

MINUTES OF THE 326th MEETING OF THE OHIO TURNPIKE COMMISSION

December 17, 1980

Pursuant to bylaws the Ohio Turnpike Commission met in regular session in the office of the Executive Director in the Administration Building at 682 Prospect Street in Berea, Ohio at 11:00 a.m. on December 17, 1980, with key members of the staff; representatives, James T. Sawyer and William R. Fleischman, of the Consulting Engineers, J. E. Greiner Company-Ohio; a representative, P. Joseph Sesler, of the Trustee, The Ohio National Bank; John W. Clark, Special Assistant to the Director of Transportation; William C. Hartman, of Squire, Sanders & Dempsey, the Commission's bond and fiscal counsel; Pauline Thoma, the Cleveland Plain Dealer and Steve Fogarty, Elyria Chronicle Telegram; and others in attendance.

The meeting was called to order by the Chairman. The roll was called and the attendance was reported to be as follows:

Present: David L. Weir, Jo Ann Davidson, Ralph H. Anderson, Clarence D. Rogers, Jr.

Absent: None

A motion was made by Mrs. Davidson, seconded by Mr. Weir, that the minutes of the meeting of October 7, 1980, which had been examined by the Members and on which the corrections suggested by the Members had been made, be approved without reading.

A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Mrs. Davidson, Mr. Weir, Mr. Anderson, Mr. Rogers

Nays: None

The Chairman reported that, as the Members were aware, the annual Christmas luncheon for Commission employees was scheduled to be held after the meeting. He said, therefore, he hoped that the business of the meeting would be conducted and concluded promptly so those in attendance might join the employees at the luncheon.

The Chairman reported further that he wanted to recognize the presence of several guests. He said that before he did, he wanted to say that O. L. Teagarden, the Commission's former Chairman, was invited to attend the meeting and luncheon, but his health would not permit him to travel. He said Mr. Teagarden maintained a keen interest in the activities of the Commission and sent his best wishes to us. He asked the Executive Director to relay the Commission Members' greetings to him.

The Chairman reported further that attending the meeting were William Hartman of Squire, Sanders & Dempsey, the Commission's labor and fiscal counsel; Tom Sawyer, partner of J. E. Greiner-Ohio, the Commission's consulting engineers; Joseph Sesler of BancOhio National Bank, the Commission's trustee; Captain Ralph Rizzo, Commander, District 10, Ohio State Highway Patrol; and, of course, the other staff members and conferees who regularly attend. He said he also welcomed Pauline Thoma, a reporter for the Cleveland Plain Dealer and Steve Fogarty, a reporter for the Elyria Chronicle Telegram.

The Chairman reported further that he wanted to note for the record that the Commission's Vice Chairman, Jo Ann Davidson, had been elected to the 27th District of the Ohio House of Representatives by a 2 to 1 margin.

The Chairman reported further that, unfortunately, the new responsibility would require her to leave the Commission and so the day's meeting would be her last meeting as a Member.

The Chairman reported further that Mrs. Davidson's rich and varied experience and demonstrated hard work and dedication obviously were recognized by the voters in her district. He said those traits should serve her and her constituents well.

The Chairman reported further that the Commission offered its sincere congratulations and best wishes to Mrs. Davidson on her new duties. He said the Commission hoped that her experience on the Commission would be useful in the future to her, to the Commission and to the people of Ohio.

The Chairman reported further that since the end of the year was approaching, he would take the opportunity to review the latest statistics on the Commission's 1980 financial experience.

The Chairman reported further that comparing traffic activity from January through November 1980 with that recorded for the same eleven months in 1979, the number of passenger cars decreased 1.5%, while the number of commercial vehicles dropped 9.7%. For the same period, toll revenue from passenger cars increased 1.9%, meaning fewer vehicles travelled slightly longer distances, and commercial vehicle tolls declined 9.7%, the same as the drop in vehicle number. He said as of the end of November 1980, total revenue had amounted to \$48,153,855, down 3.6% from last year. He said it appeared that the traffic patterns would continue through December and total revenues for 1980 would be slightly lower than the \$53,787,000 received in 1979.

