

**MINUTES OF THE 663<sup>rd</sup> MEETING OF THE  
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION  
JUNE 17, 2019**

**Chairman:** Good morning. Please stand and join me in reciting the *Pledge of Allegiance*.

The meeting will come to order. Have all guests signed the sign-in sheet in the Lobby? If not, please do so prior to leaving so we can maintain an accurate account of attendance.

Mrs. Vickie Eaton Johnson advised that she is unable to attend today's meeting.

Will the Assistant Secretary-Treasurer please call the roll?

**Assistant Secretary-Treasurer, Ferzan Ahmed:** Chairman Hruby

**Chairman, Jerry Hruby:** Here

**Assistant Secretary-Treasurer:** Vice Chairman Paradiso

**Vice Chairman, Timothy Paradiso:** Here

**Assistant Secretary-Treasurer:** Mr. Coviello

**Commissioner, Guy Coviello:** Here

**Assistant Secretary-Treasurer:** Mr. Peterson

**Secretary-Treasurer, Michael Peterson:** Here

**Assistant Secretary-Treasurer:** Mr. Marchbanks

**Commissioner, ODOT Director, Jack Marchbanks, Ph.D.:** Here

**Assistant Secretary-Treasurer:** Mr. Kauffman

**Office of Budget and Management, Kurt Kauffman:** Here

**Assistant Secretary-Treasurer:** Representative Greenspan

**Ohio House Representative, Dave Greenspan:** Here

**Chairman:** We have a quorum. This is the 663<sup>rd</sup> Meeting of the Ohio Turnpike and Infrastructure Commission. We are meeting here at the Commission's headquarters, as provided for in the Commission's Code of Bylaws for a Commission Meeting.

Various reports will be received, and we will act on several resolutions. Draft copies have previously been sent to the Members and updated versions 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 May 20, 2019, Commission Meeting? Any questions, comments, or additions? Hearing none, please call the roll.

**MOTION:** A motion to adopt the Minutes of May 20, 2019, Commission Meeting was made by Mr. Marchbanks and seconded by Mr. Peterson. All Commission Members present voted to approve the Minutes.

**Chairman:** The minutes are adopted. We will move on to the report of the Secretary-Treasurer, Mr. Peterson.

**Secretary-Treasurer:** The following items have been provided to the Members since the last scheduled meeting of the Commission on May 20, 2019:

1. Four Resolutions;
2. Draft Minutes of the May 20, 2019, Commission Meeting; and
3. Agenda for today's meeting.

We have included in their folders for today's meeting, the following additional documents:

1. Traffic Crash Summary Report, May 2019;
2. Traffic and Revenue Report, May 2019;
3. Total Revenue by Month and Year, May 2019;
4. Investment Report, May 2019; and
5. Financial Statement, May 2019.

That concludes my report, Mr. Chairman.

**Chairman:** Thank you, Mr. Peterson. Any questions or comments? Hearing none, we will move on to the report of the Executive Director, Ferzan Ahmed.

**Executive Director, Ferzan Ahmed:** Good morning, Mr. Chairman and Commission Members. I am pleased to report on some of our work items since the last meeting.

On May 24, 2019, we had our first summer Customer Appreciation Event at the Wyandot Service Plaza. Thank you to Adam Greenslade, Chad Armstrong, Brian Newbacher, Meghan Gallagher and Ralph Stilphen for their hard work and making all the arrangements. Many of us,

myself included, were able to go and participate. My thanks also go to the Lieutenant Vern Fisher of the Ohio State Highway Patrol for participating in the event. This event coincided with the ribbon cutting ceremony for the very first electric charging vehicle stations on the Turnpike. There will be several more installed in time. Our participation will go a long way towards completing an electric charging network from New York to Los Angeles. Others who participated were Myron Pakush, representing ODOT, Jim Barna with Drive Ohio, Christa Luttmann, who is the Northwest Regional Liaison for Governor DeWine. Christa presented us with a proclamation signed by Governor DeWine and Lieutenant Governor Husted. There is a lot of media interest in this event and there were several positive news stories about the Commission's work towards smart technology.

On June 3, 2019, I was honored to represent the Commission as a keynote speaker at the Youngstown-Warren Regional Chamber at their monthly meeting. I spoke about our current and future modernization plans. The event was well attended and many of the conversations that follows were about the important role the Turnpike plays as a community member beyond just a provider of infrastructure. Speaking of modernization, we recently had a kick-off with about forty Turnpike team members to talk about a few strategic initiatives. As we look at modernizing our toll collection systems, we also need to look at ourselves as an organization in light of the fact that we are seeing unprecedented changes in mobility and as providers of the platform on which mobility occurs, we need to look at how we will operate in the coming years. Therefore, we have put together three internal teams to look at our physical infrastructure, our internal processes, and our people. The people oriented team will look at several people centered issues and initiatives, such as diversity, mentoring and recognition. As we just kicked off and will be having meetings to get started and as we create some initiatives and projects from these meetings, I will keep the Commission Members briefed of the progress.

Recently, State Representative Haraz Ghanbari, of the Third District, reached out to us to see if we could assist the City of Rossford with a rising water issue. We have some old concrete barriers that we can no longer use on the highway because of changes in standards, so we were able to donate barriers to assist them with their water issue. This barrier has protected an area of their marina which was getting a lot of damage from high water.

Last, but not least, in 2017, when Governor Kasich created Drive Ohio, the Turnpike had an important role, I believe we are also on the advisory committee. I know my predecessor was on the advisory board of Drive Ohio. Starting a new agency from the ground up is no easy task and Executive Director, Jim Barna, deserves a lot of credit for that. Jim is moving on to pursue other opportunities and on behalf of the Commission, I wanted to thank him for his service. He is not only a former colleague and former client, but he is also a good friend of mine and I wish him the best in his new endeavor. We have a resolution in front of the Commission and with your permission, Mr. Chairman, may the General Counsel please read the resolved.

