

MINUTES OF THE 572nd MEETING OF THE OHIO TURNPIKE COMMISSION

May 16, 2011

Chairman: (10:00 a.m.) Meeting will come to order. Will the Interim Assistant Secretary-Treasurer, please call the roll?

Interim Assistant Secretary-Treasurer: Mr. Balog

Mr. Balog: Here

Interim Assistant Secretary-Treasurer: Mr. Regula

Mr. Regula: Here

Interim Assistant Secretary-Treasurer: Mr. Kidston

Mr. Kidston: Here

Interim Assistant Secretary-Treasurer: Mr. Pakush

Mr. Pakush: Here

Chairman: Thank you. Commission Member Smith, Senator Patton called to say they would no longer; they would not be able to attend today. Representative Goodwin is no longer a Member of the Commission and Commission Member Dixon just called in and he has car troubles, so he's not here this morning. This is the 572nd meeting of the Ohio Turnpike Commission. We are meeting here at the Commission's headquarters as provided for in the Commission's Code of Bylaws for a regularly scheduled meeting. Various reports will be received and we will act on several resolutions, draft copies have been previously provided to the Members and updated drafts are in the Members' folders. The resolutions will be explained during the appropriate reports. May I have a motion to adopt the Minutes of the April 18, 2011, Commission Meeting?

Mr. Pakush: So moved.

Chairman: Is there a second?

Mr. Regula: Second.

Chairman: Please call the roll.

Interim Assistant Secretary-Treasurer: Mr. Pakush

Mr. Pakush: Yes

Interim Assistant Secretary-Treasurer: Mr. Regula

Mr. Regula: Yes

Interim Assistant Secretary-Treasurer: Mr. Kidston

Mr. Kidston: Yes

Interim Assistant Secretary-Treasurer: Mr. Balog

Mr. Balog: Yes

Chairman: Keeping with past practices we would like everyone to introduce themselves.

Those in attendance: Martin Seekely, CFO/Comptroller, Ohio Turnpike; Eric Erickson, Fifth Third; Debby Sideris, Executive Office, Ohio Turnpike; Jennifer Diaz, Legal Department, Ohio Turnpike; St. John Miller, Ohio State Highway Patrol; Kathy Weiss, Director of Contracts Administration and Government Affairs, Ohio Turnpike; Tony Coyne, Mansour, Gavin, Gerlack & Manos; Tom Breckenridge, Plain Dealer; David Miller, Director of Toll Audit, Ohio Turnpike; Doug Hedrick, Assistant Chief Engineer, Ohio Turnpike; Scott Buchanan, URS; Tim Ujvari, Maintenance Engineer, Ohio Turnpike; Sara Brown, HNTB; Maureen Merman, First Merit Bank; Stefan Holmes, First Merit Bank; Dennis Avery, G. Stephens Incorporated; Kamran Majidzadeh, Resource International; Kara Majidzadeh, Resource International; Robin Carlin, Director of Human Resources, Ohio Turnpike; Matt Cole, Employment Relations Manager, Ohio Turnpike; Don Taggart, IUOE Local 18; Frank Lamb, Huntington Bank; Vic Spinabelli, Hill International; Lauren Hakos, Public Affairs & Marketing Manager, Ohio Turnpike; Susie Todaro, KeyBank; Maureen Shildwachter, Huntington Bank; Dan Enovitch; Huntington Bank; Dave Russell, IUOE Local 18; Daniel Van Epps, West Virginia University.

Chairman: Thank you. If there are no questions we will proceed with the report of the Interim Assistant Secretary-Treasurer.

Interim Assistant Secretary-Treasurer: Thank you Mr. Chairman. The following items have been sent to the Commission Members since our last meeting of April 18th.

1. Minutes of the April 18, 2011, Commission Meeting
2. Traffic and Revenue Report, April, 2011
3. Total Revenue by Month and Year, April, 2011
4. Investment Report, April, 2011
5. Traffic Crash Summary Report, April, 2011
6. Financial Statement, April, 2011
7. Several News Articles

That completes that report Mr. Chairman.

Chairman: Thank you we will move right to the resolutions. Dan, as the Chief Engineer.