The Chairman reported further that operating expenses for the eleven months of 1980 had been \$23,173,377, a 9.2% increase over 1979 but still some \$1.2 million under budget. He said bond purchases in 1980 totalled \$6,206,000, which was below the amount scheduled in the Trust Agreement, a subject which would be expanded upon in the Budget and Finance report. He said

the outstanding debt, however, was then only \$20,652,000 or 6.33% of the original \$326,000,000 borrowed.

The Chairman reported further that \$3,022,000 remained in the Bond Redemption Account since only \$848,000 in bonds were offered for redemption by holders earlier when the Trustee solicited tenders in December. He said bond purchases then had been suspended for the remainder of 1980 to allow the Commission to close and balance all accounts for the year. He said the funds would be used to purchase bonds as soon as possible in 1981.

The Chairman reported further that there were five resolutions to be acted upon during the meeting. He said Members had been given drafts of the resolutions and the resolutions would be explained and presented during the course of the various Committee and staff reports.

The Chairman said that in the absence of any questions the report of the Chairman was accepted as offered. He said the report of the Secretary-Treasurer, Mr. Anderson, would be received.

Mr. Anderson said that since the last Commission meeting the following had been sent to all Members:

1. Weekly Traffic Statistics
2. Traffic Accident Summary Reports for September, October and November, 1980
3. Investment Transactions for October and November, 1980
4. Draft of Minutes of the October 7, 1980 Commission Meeting
5. Traffic and Revenue Report - September, October and November, 1980
6. Financial Statements for September, October and November, 1980
7. Expense and Budget Report for the Third Quarter 1980
8. Litigation Report for Quarter Ending September 30, 1980

The Chairman said the report of the Secretary-Treasurer was accepted as offered. He said the report of the Committee on Budget and Finance would be received.

The chairman of the Committee on Budget and Finance, Mr. Anderson, said that he wanted to report that a detailed analysis had been made of expenses so far in 1980 and, although total expenditures would be well under the budget amount for that category, expenses for Administration and Insurance would exceed the budget amount for that category, while Operations expenses for the first

eleven months were more than \$1.4 million under budget. He said the cost of employee dental and eye insurance, which had been added after the 1980 budget was prepared, was the principal reason for the higher expenditures although workers' compensation also was over budget. He said that in order to comply with a provision of the Trust Agreement wherein the Commission covenants that expenditures will not exceed the budget amount in any category, it was necessary that the current budget for 1980 be amended which would be done by transferring \$400,000 from Operations expense to Administration and Insurance. He said a resolution to accomplish that purpose had been drafted and was in each Member's folder. He said that without reading the resolution, he moved that it be adopted.

A resolution adopting an amendment to the annual budget for fiscal year 1980 was moved for adoption by Mr. Anderson, seconded by Mrs. Davidson, as follows:

RESOLUTION NO. 10-1980

"WHEREAS, pursuant to §505 of the trust agreement dated June 1, 1952, entered into between the Ohio Turnpike Commission and the Ohio National Bank of Columbus (now BancOhio National Bank), as trustee, and The National City Bank of New York (now Citibank, N.A.), as co-trustee, the Commission, by Resolution No. 18-1979, adopted an annual budget for the fiscal year 1980;

"WHEREAS, pursuant to §505 of the said trust agreement, the Commission may, at any time, adopt an amended or supplement annual budget for the remainder of the then current fiscal year;

"WHEREAS, experience in the operation of the Ohio Turnpike now indicates that while there is no need for supplementary budget allowances for the remaining of the current fiscal year, an amendment of allocations as between Operations on the one hand, and Administration and Insurance on the other, is required to cover actual expenses for the remainder of the current fiscal year; and

"WHEREAS, an amendment to the annual budget for the remainder of the year 1980 has been submitted to the Commission by the chairman of the Committee on Budget and Finance, the executive director, and comptroller and said amendment is now before the Commission;

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission, having duly and fully considered the same, hereby adopts the following amendment to the previously adopted budget of current expenses for the fiscal year 1980;

Amendment to Annual Budget for Fiscal Year 1980

Expenses:

Administration & Insurance (increase in estimate)	\$ + 400,000
Operations (decrease in estimate)	- 400,000
Trust Indenture Expense (no change)	<u>-0-</u>
Total	\$ -0-

"FURTHER RESOLVED that the assistant secretary-treasurer is hereby instructed to file a copy of this resolution with the trustee, which filing shall constitute notice to the trustee of the amendment to the annual budget for fiscal year 1980, and also to mail copies of this resolution to the consulting engineer and the principal underwriters forthwith."