**General Counsel:** Resolution Honoring the Exemplary Public Service of James A. Barna, P.E.

**Chairman:** Any questions or comments? Hearing none, please call the roll.

**MOTION:** A motion to *Resolution Honoring the Exemplary Public Service of James A. Barna, P.E.* was made by Vice Chairman Paradiso, seconded by Mr. Peterson, and approved by all Commission Members present. Resolution No. 30-2019.

**Chairman:** The resolution passes unanimously. Anything further, Executive Director Ahmed?

**Executive Director Ahmed:** Thank you, Mr. Chairman, that concludes my report.

**Chairman:** Thank you. Are there any questions for Executive Director, Ahmed? We will move on to the report of the Chief Engineer, Tony Yacobucci.

**Chief Engineer:** Good morning, Mr. Chairman and Commission Members. I have two resolutions for your consideration this morning.

The first resolution for your consideration seeks the authorization for the purchase of sixteen tractors and flail mowing equipment with both the tractors and the flail mowing equipment purchased under the Ohio Department of Administrative Services Cooperative Purchasing Program Contract Schedule No. 800750 and 800765, Index No. STS515. The purchase of the tractors and flail mowing equipment is included in the 2019 Capital Improvement Budget and is required to replace existing model year 2000-2006 right-of-way mowing equipment. The equipment to be purchased are from 2020 model year John Deere 5115M Utility Tractors supplied by Kenn-Feld Group, Inc., of Van Wert, Ohio, and Diamond Heavy Duty Flail Mowing Equipment Systems consisting of seventy-five inch right side and one hundred and two inch rear flail mowers furnished and installed by Kalida Truck Equipment, Inc., of Kalida, Ohio. The Director of Contracts Administration has determined that the lowest cost of obtaining the sixteen mowing systems is to purchase the John Deere 5115M Utility Tractors under the ODAS Cooperative Purchasing Program from Kenn-Feld Group, Inc., in the total amount of \$991,425.92 and to purchase, including installation, the Diamond Heavy Duty Flail Mowing Equipment Systems from Kalida Truck Equipment in the amount of \$611,168.00. The total combined cost for the sixteen tractors and flail mowing systems will be \$1,602,593.92. In addition, the existing right-of-way mowing equipment that is being replaced shall be disposed of in accordance with the Commission's Property Disposal Policy after the new equipment is placed into service.

With your permission, may the General Counsel please read the title of the resolution.

**General Counsel:** Resolution Authorizing the Purchase of Sixteen Tractors from Kenn-Feld Group, Inc. in the Amount of \$991,425.92 and Sixteen Side and Rear Flail Mower Systems from Kalida Truck Equipment, Inc. in the Amount of \$611,168.00 Under the DAS Cooperative Purchasing Programs for the Total Amount of \$1,602,593.92.

**Chairman:** Any questions or comments?

**Representative Greenspan:** What is the useful life for this equipment?

**Chief Engineer:** Mr. Chairman and Representative Greenspan, the useful life is dependent on how much they are used. This equipment was on the budget for the last couple years and we have tried to limp it along to make sure we were buying the appropriate equipment so, ultimately, I would say about fifteen years is what we are getting out of that type of equipment.

**Executive Director Ahmed:** One of the things that Tony and I talked about briefly was when I was at ODOT, we had started looking at turning these tractors in within three to five years. The reason for that is that when you buy these tractors off of the State Term Contract, they are very cheap and in two to three years they still have a very good useful trade-in value. If you trade them in early, you can get new ones still extremely cheap, so you just have to make the one-time investment in the very beginning. The benefit of doing it that way is you don't have maintenance. We were doing that very well at ODOT and one of the things that we looked at was maybe it was time for us to look at that as an alternative, rather than keeping it for fifteen years because then maintenance costs can go up quite a bit.

**Chief Engineer:** Correct, Director Ahmed. Obviously, the equipment that we have is fifteen to eighteen years old, and our intent is to evaluate this in the coming future as we see the maintenance costs increase.

**Chairman:** I thought it was rather incredible that the mowers and that attachment would be that expensive, \$611,000.00 and \$991,000.00, respectively. Is that the way it has been?

**Chief Engineer:** Mr. Chairman and Commission Members, we are talking about sixteen pieces, so yes, the costs here are competitive with respect to the other companies that sell this equipment. The pieces that we picked, we felt that we could get the most useful life out of.

**Chairman:** Well, the tractor is \$991,000.00 and the mowers are \$611,000.00, you would think that it would not be this disproportionate.

**Chief Engineer:** Mr. Chairman, there are actually two mowers on each tractor, so there is, in theory, thirty-two mowers.

**Chairman:** It seems high to me, but whatever. Any other questions or comments? Hearing none, please call the roll.

**MOTION:** A motion to *Resolution Authorizing the Purchase of Sixteen Tractors from Kenn-Feld Group, Inc. in the Amount of \$991,425.92 and Sixteen Side and Rear Flail Mower Systems from Kalida Truck Equipment, Inc. in the Amount of \$611,168.00 Under the DAS Cooperative Purchasing Programs for the Total Amount of \$1,602,593.92* was made by Chairman Hruby, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 31-2019.

**Chairman:** The resolution passes unanimously. Tony, please continue.

**Chief Engineer:** The second resolution I have for your consideration seeks authorization to modify Contract Nos. 99-16-01A with Arcadis US, Inc., of Akron, Ohio, and 99-

16-01B with KS Associates, Inc., of Elyria, Ohio. These contracts relate to bridge and culvert load rating services. Each contract consisted of an initial assignment during 2016 of thirty-two bridges and culverts to be load rated with the Commission having the option to assign additional structures over three subsequent years. Under Resolution Nos. 25-2017 and 36-2018, the Commission authorized the second and third years, respectively of bridge and load rating services for both consultants. On March 28, 2019, Arcadis submitted a fee proposal to perform the fourth and final year of load rating services in an amount not-to-exceed \$206,922.00. On April 8, 2018, KS Associates submitted a fee proposal to perform the fourth and final year of load rating services in an amount not-to-exceed \$166,255.00. The additional cost to obtain the necessary additional bridge and load rating services will exceed the 10% of the Commission authorized contract amounts, therefore, requiring Commission authorization for the contract modification. With your permission, may the General Counsel please read the title of the resolution.