Chief Engineer: Thank you Mr. Chairman. I have two resolutions for your consideration this morning. The first is a resolution awarding Contract Number 40-11-02; this is for repainting seven bridge structures over the Ohio Turnpike Mainline located in Williams County, Ohio. This project was on our 2011 Capital Improvement Budget that was approved last December. We received five bids in response to the subject contract. The lowest bid was submitted by Panther Industrial Painting of Mishawaka, Indiana in the total amount of \$1,185,300, and this total bid amount is below the engineer's estimate for this project. Furthermore, this bidder has performed satisfactorily for the Commission on similar projects in the past. This resolution also contains a provision to assign Safety Controls Technology, Incorporated of Bedford, Ohio, to the project for the purposes of performing inspection and testing services. Will the General Counsel please read the Resolved?

General Counsel: RESOLVED that the bid of **Panther Industrial Painting, LLC of Mishawaka, Indiana**, in the amount of **\$1,185,300.00**, for the performance of **Contract No. 40-11-02** is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Chairperson and the Director of Contracts Administration, hereby are authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security, when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the Chief Engineer to assign **Safety Controls Technology, Inc. of Bedford, Ohio**, to Contract No. 40-11-02 for the purpose of performing inspection and testing services, with such assignment in accordance with the 2011-2012 Miscellaneous Engineering Services Agreement between the Ohio Turnpike Commission and Safety Controls Technology, Inc.; and

FURTHER RESOLVED that Project No. 40-11-02 is designated a System Project under the Commission's 1994 Master Trust Agreement.

Chairman: Is there a motion to adopt?

Mr. Kidston: So moved.

Chairman: Second?

Mr. Regula: Second.

Chairman: Any questions on the resolution? Please call the roll.

Interim Assistant Secretary-Treasurer: Mr. Kidston

Mr. Kidston: Yes

Interim Assistant Secretary-Treasurer: Mr. Regula

Mr. Regula: Yes

Interim Assistant Secretary-Treasurer: Mr. Balog

Mr. Balog: Yes

Interim Assistant Secretary-Treasurer: Mr. Pakush

Mr. Pakush: Yes

RESOLUTION NO. 23-2011

Resolution Awarding Contract No. 40-11-02

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for repainting of the following bridges over the Turnpike Mainline located in Williams County, Ohio, herein designated **Contract No. 40-11-02:**

<u>Bridge</u>	<u>Milepost</u>
Farmer Center Road	9.0
State Route 576	10.2
Township Line Road	12.1
State Route 15 Over Turnpike Ramp	13.2
State Route 15	13.2
Turnpike Ramp Over Turnpike	13.4
Pleasant Hill Road	15.1

WHEREAS, expenditures for the Contract to be awarded will exceed \$150,000.00, and, therefore, in accordance with Article V, Section 1.00 of the Commission’s Code of Bylaws, Commission action is necessary for the said Contract award; and

WHEREAS, the Commission received five bids for the performance of said Contract, and said bids have been reviewed and analyzed by the Commission’s Chief Engineer, whose report concerning such analysis is before the Commission; and

WHEREAS, the Chief Engineer reports that the lowest responsive and responsible bid for the performance of Contract No. 40-11-02 was submitted by **Panther Industrial Painting, LLC** of **Mishawaka, Indiana** in the total amount of **\$1,185,300.00**, which bid he recommends be accepted by the Commission; and

WHEREAS, the Commission has been advised by the Director of Contracts Administration that all bids for Contract No. 40-11-02 were solicited on the basis of the same

terms and conditions and the same specifications, that the bid of Panther Industrial Painting, LLC for Contract No. 40-11-02 conforms to the requirements of Section 5537.07, Section 9.312 and Section 153.54 of the Ohio Revised Code, and that a performance bond with good and sufficient surety has been submitted by Panther Industrial Painting, LLC; and

WHEREAS, the Commission has reviewed the reports of the Chief Engineer and the Director of Contracts Administration and, predicated upon such analyses, concurs that Contract No. 40-11-02 be awarded to the lowest responsive and responsible bidder, Panther Industrial Painting, LLC; and

NOW, THEREFORE, BE IT

RESOLVED that the bid of **Panther Industrial Painting, LLC** of **Mishawaka, Indiana**, in the amount of **\$1,185,300.00**, for the performance of **Contract No. 40-11-02** is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Chairperson and the Director of Contracts Administration, hereby are authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security, when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the Chief Engineer to assign **Safety Controls Technology, Inc.** of **Bedford, Ohio**, to Contract No. 40-11-02 for the purpose of performing inspection and testing services, with such assignment in accordance with the 2011-2012 Miscellaneous Engineering Services Agreement between the Ohio Turnpike Commission and Safety Controls Technology, Inc.; and

FURTHER RESOLVED that Project No. 40-11-02 is designated a System Project under the Commission's 1994 Master Trust Agreement.