A vote of ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Mr. Anderson, Mrs. Davidson, Mr. Weir, Mr. Rogers

Nays: None

The Chairman declared the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 10-1980.

The Assistant Secretary-Treasurer, Allan V. Johnson, said the amendment to the annual budget for 1980 had previously been approved by the consulting engineers, which also was a requirement of the Trust Agreement.

Mr. Anderson said further that at the October 6, 1980, meeting, the Commission adopted a Preliminary Budget for 1981 as required by the Trust Agreement and the Preliminary Budget had been filed with the Trustee and mailed to the Consulting Engineers and principal underwriters. He said the Trust Agreement provided further that bondholders could request a hearing to modify the Preliminary Budget. He said no such request for a hearing had been received and it was appropriate, therefore, to adopt the Preliminary Budget for 1981 as the final budget for 1981. He said a resolution to accomplish that purpose had been drafted and was in each Member's folder. He said that without reading the resolution, he moved that it be adopted.

A resolution adopting the annual budget for fiscal year 1981 was moved for adoption by Mr. Anderson, seconded by Mr. Weir, as follows:

"WHEREAS, the Commission, by Resolution No. 8-1980, adopted a preliminary budget for the fiscal year 1981, and caused copies thereof to be filed with the trustee and mailed to the consulting engineers and the principal underwriters;

"WHEREAS, no request whatsoever for a public hearing thereon has been made to the Commission by any person or persons whomsoever;

"WHEREAS, pursuant to §505 of the trust agreement dated June 1, 1952, entered into between the Commission and The Ohio National Bank of Columbus, (now BancOhio National Bank), as trustee, and The National City Bank of New York (now Citibank, N.A.), as co-trustee, the Commission desires finally to adopt a budget of income and current expenses for the fiscal year 1981, to be designated the 'Annual Budget'; and

"WHEREAS, §505 of the trust agreement provides that the total appropriations in any division of the annual budget will not exceed the total appropriations in the corresponding division of the preliminary budget;

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission, having duly and fully considered the same, hereby adopts the following budget:

Annual Budget of Income and Current Expenses
for the Fiscal Year 1981

Income	\$51,500,000
Current Expenses	
Administration & Insurance	\$ 6,649,380
Operations	22,283,527
Trust Indenture Expense	<u>243,500</u>
Total Current Expenses	\$29,176,407
	<u>Amount to be Deposited to the Credit of the</u> <u>Reserve Maintenance Fund</u>
Total Amount	\$15,000,000

"FURTHER RESOLVED that the Commission hereby determines that the total appropriations in any division of the budget aforesaid do not exceed the total appropriations in the corresponding division of the preliminary budget heretofore adopted by Resolution No. 8-1980; and

"FURTHER RESOLVED that the assistant secretary-treasurer is hereby instructed to file a copy of said 'Annual Budget' with the trustee and to mail copies thereof to the consulting engineers and to the principal underwriters forthwith."

A vote of ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Mr. Anderson, Mr. Weir, Mrs. Davidson, Mr. Rogers

Nays: None

The Chairman declared the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 11-1980.

Mr. Anderson said further that since the budget for 1981 had been adopted, he recalled that, in presenting the budget in preliminary form at the October meeting, he said that the Commission should be able to pursue a financial course without the need for any increase in toll rates, although the economic uncertainty that faced the entire world, no doubt, would continue to influence the Commission's affairs and warrant continued careful scrutiny and control of finances as the final years approached. He said certainly the situation had not improved in the past two months. He said the basic financial strength and success of the Commission, however, was reflected in the debt retirement record of the Commission which had lowered the debt to only \$20,652,000, with another \$3,022,000 currently available in the Redemption Account, which would be used in early 1981 so it might be said that the debt was under \$18 million. He said the bond retirement schedule in the Trust Agreement contemplated that the then current debt would be \$156,600,000, so the Commission was more than \$135 million ahead of schedule which had been accomplished without any increase in toll rates in more than 24 years. He said that despite the accelerated pace of retiring the debt, a provision of the Trust Agreement stipulated that, if in an year, deposits to the Sinking Fund were less than a total amount equal to the principal and interest requirements for the year plus an additional twenty percent as a reserve, then the Commission must request a review of the schedule of tolls by the consulting engineers. He said that request must be made by February 15 of the following year.