**General Counsel:** Resolution Approving Fourth Year of Bridge and Culvert Load Ratings Services from Arcadis U.S. (Project No. 99-16-01A) in the Not-to-Exceed Amount of \$206,922.00 and From KS Associates (Project No. 99-16-01B) in the Not-to-Exceed Amount of \$166,255.00.

**Chairman:** Any questions or comments?

**Vice Chairman Paradiso:** Tony, I want to comment on the MBE/DBE/SBE participation. Both of them are very aggressive. I am curious, what part of the contract are those minorities going to be doing?

**Chief Engineer:** Mr. Chairman and Vice Chairman Paradiso, they are doing the exact same services as the prime consultant. They are basically splitting up the amount of bridges each consultant is doing, MBE/DBE consultants are doing the same work just different bridges.

**Mr. Marchbanks:** I am very pleased that they will be doing the same work, actually being mentored by the larger companies.

**Executive Director Ahmed:** Mr. Chairman, very soon after I joined, our Chief Engineer approached me with his plans to pursue that aggressively and not only in the design area, but he has talked to me about the construction area. He, himself, sees this as a priority, and for that I commend him and recognize him for his efforts. He does not want to pigeonhole MBE/SBE/DBEs into small roles, but give them meaningful roles. I also applaud our prime consultant, who take Tony's work seriously and make their own efforts in that area.

**Chairman:** Any other questions or comments? Hearing none, please call the roll.

**MOTION:** A motion to *Resolution Approving Fourth Year of Bridge and Culvert Load Ratings Services from Arcadis U.S. (Project No. 99-16-01A) in the Not-to-Exceed Amount of \$206,922.00 and From KS Associates (Project No. 99-16-01B) in the Not-to-Exceed Amount of \$166,255.00* was made by Vice Chairman Paradiso, seconded by Mr. Marchbanks, and approved by all Commission Members present. Resolution No. 32-2019.

**Chairman:** The resolution passes unanimously. Anything further, Tony?

**Chief Engineer:** That completes my report, Mr. Chairman.

**Chairman:** Thank you. We will move on to the report of our DED/CFO/Comptroller, Marty Seekely.

**DED/CFO/Comptroller:** Thank you, Mr. Chairman, I have a brief update on traffic and revenue for the month of May and one resolution for your consideration this morning.

This first chart shows the monthly passenger car miles traveled on the Ohio Turnpike over the past two years. Passenger car vehicle miles traveled were down 1.2% in May.

Commercial traffic was 1.6% lower than last year in May as the economy continues to moderate from its strong growth over the last few years.

The decrease in passenger car traffic combined with the toll rate increase on January 1 caused passenger car toll revenues to increase 0.3% in May.

The decrease in commercial traffic combined with the toll rate increase on January 1 caused commercial vehicle toll revenues to increase .4% in May.

This chart shows year-to-date toll revenues through the month of May during each year over the past decade. Year-to-date total toll revenues were \$904,000.00 or 0.8% above the amount from last year.

This report shows the actual and budgeted revenues, expenditures and transfers for the General Fund for the first five months of the year. Total revenues for the first five months of the year are \$2.2 million or 1.6% below budget and \$1.5 million or 1.2% above last year. Total revenues are lower than budget due to lower than budgeted toll revenues, partially offset by higher than budgeted concession revenues and other revenues. The revenue increase from last year is primarily due to higher toll revenues, investment income and other revenues. Expenditures for operation, maintenance, and administration for the first five months of the year were \$6.8 million or 11.9% lower than budgeted and \$437,000.00 or .9% lower than last year. Most of the savings from budget were related to lower snow and ice removal costs due to the mild winter weather we had and lower fringe benefit cost and lower toll collector wage costs. Most of the decrease in costs from last year are due to lower toll collector wage costs and lower health insurance costs. Debt service payments are \$5.1 million lower than budget and \$9.1 million higher than last year. Debt service payments were lower than budget due to higher than expected interest income on the funds held in our infrastructure account and debt service payments are higher than last year due to the early redemption of the 2009 bonds.

After paying our operating expenses and debt service, the balance of the revenue used to fund our 2019 capital expenditures, \$17.8 million was transferred to our capital funds in the first five months of the year, which is \$9.7 million higher than budget.

That completes my review of the financial results of the first five months of the year. If there are no questions, I would like to present the Financial Condition resolution.

**Chairman:** Any questions? Hearing none, please continue.

**DED/CFO/Comptroller:** Our Trust Agreements require we perform a mid-year review of our financial condition and certify to our Trustee, the Huntington National Bank, that our projected revenues for the year will be sufficient to meet our obligations under the Trust Agreements. For comparison, our 2018 pledged revenues are shown at the top of this slide (see attached). The data in the first column at the bottom of this slide shows our actual pledged revenues of \$131.4 million for the first five months of the year. Based on our toll revenue growth rate for the first five months of this year, I have estimated that pledged revenues for the last seven months of 2019 at about \$210 million. This yields estimated gross pledged revenues for the calendar year of 2019 at \$341.4 million. The calculations on the next two slides demonstrate that, based on our projected pledged revenues for 2019, we expect to meet all four requirements under Section 4.04 of both the Master Trust Agreement and Junior Lien Master Trust Agreement. The first requirement is that our estimated gross pledged revenues exceed the sum of our budgeted operating, maintenance and administrative costs, plus the required deposit to the expense reserve account. The second requirement is that our estimated net system pledged revenues exceed the sum of our annual debt service requirements, plus the renewal and replacement requirement. The third requirement is that our estimated Senior Lien debt coverage ratio equal at least 120%. This ratio is required to be at least 150% in the year before the issuance of additional bonds. The coverage ratio of at least 200% is generally recognized as the threshold you need to help maintain our 'AA' credit rating on our Senior Lien Bonds. The fourth and final requirement, is our estimated composite debt coverage ratio equal at least 120%. During our presentation to the rating agencies for the 2013 and the 2018 bond issuances, we indicated that it was our intent to always maintain a ratio of at least 170%. With your permission, may the General Counsel please read the title of the resolution.