Chief Engineer: Thank you the second resolution I have this morning is a resolution authorizing an agreement with Ohio Edison Company for electrical services to the Mahoning Valley and Glacier Hills Service Plazas located in Mahoning County. The Commission may recall that on January 24th of this year we adopted Resolution 1-2011 awarding contracts to rebuild the service plazas in Mahoning County, the Mahoning Valley and Glacier Hills Service Plazas. This resolution is to authorize an upgrade and reconfigure and relocate the electrical services to the service plazas in the total amount of \$214,594.82. If the General Counsel would please read the Resolved?

General Counsel: RESOLVED that the Interim Executive Director and the General Counsel are hereby authorized to execute an agreement with the Ohio Edison Company for the purpose of upgrading and relocating electric service to the Mahoning Valley and Glacier Hills Service Plazas, which agreement includes the Commission reimbursing the Ohio Edison Company for those infrastructure improvements necessary to provide such service; and

FURTHER RESOLVED, the Interim Executive Director and General Counsel are authorized to take any and all actions necessary to carry out the terms of said agreement.

Chairman: Motion to adopt?

Mr. Regula: So moved.

Chairman: Is there a second?

Mr. Pakush: Second.

Chairman: Questions or discussions on the resolution before the Commission? Please call the roll.

Interim Assistant Secretary-Treasurer: Mr. Regula

Mr. Regula: Yes

Interim Assistant Secretary-Treasurer: Mr. Pakush

Mr. Pakush: Yes

Interim Assistant Secretary-Treasurer: Mr. Balog

Mr. Balog: Yes

Interim Assistant Secretary-Treasurer: Mr. Kidston

Mr. Kidston: Yes

RESOLUTION NO. 24-2011

Resolution Authorizing the Interim Executive Director to Enter into an Agreement with Ohio Edison Company for Electric Service to The Mahoning Valley and Glacier Hills Service Plazas

WHEREAS, Section 5537.04(10) of the Ohio Revised Code provides that the Commission may make or enter into all contracts and agreements necessary to the performance of its duties and the execution of its powers; and

WHEREAS, Section 5537.28 of the Revised Code authorizes the Commission to use toll revenues for the purpose of making infrastructure improvements to existing service plaza facilities in order to carry out its duties, powers and functions; and

WHEREAS, on January 24, 2011, the Commission adopted Resolution No. 1-2011 awarding Contracts to rebuild the Mahoning Valley and Glacier Hills Service Plazas located in Mahoning County; and

WHEREAS, the expenditures by the Commission to provide for the construction of necessary infrastructure improvements to upgrade and relocate electric utility service to the Mahoning Valley and Glacier Hills Service Plazas will exceed \$150,000.00, and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary to enter into such agreement; and

WHEREAS, the Ohio Edison Company has offered to construct the necessary infrastructure improvements in order to upgrade and relocate electric service to the Mahoning Valley and Glacier Hills Service Plazas in the amount of \$214,594.82 under terms and conditions that are mutually acceptable to both the Utility and the Commission; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Interim Executive Director and the General Counsel are hereby authorized to execute an agreement with the Ohio Edison Company for the purpose of upgrading and relocating electric service to the Mahoning Valley and Glacier Hills Service Plazas, which agreement includes the Commission reimbursing the Ohio Edison Company for those infrastructure improvements necessary to provide such service; and

FURTHER RESOLVED, the Interim Executive Director and General Counsel are authorized to take any and all actions necessary to carry out the terms of said agreement.

Chief Engineer: That completes my report this morning Mr. Chairman.

Chairman: Thank you, any questions for the Chief Engineer? Thank you, CFO/Comptroller.

