sold the refunded permit a monthly permit. The permit is in place and functioning. Brad stated that the committee does have the opportunity to give the director guidance, and the law allows for changes. A question was asked if roads were chosen because they were built to handle the increased load limits, or how were the roads chosen? Brad stated the legislature chose the initial roads. Brad stated the chosen roads can handle the additional weight as well as interstate if federally approved. Question was asked, what do we think the chances are of the interstates passing? Brad stated that both senator and congressman have prepared legislation and are working through congress. Question was asked if this is only for North Dakota or other upper Midwest states. Brad said this is only for North Dakota, and information is in packets. Idaho was able to get this approved a few years ago, with pretty basic legislation. Doug said, looking at highway 83 south and north of I 94, is pretty restricted north and south of border, Brad stated that is correct.

Question was asked if a lot of the value added Ag companies are not on the interstate, what if they need to get to points that are 2 or three miles off the road, how they will get to the highway. Brad stated the counties and cities will have to work to address concerns. The committee has representation from both the League of Cities and North Dakota Association of Counties. Question was asked how Highway 52 is in statute, when down to highway 281 is not included at all. Brad, that is correct. Legislature has given us this piece and gives the department the ability to add segments. Are the highways more able to accept the weight over the bridges? Bridge response, we worked with UPGTI, feel no bridges are unable to accommodate loads, may age out sooner, although they are not new bridges to start with. Will have a good idea where loads are routing through the permit process. Application process, committee will have to come up with a process. Dan Zink asked if there will be an analysis be done quantifying load access. Brad said, there is an internal technical review that will review report and will be provided to the director as part of the process. Technical review, public comment and concerns will be fed into flow chart. Question was asked, will Casselton have to jump on a highway for 2 miles to get on the interstate, and Richland County about 3-4 miles, how will this be handled? By following the process will need to follow the network, will it be easy to add the small segment. Brad foresees a process to go through and the director to make a final decision based on the recommendation by this committee. Kind of a balance, not intended to be our whole system, look for economic and balance to system. Question asked if it is beneficial to pinpoint who individuals are that would be affected by this process.

Jackie, there is a process to request roadways to be added to the process directed to this board for process. Jackie said she has received two locations the mill in grand forks and route to Enderlin, Highway 18 and 46. Table discussion to follow agenda. This is only good for state highways and roadways. Permitting is only for state highways.

Potential Process – UPGTI was hired to come up with a potential starting point for the committee, Brad outlined form, and process. May be concerns with larger trucks moving into cities and counties with truck maneuverability, getting large trucks turned in curb and gutter sections. Discussion with this being one sided on the economics of the situation if it takes loads off the railroad. Needs to be a narrative section on the bottom of the form that the individual feels is pertinent to getting route on system. We are open to ideas.

Eldon asked if a person or organization proposing new route, will be asked about possible safety issues, or changes in traffic safety when they propose a new route? Do we put on the form or put this piece into the technical review portion of the process? Brad stated that this is a good question and it should fall under the technical review panel. Jackie asked if we could add a question to the form that if the requester foresees other companies taking advantage of the new route? Brad stated that Idaho had the same question, if other companies or industry will use if approved?

Question was asked, if route is approved, will interstate automatically get approved? If Manitoba has a higher truck weighing system, will we see higher weights coming through North Dakota and will they need a permit to come through the state? Jackie and Eldon stated that it is possible that we could potentially see someone deliver corn to an elevator and then pick up at a facility further down the road at a higher weight than permitted, you can have Ag commodity in one spot and then a gravel pit further down the road and the same truck would haul different loads. Question was asked when public outreach comes into play. If you get 12 applications in one day, are we going to have 12 public input meetings, or look at the segment that would help more or review one by one? Idaho had a problem with suggesting roads, and had to wait for the public to suggest routes. This committee could head off issues that Idaho had.

**Changes made to NDDOT routes request.**

Makes sense to add section for additional commodities who would benefit from route. Jackie stated that we allow the requester to put in 5 highways, Jackie states that should only allow 1 highway at a time, otherwise won’t be able to complete the application process until all requested segments are completed. Is it at the discretion of the committee to add or deny certain aspects to the request? Does that latitude exist? Brad said, yes, the law allows for this.

Connectivity issues is what people are having a problem with. Scott stated that the legislation outlined that the department could create a limited network. It is not intended to be the entire network in the state. Dan asked if the last line, can we remove local and add county/township/city and define what they are. Will add a comments section to form. Wayde said that do we want the applicant to go to the city or counties first to see if the city wants that ability. Eldon said yes, we see this often out in the field. Having representation from the county and cities to voice concerns, could come into play at the public meetings. Counties or cities might not have the locations available for trucks to drop trailers. Brad, will allow everyone more time to think about it.

Remove 2010 census from form to current census date. Question asked if Jackie knows how many elevators can handle larger trucks. Doug Goehring said there are more than you would think. Most mills, terminals and elevators can accommodate larger trucks, however, some may have issues, as they can handle a semi, but may need to make a few accommodations to include longer axles. Doug believes we have 389 elevators in the state. The ones in the central part of the state, feeding the CP business can buy rights if they would market it. They would have to petition the committee. Dan asked if we are making changes to number of highways, or limiting it to one route. Eldon, motion for form approval.

Brad asked if we should move forward with document with changes and recommend to form. Lance motioned to approve, Gary 2nd the motion.