**General Counsel:** Resolution Concerning the Financial Condition of the Ohio Turnpike and Infrastructure Commission to Meet the Requirements of §4.04(a) of the Master Trust Agreements.

**Chairman:** Any questions or comments?

**Mr. Marchbanks:** In estimating your future seven months, what type of historical window do you use in creating that projection?

**DED/CFO/Comptroller:** This year, I looked at what we did for the first five months of this year, the trend rate was fairly low. Normally, I would look at what Jacobs Engineering, our Traffic and Revenue Consultant, had forecasted. However, their forecast was higher. So, I wanted to be conservative, so I used the current run rate of the first five months of the year for the last seven months of the year.

**Chairman:** So, we can pay our bills, right Marty?



**DED/CFO/Comptroller:** Yes, we are.

**Chairman:** Any other questions? Hearing none, please call the roll.

**MOTION:** A motion to *Resolution Concerning the Financial Condition of the Ohio Turnpike and Infrastructure Commission to Meet the Requirements of §4.04(a) of the Master Trust Agreements* was made by Chairman Hruby, seconded by Mr. Peterson, and approved by all Commission Members present. Resolution No. 33-2019.

**Chairman:** The resolution passes unanimously. Anything further, Marty?

**DED/CFO/Comptroller:** Yes, we have completed our Comprehensive Annual Financial Report for 2018. You should find a copy in your packet along with reports from our Auditors on Internal Control and Compliance with our debt covenants. At this time, I would like to introduce Keith Martinez and Danny Sklenicka, the Partner and Engagement Manager for our independent public accountants, Plante Moran, who will discuss the results of their audit of our Financial Statement.

**Keith Martinez:** My name is Keith Martinez, I am the Engagement Partner for the Financial Statement Audit for the Turnpike. This is the third year that Plante Moran has served as external auditors for the Turnpike. I have been involved in more of a colleague role the first couple years and with Mary Shaffer's retirement effective at the end of this month, I transitioned into the Lead Engagement Partner role this year. With me is Danny Sklenicka, Senior Manager as well as Jenny Harrington, Manager. Both have been involved in the audit process. We did issue a clean opinion, highest level of assurance that we can provide. The audit report has been submitted to the Auditor of State as required. They have completed their review and accepted the report with no comments. That is an excellent result. We do not have any findings or reportable matters to report either. We would like to thank Marty, his team, along with Dave Miller for their full cooperation with the audit process. With that, I am going to turn over to Danny to provide a few comments with respect to the audit process.

**Danny Sklenicka:** Thank you, Keith. This is my third year working on the Ohio Turnpike audit. Echoing what Keith said, there were no audit findings and that includes material weaknesses, significant deficiencies, so if we did have any of those, we would be required to report them. There were also so audit adjustments. No adjustments to numbers that were provided by management or any past adjustments, so anything that would reach a threshold that would have to be reported as well. The CAFR is dated April 30, 2019. It was submitted to the Auditor of State in May and was approved in June. So, again, we would like to thank Marty, Dave, Lisa and their team. We know a lot of effort goes into preparing the Comprehensive Annual Financial Report. The fact that we can be out here in January and February, wrap this thing up and have it approved by the Auditor of State prior to the meeting is a testament to the good work that they do.

That concludes my report. I would be happy to answer any questions.

**Chairman:** Any questions or comments.

**Mr. Marchbanks:** The entire State of Ohio benefits from the strong and very conservative financial management of the Ohio Turnpike and Infrastructure Commission. The Ohio Department of Transportation benefits, Representative Greenspan, because of the sturdiness of this organization in terms of its finances. We are beneficiaries of the Ohio toll revenue credit, so that allows us to lower the amount of funding that strapped local governments often have to put up in regard to 80/20 matches, we can switch out that match by using some Ohio toll revenue credit as Director Ahmed knows. Again, this good work benefits the entire State of Ohio even though you guys are in the northern tier.

**Chairman:** Thank you for your report. Any further questions? Hearing no questions, we will move on the report of the Ohio State Highway Patrol, Lieutenant Richard Reeder.

**Lieutenant Reeder:** Good morning, Mr. Chairman and Commission Members. Unfortunately, the first thing I want to talk about is a fatal crash that occurred on May 27, 2019, in Fulton County. We lost four lives in this crash. It involved a commercial vehicle traveling eastbound, he for some unknown reason at this time, crossed the median and struck vehicles traveling in the opposite direction. I talked to Lieutenant Fisher this morning, who advised the Coroner's result came and he was clean on a tox screen and blood alcohol. They are going to gear the investigation towards is his cell phone or any other distractions there could have been in the vehicle. We do not suspect that he was sleepy because he had just left the travel plaza, so we again, fear there may be some other distraction. Our Office of Investigative Services are going to look into the phone and see what else we can find since everything is pointing towards a distraction of some sort to travel left of center, such as what he did. We will supplement that if we find something significant.