CFO/Comptroller: Good morning Mr. Chairman and Commission Members. I have one resolution for your consideration. In your materials is a resolution authorizing the Interim Executive Director to enter into a contract for depository and various other banking services. On March 28th, the Commission issued a request for proposals for banking services for an initial contract term of three years, with two optional two-year extensions. The major banking service requested by the Commission is the processing of the daily cash and coin deposits from our toll plazas, other services include such things as accounts payable and payroll checking accounts, escrow accounts, payroll direct deposit, purchasing cards, ACH transactions, wire transfers, lockbox, and other miscellaneous banking services. A mandatory pre-proposal conference was held April 5th; ten banking institutions attended this conference, and four proposals were opened on April 25th. The cost and technical merits of each proposal were separately evaluated. The Evaluation Team comprised of the Accounting Manager, Director of Audit and Internal Control, and I conducted the technical review of the proposals without being informed of their respective costs. As needed the Director of Contracts Administration served as facilitator. As a result of this review FirstMerit Bank was judged to have the highest technical score by the Evaluation Team. The Purchasing Manager separately evaluated the projected cost and revenues of each proposal. JP Morgan Chase did not quote vault services as a percentage of cash deposited as

required in the RFP, making their cost proposal difficult to compare to the other proposals. Of the three banks who quoted the vault services as required in the RFP; FirstMerit Bank had the lowest projected annual fees. The Commission also invests a substantial portion of its funds in overnight sweep investments with its depository bank. FirstMerit Bank's proposed investment rates for the sweep accounts would provide the highest investment revenue of the four proposals submitted. Based on the proposed banking fees and projected investment revenues, the Purchasing Manager determined that FirstMerit's proposal generated \$70,575 more net revenue per year than the next best proposal. In summary, FirstMerit's proposal received the highest technical score, had the lowest cost for banking fees, and it would pay the Commission the highest revenue on its invested funds. Based on the outcome of the process I have described and by virtue of FirstMerit's continued outstanding performance under the bank's existing contract with the Commission, the Evaluation Team recommends that FirstMerit Bank be designated as the Commission's depository under a new contract for banking services as outlined in the RFP for the next three years, commencing July 1, 2011, with two optional two-year extensions. With your permission Mr. Chairman, I'd like to ask the General Counsel to please read the Resolved.

Chairman: Please

General Counsel: RESOLVED that the Proposal submitted by **FirstMerit Bank** of Cleveland, Ohio is, and is by the Commission determined to be, the best of all Proposals received in response to the Commission's RFP for Banking Services and is accepted, and that the Interim Executive Director and Director of Contracts Administration hereby are authorized to: 1) execute a Contract for Banking Services with an initial term of three years designating **FirstMerit Bank** as the Commission's authorized depository in the form heretofore prescribed by the Commission pursuant to the aforesaid RFP, 2) renew the Contract for up to two, two-year periods predicated upon satisfactory performance evaluations from the Commission's CFO/Comptroller, 3) return to all respondents the proposal guaranty submitted with their Proposals as soon as said Contract with FirstMerit Bank is executed, and 4) take any and all action necessary or proper to carry out the terms of said RFP and said Contract; and

FURTHER RESOLVED that the Interim Executive Director of the Ohio Turnpike Commission will provide a certified copy of this Resolution to the Huntington National Bank, as trustee, and to the Commission's bond counsel.

Chairman: Motion to adopt?

Mr. Regula: So moved.

Chairman: Is there a second?

Mr. Pakush: Second.

Chairman: Discussions or questions on the resolution before the Commission?

Mr. Cole: I have one question.

Chairman: Yes sir.

Mr. Cole: Mr. Chairman. It looked like a very good competitive process; it looks like a good deal for the Turnpike. But with the three year contract I was just curious are there any termination penalties if the contract were to be terminated early?

CFO/Comptroller: No. There's no termination penalties in the contract. You can terminate with one month notice.

Mr. Cole: With one month notice. Thank you Mr. Chairman.

Chairman: Further questions? Please call the roll.

Interim Assistant Secretary-Treasurer: Mr. Regula

Mr. Regula: Yes

Interim Assistant Secretary-Treasurer: Mr. Pakush

Mr. Pakush: Yes

Interim Assistant Secretary-Treasurer: Mr. Balog

Mr. Balog: Yes

Interim Assistant Secretary-Treasurer: Mr. Kidston

Mr. Kidston: Yes

RESOLUTION NO. 25-2011

Resolution Authorizing the Interim Executive Director to Enter into a Contract with a "Designated Depository" to Furnish Various Banking Services to the Commission

WHEREAS, on March 28, 2011, the Commission issued its Request for Proposals ("RFP") for Banking Services for an initial contract term of three (3) years, which may be extended for two, additional two-year periods; and