**Potential process** –

Suggested process by UPGTI – internally we have not come up with everything that needs to be included. Review flow chart process. Brad outlined process. At last meeting talked about opportunity for input from community where concerns can be addressed by getting the technical report out to committee prior to public input meeting. Can forward to individuals who may have concerns and have them attend public meeting. Doug Goehring agreed, this is a good process and opportunity for the county or city to respond to concerns at meeting. They could have a better and clearer direction at public meetings.

Dan asked if economics, policy, and environmental will be included in public outreach discussion or in another spot. Right now, all we have is on the form, if we have enough time people could put together for outreach. Lance asked if we have a definition on what public outreach would entail, how this will be defined. Brad, we don’t at this time, but could be part of the discussion. Brad suggested a website for public comments and public input meeting information. Lance believes the city would like a public meeting to go before the council members. All information from the public meeting would be part of the public record for committee but would add time to the process. As soon as the application is received are we notifying landowners ahead of public meetings, it may let the committee know if there is support from the community? Dan said he agrees, it should be a requirement to the process. Brad stated that this body can get word out to their people who are interested. Jackie stated we can use Listserve so that people get an e-mail for notifications. We will make sure that committee members are on list serve. Lance said that a one off trip that comes through town no one would worry about, but if there is an industry that will now route through the town, it should come through the committee. May be a way to split this out so that individuals don’t have to go through the long process. Doug stated that once you start to identify what route is being requested and petitioned for, if you were to let the counties, cities and townships know that this is being requested, maybe there is an industry in the city, and that it may make more sense to have a meeting with them, rather than a public forum. Doug believes that this may be a difficult process if we have public hearings all the time, it opens it up to media and condemnation, and is fearful things will blow up and get out of hand with so many public hearings? The Committee would have to figure out where we draw the line, what defines a community. Is it a community with greater than 5,000 citizens? We could identify parameters for online input.

Dan questioned if we are really going to be adding that many routes rather than longer segments. Not sure if the number of times will need to go through the process will be that great. Doug agreed, can have one meeting with a stretch of roads. Eldon, stated that part of the discussion of legislative hearings, was that this board is to represent the jurisdictions and be that voice and outreach for the communities, that we have representation for the communities. It also gives the Director the ability to add to the committee.

Jackie asked if highways are set for 95 feet in overall length, are we going to go to the DE’s and ask that they increase the length?, Brad stated that in technical review, this will be addressed. Jackie advised that if a truck is running at 125 feet, it will be shut down if not addressed.

Dan the changes on the flow chart gives the committee options but the final decision lies with the director. That is something that can be played out in the future. We can leave as is with all public outreach, define now, so we don’t need too many outreach meetings. Jason agrees, too much public input could cause problems. Doug stated that it would be prudent to meet with counties or cities to ask for input, is there a business that may benefit or may not benefit from the segment. Eldon questioned what we defines pubic outreach, Jurisdictional, county, township? Thinks a letter would be prudent to those jurisdictions, and should be separate from comment portion of process. Doug stated that the director may decide at what point of time he will hold a big public meeting, is it at 5 or 500 negative comments. When do you need to have a public hearing? Brad said with DOT experience if over 5000 people in the community or effected, then a meeting is needed. Eldon stated the DOT has a process in place for engineering projects, we could use the model and see if it is applicable. Look at the request if it is in one district, would the DE use the process in place for a public meeting, or will the director make the final decision. Brad stated that should be on a per capita basis. Lance said having a meeting with the municipalities should be the first step, as we need to understand from the industry where they need and want to go, and may need to adjust local limits to handle. If anticipate a public outreach meeting, the city will need to adjust to allow the meeting to happen. Council meetings may be a good time to have public outreach. Jackie stated that Idaho has public meetings and keep comments open for 30 days after public meeting. If we don’t do a public meeting what would be the starting point to allow comments. Doug said that would be more than likely the day you put out your notice for public comment. At the directors discretion, could extend deadline if more information is being collected. Scott said if it is going to take a formal commission action, then adding a meeting at a Commission meeting will extend the process pretty substantially, especially if you miss meeting deadlines. Is this something you really want to do? If going through a city, will impact in a different manner than county roads. Eldon stated if a segment of highway runs through 3 counties, send out notifications to counties, and open for input or public hearing. Wayde stated that if they put in their application that they will run through county or township roads, maybe an origination or destination, changes the route not just to the commodity or shipper. Eldon stated that the flow chart looks reasonable, moves to approve process in flow chart with further work to process, Doug 2nded and motion passed unanimously.

**Potential Charter for advisory committee**-

Copy in packet – the charter is in its infancy, the committee needs to follow rules of order, get on paper to follow process. Keep director notified of committee wishes. Brad asked for comments or suggestions to charter. Brad thought that we have an established committee from organization and then member advisory committee from designated committee members, this way we can continue with quorum and move forward with voting. Eldon asked if voting authority is for the committee or technical staff as well. Brad stated committee only. Technical staff is to give advice and provide information as needed. Scott stated, no description for roles and responsibilities for committee have been defined and is often helpful to new members. Some of this information can be taken from the law and be added as the committee moves forward. Change committee member back to Doug Gohring. Dan asked how much of the narrative is fresh to ND. Everything is fresh to ND, after Idaho process nothing has been changed. Dan stated that a lot of the Idaho process is in charter, and should be changed. Brad will amend. Brad will take comments by e-mail or phone until the next meeting and in the interim.

Federal Legislation – has been proposed on both sides of congress, looks promising.

Open for comments, questions, concerns - At the bottom of form, the field process is not defined, will come through this advisory committee, and will have the same discussion as the flow chart.

Eldon motioned to adjourn, Doug 2nded motion.

Next meeting? Eldon suggested meeting sooner with New Director. 1 month, 1:00.