Next, we have a good arrest that was made. We stopped a vehicle for speeding near Milepost 122. The driver was driving under suspension. In addition, the Trooper noticed the plain smell of marijuana coming from the car. During a probable cause search of the vehicle, we located five new iPhone XS Max, and three iPad Pro tablets. All had paperwork where they had been purchased in the DC area, but the interesting part was there were four different locations where these items were purchased. As we continued our investigation, we realized that the items were purchased with, what we suspect, were fraudulent credit cards. We located a computer, credit card readers, and all of the devices needed to make these fraudulent credit cards. So, essentially, there are some victims out there that had their identification stolen and these items were purchased. We found in the last few months that this has really been on an uptick. We do our best to notify those persons who have had their identification stolen. In addition, we try to prosecute as thoroughly as we can. We found that the street value of everything collected that day was in excess of \$18,000.00.

The last thing I want to report on was a fatal crash that we had in April 2017. I wanted to commend my people because this finally went to prosecution and the suspect was sent to prison for four years. In this case, he was intoxicated and there was criminal behavior, in addition to what we found. When we arrived at the scene, there was three persons. Two were unconscious lying on top of each other and a third person was in back on the right side. While we are not as exciting as a CSI episode, we were able to use some DNA out of this case. The driver had injured his left arm and he had also struck the windshield with his head. So, we were able to extract some DNA

from the windshield and as he was moving from the driver's seat to climb into the back to tell us he was a passenger, he wiped some blood on the passenger seat as he was climbing back. So, a lot of credit to our Office of Investigative Services for collecting all of that DNA, all of the evidence that we needed to get a conviction and put this person behind bars. It was successful on our part and I would like to say that we did a good job and he is going to go away for four years.

That completes my report. I would be happy to answer any questions.

**Chairman:** Any questions or comments?

**Mr. Peterson:** Lieutenant, are you aware if there has ever been any discussion with smart phone manufacturers about creating or making something that may alter the ability to text while you are driving?

**Lieutenant Reeder:** I have heard rumors of discussions of that sort. It seems common sense almost. I agree with you, we have the technology, we could do it, it is just a matter of taking the steps to do it. There are many, many different things. I text messaged a friend the other day and she had an automatic response that her phone sent that said, "I am driving, I will text you when I can." Just something as simple as that to help. Unfortunately, we have all seen the trend, distracted driving is something we are doing our best to curb through enforcement and education efforts, but I agree with you, I think there is more that we can do on the technology side to help save lives.

**Mr. Marchbanks:** I would like to follow-up on Mr. Peterson's comment, 4,500 people, estimated statewide in Ohio, were injured as a result of distracted driving. We know it is under reported as you pointed out. One of the things that we have is a "no text, no phone usage while we drive" as a policy at the Ohio Department of Transportation. I don't know what the Ohio Turnpike has adopted, but for our own employees is to lead by example, but this is what's popping up everywhere and it has to be addressed. Governor DeWine, the Ohio Department of Transportation, along with the Ohio State Highway Patrol, just participated in an anti-distracted driving announcement and we are going to be initiating a campaign to basically educate the entire driving public in Ohio about the tremendous danger that distracted driving poses. You see it everywhere. I saw it on my way up here from Columbus. I agree with what Mr. Peterson has said, this is something that we have to be proactive about and do what we can to stop it.

**Lieutenant Reeder:** In the Youngstown area, they had a really bad section of roadway. I know we worked with ODOT and they did a distracted driving corridor. There are different things done to educate the public about the dangers. We have done a couple initiatives here at the Turnpike over the years, which is a good thing.

**Representative Greenspan:** During the last General Assembly, I know the House passed a Bill that made it a primary offense for those under eighteen if they are caught texting and driving. They would lose their license until they were eighteen years old. It was an automatic suspension and a secondary offense for those over eighteen. So, I know we are taking proactive steps in the Legislature to address this issue. We are doing what we can to be responsive and responsible at the same time.

**Executive Director Ahmed:** Mr. Chairman, I want to add that our second annual “W82TXT” campaign is underway. We have started receiving some videos from high school students. I am happy that our students are taking that very seriously and responding.

**Chairman:** Thank you for your report. We appreciate it. Any other questions or comments? Hearing none, the next meeting will be held on July 15, 2019, at 10:00 a.m. If there is no further business, I will accept a motion to adjourn.

**MOTION:** A motion to adjourn the Commission Meeting is made by Chairman Hruby, seconded by Vice Chairman Paradiso and unanimously approved by all Commission Members present.

Time of adjournment: 10:37 a.m.

**Attendees for Record Keeping Purposes:**

Allen Biehl, TranSystems; Jason Watson, MSG; Bethany Pugh, PFM; Maureen Shildwachter, HNB; Vickie Wildeman, DLZ; Hallie Jones Capers, G. Stephens; Scott Buchanan, AECOM; Jake Siesel, IUOE 18; Art Romero, Thrasher; Kevin Grobly, PNC Bank; Todd Majidzaleh, Resource International; Erin Daugherty, PNC Bank; Beth Fulton, TRC; Tahir Sondo, Cosmos; Hamid Homae, KS Associates; Brian Meluch, CT; Ferzan M. Ahmed, P.E., Ohio Turnpike; Anthony Yacobucci, Ohio Turnpike; Martin Seekely, Ohio Turnpike; Jennifer Stueber, Ohio Turnpike; Matt Cole, Ohio Turnpike; Michelle Marquard, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; Mark Musson, Ohio Turnpike; David Miller, Ohio Turnpike; Chris Matta, Ohio Turnpike; Lisa Mejac, Ohio Turnpike; Sharon Isaac, Ohio Turnpike; Joseph Mannion, Ohio Turnpike; Vinod Gupta, Ohio Turnpike; Brian Newbacher, Ohio Turnpike; and Adam Greenslade, Ohio Turnpike.