WHEREAS, copies of the Commission's RFP were mailed to thirteen banking institutions expressing an interest in providing the requested banking services to the Commission and, on April 25, 2011, four banks submitted Proposals in response to the RFP; and

WHEREAS, inasmuch as expenditures under the Banking Services Contract will exceed \$150,000.00, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for the award of said Contract; and

WHEREAS, an Evaluation Team comprised of the CFO/Comptroller, the Accounting Manager, and the Director of Audit and Internal Control conducted the Technical review of the Proposals submitted and awarded a Technical Score to each Proposal; and

WHEREAS, after the Evaluation Team awarded the Technical Scores, the Commission's Purchasing Manager tabulated the Cost Proposals, and determined the Cost Proposal Score for each respondent, with **FirstMerit Bank of Cleveland Ohio** receiving both the highest Technical Score and the highest Cost Proposal Score; and

WHEREAS, based on the overall scores, the Evaluation Team has concluded that **FirstMerit Bank** has proposed the best combination of value and price to the Commission in response to the subject RFP, and further recognizes FirstMerit's outstanding service under its existing contract with the Commission as demonstrative of this bank's qualifications and abilities to satisfactorily perform all of its obligations pursuant to its Proposal; and

WHEREAS, the Commission's Director of Contracts Administration has reviewed the Evaluation Team's recommendation, as reflected in her written recommendation, which is before the Commission, and she has communicated her agreement to the Interim Executive Director and the Commission; and

WHEREAS, the Commission has been further advised by its Director of Contracts Administration that the aforesaid Proposals were solicited on the basis of the same specifications, terms and conditions with respect to all respondents and potential respondents, that the procedures followed conform to the requirements of Ohio Revised Code Section 5537.07 relative to the award of professional service contracts, that FirstMerit Bank has provided a proposal guaranty and evidence of its ability to provide all other required bonds and insurance as set forth in the RFP, and that the Commission may legally enter into a contract with FirstMerit Bank; and

WHEREAS, the Interim Executive Director has made his recommendation to the Commission predicated on the Evaluation Team and the Director of Contracts Administration's recommendations; and

WHEREAS, the Commission has duly considered said recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Proposal submitted by **FirstMerit Bank** of Cleveland, Ohio is, and is by the Commission determined to be, the best of all Proposals received in response to the Commission's RFP for Banking Services and is accepted, and that the Interim Executive Director and Director of Contracts Administration hereby are authorized to: 1) execute a Contract for Banking Services with an initial term of three years designating **FirstMerit Bank** as the Commission's authorized depository in the form heretofore prescribed by the Commission pursuant to the aforesaid RFP, 2) renew the Contract for up to two, two-year periods predicated upon satisfactory performance evaluations from the Commission's CFO/Comptroller, 3) return to all respondents the proposal guaranty submitted with their Proposals as soon as said Contract

with FirstMerit Bank is executed, and 4) take any and all action necessary or proper to carry out the terms of said RFP and said Contract; and

FURTHER RESOLVED that the Interim Executive Director of the Ohio Turnpike Commission will provide a certified copy of this Resolution to the Huntington National Bank, as trustee, and to the Commission's bond counsel.

Chairman: Anything further?

CFO/Comptroller: Yes, I have an update on our traffic and revenue for the month of April. This first chart shows the monthly passenger car miles traveled on the Ohio Turnpike over the past two years. We continue to feel the effects of the recent increase in the cost of gas, as passenger car vehicle traveled decreased in April and were 2.5% less than last year. The increase in commercial traffic that we had been experiencing moderated in April as commercial vehicle miles traveled were only .8% higher than last year. This chart shows year-to-date vehicle miles traveled through April for each year over the past decade. Year-to-date passenger car miles are 1% lower than last year, while year-to-date commercial miles are 3.3% higher than last year. Total year-to-date vehicle miles traveled are .6% higher than last year. The decrease in passenger car miles traveled combined with an increase in the percentage of E-ZPass use caused passenger car toll revenues to decline 4.7% in April compared to last year. Toll revenues from commercial vehicles were up 1% from April of last year. Total toll revenues in April declined \$299,000 or 1.6% from last year and this was the first time in the last year that total toll revenues were less than the prior year. That completes my report Mr. Chairman.

Chairman: Thank you, any questions? Thank you. Financial Advisor?

Financial Advisor: No report Mr. Chairman.

Chairman: General Consultant?