# **EXHIBITS**

1. Resolution No. 30-2019 – Resolution Honoring the Exemplary Public Service of James A. Barna, P.E.;
2. Resolution No. 31-2019 – Resolution Authorizing the Purchase of Sixteen Tractors from Kenn-Feld Group, Inc. in the Amount of \$991,425.92 and Sixteen Side and Rear Flail Mower Systems from Kalida Truck Equipment, Inc. in the Amount of \$611,168.00 Under the DAS Cooperative Purchasing Programs for the Total Amount of \$1,602,593.92;
3. Resolution No. 32-2019 – Resolution Approving Fourth Year of Bridge and Culvert Load Ratings Services from Arcadis U.S. (Project No. 99-16-01A) in the Not-to-Exceed Amount of \$206,922.00 and From KS Associates (Project No. 99-16-01B) in the Not-to-Exceed Amount of \$166,255.00; and
4. Resolution No. 32-2019 – Resolution Concerning the Financial Condition of the Ohio Turnpike and Infrastructure Commission to Meet the Requirements of §4.04(a) of the Master Trust Agreements.

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Honoring the Exemplary Public Service of James A. Barna, P.E.**

WHEREAS, Ohio has been and is an increasingly important player in smart mobility technologies needed for the nation's growing autonomous and connected vehicles industry; and

WHEREAS, on January 18, 2018, Governor John R. Kasich signed an executive order establishing DriveOhio, within the Ohio Department of Transportation ("ODOT"), as a one-stop shop for researchers, developers and manufacturers to collaborate on autonomous and connected vehicle initiatives in the State of Ohio; and

WHEREAS, DriveOhio is a partnership between ODOT, the Department of Public Safety, the Department of Administrative Services, the Ohio Turnpike and Infrastructure Commission, the Public Utilities Commissions of Ohio, the Department of Insurance, the Governor's Office of Workforce Transformation and the Ohio Adjutant General's Department; and

WHEREAS, James A. Barna, P.E. worked at ODOT for more than twenty-two years, including previously as the chief engineer and assistant director of engineer policy for ODOT, and has a total of more than twenty-eight years as a civil engineer; and

WHEREAS, on January 18, 2018, Governor John R. Kasich appointed Mr. Barna to lead DriveOhio as its executive director; and

WHEREAS, Mr. Barna's leadership afforded the Commission with opportunities for partnership and collaboration on projects and public events; and

WHEREAS, Mr. Barna has announced his resignation from DriveOhio effective June 21, 2019; and

WHEREAS, the Commission Members view the extraordinary career in public service of Mr. Barna as an example of excellence, serving the public transportation industry for over twenty-eight years and for which formal and public recognition should be given.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Ohio Turnpike and Infrastructure Commission, by the adoption of this Resolution, hereby expresses its deep appreciation for the distinguished career of James A. Barna, P.E., serving the citizens of the State of Ohio, both during his tenure at ODOT as well as DriveOhio; and

**FURTHER RESOLVED** that the Commission also considers that the people of the State of Ohio are fortunate and having benefitted greatly from having Mr. Barna lead the State of Ohio in the transportation industry through his efforts at ODOT and DriveOhio; and

FURTHER RESOLVED that the Secretary-Treasurer be, and hereby he is, directed to send a certified copy of this Resolution to Mr. Barna.

**(Resolution No. 30-2019 adopted June 17, 2019)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Authorizing the Purchase of Sixteen Tractors from Kenn-Feld Group, Inc. in the Amount of \$991,425.92 and Sixteen Side and Rear Flail Mower Systems from Kalida Truck Equipment, Inc. in the Amount of \$611,168.00 Under the DAS Cooperative Purchasing Programs for the Total Amount of \$1,602,593.92**

WHEREAS, under Resolution No. 32-2003, adopted on July 21, 2003, the Executive Director is authorized to participate in state contracts through the Ohio Department of Administrative Services (“DAS”) Cooperative Purchasing Program, through which members may purchase supplies, services, equipment and other materials in accordance with Ohio Revised Code Section 125.04; and

WHEREAS, the Deputy Chief Engineer has determined that the purchase of sixteen tractors and flail mower systems is necessary to replace current mowing equipment used for maintaining the Ohio Turnpike that have reached the end of their viable economic life and are recommended for disposal under the Commission’s Property Disposal Policy; and

WHEREAS, the Maintenance Department staff has recommended that the John Deere 5115M Utility Tractors (“Utility Tractors”) outfitted with Diamond Right and Rear Flail Mower Systems (“Flail Mower Systems”) meet the requirements to perform its necessary operations; and

WHEREAS, the Utility Tractors are available for acquisition through the DAS Cooperative Purchasing Program, and the Director of Contract Administration has determined that the lowest practical cost to obtain the equipment is under DAS Contract Schedule No. 800750, Index No. STS515, from Kenn-Feld Group, Inc., of Van Wert, Ohio, in the total amount of \$991,425.92; and

WHEREAS, the Flail Mower Systems are available for acquisition and installation through the DAS Cooperative Purchasing Program, and the Director of Contract Administration has determined that the lowest practical cost to obtain the equipment with installation is under DAS Contract Schedule No. 800765, Index No. STS515, from Kalida Truck Equipment, Inc., of Kalida, Ohio, in the total amount of \$611,168.00; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws because the expenditures required to purchase the tractors and flail mower systems exceeds \$150,000.00; and

WHEREAS, the Executive Director and Chief Engineer have reviewed the recommendation of the Deputy Chief Engineer and concur that the Commission should approve the purchase of the Utility Tractors from Kenn-Feld Group, Inc. and the Flail Mower Systems and installation from Kalida Truck Equipment, Inc. under the DAS Cooperative Purchasing Program; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT



RESOLVED by the Ohio Turnpike and Infrastructure Commission that the purchase of sixteen John Deere 5115M Utility Tractors from Kenn-Feld Group, Inc., through the DAS Cooperative Purchasing Program under Contract Schedule No. 800750, Index No. STS515, in the total amount of \$991,425.92, is approved; and

FURTHER RESOLVED that the purchase of sixteen installed Diamond Side and Rear Flair Mower Systems from Kalida Truck Equipment, Inc., through the DAS Cooperative Purchasing Program under Contract Schedule No. 800765, Index No. STS515, in the total amount of \$611,168.00, is approved.