General Consultant: No report Mr. Chairman.

Chairman: Trustee?

Trustee: No report Mr. Chairman.

Chairman: Ohio State Highway Patrol?

Sgt. Miller: Yes, Captain Zurcher asked me to pass along two items. One...

Chairman: Could you just come up to the podium for us please. Thank you.

Sgt. Miller: Captain Zurcher asked me to pass along two items of note. One our fatal count remains zero for the year so far and our troopers continue to actively aggressively work the construction zones.

Chairman: Thank you. Any questions for the Highway Patrol? We like those reports. General Counsel, Noelle?

General Counsel: I do have a report Mr. Chairman as it relates to the Amore litigation and present today are outside counsel, Anthony Coyne from Mansour, Gavin.

Mr. Pakush: Mr. Chairman I'd like to move that we recess the meeting to hold an Executive Session to confer with General Counsel and outside counsel regarding pending litigation in the Amore case under the provisions of Ohio Revised Code Section 121.22 (g)(3) and at the end of such Executive Session the Commission Meeting shall resume.

Chairman: Thank you is there a second to the motion?

Mr. Regula: So moved, second.

Chairman: Questions or discussions? Please call the roll.

Interim Assistant Secretary-Treasurer: Mr. Pakush

Mr. Pakush: Yes

Interim Assistant Secretary-Treasurer: Mr. Regula

Mr. Regula: Yes

Interim Assistant Secretary-Treasurer: Mr. Kidston

Mr. Kidston: Yes

Interim Assistant Secretary-Treasurer: Mr. Balog

Mr. Balog: Yes

Chairman: (10:16 a.m.) We are going to adjourn to Executive Session.

Chairman: (10:53 a.m.) I think we need a motion to reconvene.

Mr. Pakush: I'd like to motion to end the Executive Session and to reconvene our regular meeting.

Chairman: Is there a second?

Mr. Regula: Second.

Chairman: Questions? Please call the roll.

Interim Assistant Secretary-Treasurer: Mr. Pakush

Mr. Pakush: Yes

Interim Assistant Secretary-Treasurer: Mr. Regula

Mr. Regula: Yes

Interim Assistant Secretary-Treasurer: Mr. Balog

Mr. Balog: Yes

Interim Assistant Secretary-Treasurer: Mr. Kidston

Mr. Kidston: Yes

Chairman: We are back in session. I think we need a resolution, do we need anything outside of just go ahead and?

General Counsel: Propose a resolution authorizing the General Counsel to proceed with the filing of a Discretionary Appeal in the Supreme Court.

Mr. Kidston: So moved.

Chairman: Is there a second?

Mr. Regula: Second.

Chairman: Please call the roll.

Interim Assistant Secretary-Treasurer: Mr. Kidston

Mr. Kidston: Yes

Interim Assistant Secretary-Treasurer: Mr. Regula

Mr. Regula: Yes

Interim Assistant Secretary-Treasurer: Mr. Balog

Mr. Balog: Yes

Interim Assistant Secretary-Treasurer: Mr. Pakush

Mr. Pakush: Yes

RESOLUTION NO. 26-2011

**VERBAL RESOLUTION AUTHORIZING THE INTERIM EXECUTIVE DIRECTOR
AND GENERAL COUNSEL TO FILE A DISCRETIONARY APPEAL IN THE
SUPREME COURT RE: *OHIO TURNPIKE COMMISSION v. GARY AND PAT AMORE***

Chairman: Is there any other business before the Commission? Hearing no business no business, entertain a motion to dismiss our next regularly scheduled meeting I believe is the 20th of June. Motion?

Mr. Pakush: Motion to, motion I so moved.

Chairman: Motion to adjourn is made. Is there second?

Mr. Kidston: Second.

Chairman: Please call the roll.

Interim Assistant Secretary-Treasurer: Mr. Pakush

Mr. Pakush: Yes

Interim Assistant Secretary-Treasurer: Mr. Kidston

Mr. Kidston: Yes

Interim Assistant Secretary-Treasurer: Mr. Regula

Mr. Regula: Yes

Interim Assistant Secretary-Treasurer: Mr. Balog

Mr. Balog: Yes

Chairman: Thank you.

Time of adjournment is 10:55 a.m.

Approved as a correct transcript of the proceedings of the Ohio
Turnpike Commission

Daniel F. Castrigano, Interim Assistant Secretary-Treasurer