**(Resolution No. 31-2019 adopted June 17, 2019)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Approving Fourth Year of Bridge and Culvert Load Ratings Services from Arcadis U.S. (Project No. 99-16-01A) in the Not-to-Exceed Amount of \$206,922.00 and From KS Associates (Project No. 99-16-01B) in the Not-to-Exceed Amount of \$166,255.00**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”), through its Executive Director, selected Arcadis U.S., Inc., of Akron, Ohio (“Arcadis”), and KS Associates, Inc., of Elyria, Ohio (“KS Associates”), to perform Bridge and Culvert Load Rating Services, which consisted of initial assignments during 2016 and the Commission having the option to assign additional structures for the selected firms to rate over the course of three subsequent years; and

WHEREAS, the Commission initially assigned 32 structures in the eastern half of the Turnpike to Arcadis U.S. under Project No. 99-16-01A in the not-to-exceed amount of \$88,200.00 and 32 structures in the eastern half of the Ohio Turnpike to KS Associates in the not-to-exceed amount of \$91,949.00 through its Executive Director under the authority of Article V., Section 1.00; and

WHEREAS, the Commission approved assigning additional 31 structures to Arcadis and 32 structures to KS Associates for load rating services in 2017 under the authority of Resolution No. 25-2017 in the not-to-exceed amounts of \$119,057.00 and \$99,655.00, respectively, and an additional 63 structures to Arcadis and 61 structures to KS Associates for load rating services in 2018 under the authority of Resolution No. 36-2018 in the not-to-exceed amounts of \$208,973.00 and \$184,376.00, respectively; and

WHEREAS, to perform the fourth year of Bridge and Culvert Load Rating Services, Arcadis submitted a fee proposal dated March 28, 2019 for 54 structures in the not-to-exceed amount of \$206,922.00 and KS Associates submitted a fee proposal dated April 8, 2019 for 54 structures in the not-to-exceed amount of \$166,255.00, which proposals the Chief Engineer, Deputy Chief Engineer and the Bridge and Structures Engineer deemed reasonable and necessary; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer, Deputy Chief Engineer and the Bridge and Structures Engineer, and approves the recommendation for the Commission to accept the respective proposals dated March 28, 2019 and April 8, 2019, and exercise its option to authorize Arcadis and KS Associates to perform additional Bridge and Culvert Load Rating Services during the fourth year, as described in their respective proposals in accordance with contracts for Project No. 99-16-01A and 99-16-01B; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the proposal from Arcadis dated March 28, 2019 to perform the additional Bridge and Culvert Load Rating Services under Project No. 99-16-01A for 54 structures in the additional not-to-exceed amount of \$206,922.00 and the proposal from KS Associates dated April 8, 2019 under Project No. 99-16-

01B for 54 structures in the additional not-to-exceed amount of \$166,255.00 are approved and accepted;

FURTHER RESOLVED that the Executive Director is authorized to amend the Contracts with Arcadis and KS Associates to incorporate such proposals and increase the total not-to-exceed amount payable under the agreement with Arcadis for Project No 99-16-01A to \$623,152.00 and under the agreement with KS Associates for Project No. 99-16-01B to \$542,235.00 and direct said firms to perform such additional services in accordance with the terms and conditions of the Commission's RFP for Bridge and Culvert Load Rating Services, Arcadis and KS Associates' responses and fee proposals; and

FURTHER RESOLVED that the Executive Director has the authority under Article V, Section 1.00 of the Commission's Code of Bylaws to further amend the Contracts with Arcadis for Project 99-16-01A and with KS Associates for Project 99-16-01B to perform such additional services necessary that does not exceed the greater of the Executive Director's contracting authority or ten percent of the total amount approved to date for each respective contract, and approve such extra work or change orders under said contracts as a result of an increase in necessary quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the Project or increase its costs.

**(Resolution No. 32-2019 adopted June 17, 2019)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Concerning the Financial Condition of the Ohio Turnpike and Infrastructure Commission to Meet the Requirements of §4.04(a) of the Master Trust Agreements**

WHEREAS, §4.04(b) of the Master Trust Agreement, as amended and restated dated April 8, 2013, and the Junior Lien Master Trust Agreement, dated August 1, 2013, (the “Trust Agreements”), both of which are between the Ohio Turnpike and Infrastructure Commission (“Commission”) and The Huntington National Bank, as Trustee, require that, on or before July 31 of each year, the Commission shall complete a review of its financial condition for the purpose of estimating whether the Gross Revenues for such Fiscal Year will be sufficient to provide, together with Series Payments, Additional System Payments and Supplemental Payments, the amounts specified in §4.04(a) of the Trust Agreements; and

WHEREAS, the Commission’s CFO/Comptroller has analyzed the Commission’s financial condition and has advised the Commission that, on the basis of his analysis, the Commission’s revenues for fiscal year 2019 will be sufficient to meet the requirements of §4.04(a) of the Trust Agreements, and he has set forth a detailed statement of the actual and estimated Gross Revenues, Series Payments, Additional System Payments and Supplemental Payments; and

WHEREAS, a certification of same is before the Commission.

NOW, THEREFORE, BE IT

RESOLVED that the Commission, having reviewed the analysis prepared by the CFO/Comptroller, determines that there will be sufficient Gross Revenues for fiscal year 2019 together with Series Payments, Additional System Payments and Supplemental Payments to meet the requirements of §4.04(a) of the Trust Agreements, and hereby authorizes and directs the CFO/Comptroller to issue the certificate required by §4.04(b) of the Trust Agreements; and

FURTHER RESOLVED that copies of such certification and a certified copy of this Resolution shall be transmitted to the Trustee and the rating agencies, and shall be available to any interested party.

**(Resolution No. 33-2019 adopted June 17, 2019)**

**OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION  
TRUST AGREEMENTS SECTION 4.04  
ESTIMATED CALCULATIONS FOR YEAR ENDING DECEMBER 31, 2019**

**REQUIREMENT I**

GROSS PLEDGED REVENUES:		
ACTUAL FOR 1ST FIVE MONTHS OF YEAR	\$ 131,382,846	
ESTIMATE FOR LAST SEVEN MONTHS OF YEAR	<u>210,044,369</u>	
ESTIMATED GROSS PLEDGED REVENUES	\$ 341,427,215	Section 4.04 (a) (i) and 4.04 (b)
OPERATING, MAINTENANCE & ADMINISTRATION COSTS	\$ 120,625,028	Section 4.04 (a) (i) (1)
REQUIRED DEPOSIT TO EXPENSE RESERVE	<u>126,500</u>	Section 4.04 (a) (i) (2)
<b>NET/SYSTEM PLEDGED REVENUES</b>	<b>\$ 220,675,687</b>	<b>Required to be positive</b>

**REQUIREMENT II**

NET/SYSTEM PLEDGED REVENUES	\$ 220,675,687	Section 4.04 (a) (ii)
ANNUAL SENIOR LIEN DEBT SERVICE REQUIREMENT:		
PRINCIPAL	46,464,993	
INTEREST	23,757,811	
LESS: ESTIMATED INVESTMENT EARNINGS	<u>(1,371,745)</u>	
NET ANNUAL SENIOR DEBT SERVICE REQUIREMENT	\$ 68,851,059	Section 4.04 (a) (ii)
ANNUAL JUNIOR LIEN DEBT SERVICE REQUIREMENT:		
PRINCIPAL	5,255,833	
INTEREST	55,748,963	
LESS ESTIMATED INVESTMENT EARNINGS	(2,319,626)	
LESS INTEREST INCOME TRANSFERRED FROM INFRASTRUCTURE FUND	<u>(7,869,155)</u>	
NET ANNUAL JUNIOR DEBT SERVICE REQUIREMENT	\$ 50,816,015	
NET ANNUAL COMPOSITE DEBT SERVICE REQUIREMENT	<u>\$ 119,667,074</u>	
RENEWAL & REPLACEMENT (R&R) REQUIREMENT	<u>10,000,000</u>	Section 4.04 (a) (ii)
<b>NET/SYSTEM PLEDGED REVENUES LESS DEBT SERVICE AND R &amp; R REQUIREMENTS</b>	<b><u>\$ 91,008,613</u></b>	<b>Required to be positive</b>

**REQUIREMENT III**

NET/SYSTEM PLEDGED REVENUES AS A % OF		Senior Lien Section 4.04 (a) (iii)
NET ANNUAL SENIOR DEBT SERVICE REQUIREMENT	<u><b>321%</b></u>	<b>Required to equal 120% or more *</b>

**REQUIREMENT IV**

NET/SYSTEM PLEDGED REVENUES AS A % OF		Junior Lien Section 4.04 (a) (iii)
NET ANNUAL COMPOSITE DEBT SERVICE REQUIREMENT	<u><b>184%</b></u>	<b>Required to equal 120% or more</b>

\* Required to be 150% or more during the Fiscal Year immediately preceding the issuance of additional bonds, or during any twelve (12) consecutive calendar months selected by the Commission out of the fifteen (15) consecutive calendar months immediately preceding such issuance, calculated using the maximum annual debt service on the bonds then outstanding and the bonds proposed to be issued. Also, the projected ratio must be 150% for each year bonds are scheduled to be outstanding in the event that the Commission implements a non-temporary toll rate reduction. In addition, the Commission has, by resolution, declared its intention as a matter of policy to maintain Sr. debt service coverage levels at a target of 200% of annual debt service. Other than in connection with the issuance of additional bonds, or the implementation of a toll rate reduction, the Commission has no obligation to meet such coverage levels, or to maintain a policy of doing so, and the Commission may rescind that policy at any time.

**OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION  
ESTIMATED GROSS PLEDGED REVENUES  
FOR THE YEAR ENDING DECEMBER 31, 2019**

	<u>January - May</u>	<u>June - December</u>	<u>Total</u>
<b><u>Year Ending December 31, 2018:</u></b>			
Toll Revenue	\$ 117,809,284	\$ 188,230,473	\$ 306,039,757
Special Toll Permits	1,434,686	2,094,629	3,529,315
Concession & Miscellaneous Revenues	8,500,613	14,296,730	22,797,343
Investment Revenue:			
Revenue Fund	530,067	1,044,400	1,574,467
Renewal & Replacement Fund	51,718	101,996	153,714
System Projects Fund	369,610	1,124,607	1,494,217
Construction Fund	381,166	567,111	948,277
Total Gross Pledged Revenues	<u>\$ 129,077,144</u>	<u>\$ 207,459,945</u>	<u>\$ 336,537,089</u>

	<u>Actual January - May</u>	<u>Estimated June - December</u>	<u>Estimated Total</u>
<b><u>Year Ending December 31, 2019:</u></b>			
Toll Revenue	\$ 118,712,930	\$ 189,961,070	\$ 308,674,000
Special Toll Permits	1,450,227	2,119,242	3,569,469
Concession & Miscellaneous Revenues	9,062,263	15,074,106	24,136,369
Investment Revenue:			
Revenue Fund	821,728	1,150,419	1,972,147
Renewal & Replacement Fund	101,538	142,153	243,691
System Projects Fund	1,140,985	1,597,379	2,738,364
Construction Fund	93,175	-	93,175
Total Gross Pledged Revenues	<u>\$ 131,382,846</u>	<u>\$ 210,044,369</u>	<u>\$ 341,427,215</u>

I hereby certify the calculations above to be a fair and honest estimation of the Gross Revenues for the year ending December 31, 2019 in accordance with Section 4.04b of the Master Trust Agreement.



\_\_\_\_\_  
CFO/Comptroller

6/10/2019

\_\_\_\_\_  
Date