Mr. Anderson said further that the Trust Agreement schedule of bond retirements for 1980 was \$11,200,000. He said more than \$9 million in funds had been available in 1980 for bond retirement. He said that nevertheless, the amount was less than the requirement set forth in the Trust Agreement and to be in full compliance with

the Trust Agreement, the Commission must request a toll schedule review.

Mr. Anderson said further that a resolution authorizing such a request had been prepared and was in each Member's folder. He said that before offering it, he wanted to emphasize that making the request did not mean that a toll rate increase would automatically result. He said the fact that the Commission was so close to liquidating the remaining debt certainly would be a factor in examining the situation.

Mr. Anderson said further that at the same time, the Commission could not prudently ignore the realities of the economy and its effect on our affairs. He said the Commission should protect and preserve its solid financial record and reputation and a toll schedule review is entirely warranted under the circumstances.

The Assistant Secretary-Treasurer, Mr. Johnson, said he had discussed the issue with a representative of the Commission's bond and fiscal counsel, Squire, Sanders & Dempsey, and also with a representative of the Commission's trustee, BancOhio National Bank, and both were aware of the requirement of the Trust Agreement.

Mr. Johnson said further that tolls have not been changed in more than 22 years. He said that on July 21, 1958, the full-length toll for Class 8 vehicles had been reduced \$3.00 to encourage use of the Turnpike by commercial vehicles. He said he thought it pertinent to say, too, that the Ohio Turnpike's toll rates were the lowest of all major toll roads in the United States. He said the fact that only 6 percent of the Turnpike's outstanding debt remains to be paid would be a factor when the consulting engineers were asked to make the review of tolls and requesting the review did not necessarily mean a toll rate increase.

A resolution requesting recommendation as to revision of the schedule of tolls was moved for adoption by Mr. Anderson, seconded by Mrs. Davidson, as follows:

"WHEREAS, the trust agreement between the Ohio Turnpike Commission and the Ohio National Bank of Columbus (now BancOhio National Bank), as trustee, and The National City Bank of New York (now Citibank, N.A.), as co-trustee, dated June 1, 1952, under Article V, Section 501, requires the Commission, in the event that total revenues are insufficient to make deposits to the sinking fund each year of a total amount equal to the principal and interest requirements for the year plus an additional twenty percent as a reserve, to request a review of the schedule of tolls by the consulting engineers;

"WHEREAS, for 1980, the amount deposited to the sinking fund will not be sufficient to meet this provision of the trust agreement;

"WHEREAS, the Commission has heretofore provided amounts considerably in excess of the amounts required for paying the interest on the outstanding bonds of the Commission and for redeeming bonds in accordance with the schedule set forth in said trust agreement as a result of which the principal amount of bonds outstanding at the present time is only \$20,652,000 rather than the \$156,600,000 remaining in the schedule of principal requirements referred to above, and more than \$3 million is currently available for additional redemption of said bonds; and

"WHEREAS, due to such early retirement of bonds and the relatively small amount still outstanding, the need for additional reserves may reasonably be unnecessary, but Section 501 of the aforesaid trust agreement nevertheless requires the Commission to request the consulting engineers to make recommendations as to a revision of the schedule of tolls if in any year the total amount deposited to the credit of the sinking fund shall be less than the principal and interest requirements for such year plus twenty percent thereof as a reserve as hereinabove mentioned;

"NOW, THEREFORE, BE IT

RESOLVED that the executive director be and he hereby is instructed on or before the 15th day of February, 1981, to request the consulting engineers to make recommendations as to a revision of the schedule of tolls and to submit such recommendations to the Commission."

A vote of ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Mr. Anderson, Mrs. Davidson, Mr. Weir, Mr. Rogers

Nays: None

The Chairman declared the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 12-1980.

The Chairman said the report of the Committee on Budget and Finance was accepted as offered. He said the report of the Committee on Service Plazas would be received.

The chairman of the Committee on Service Plazas, Mrs. Davidson, said one resolution would be coming from the committee and she wanted the Executive Director to speak on the necessity of that resolution and give a report for the committee.

Mr. Johnson said that the Members were aware that plans were in progress to renovate the service station areas at all 16 service plazas on the Turnpike. He said a contract had already been awarded for new fuel dispensers. He said a contract has been awarded on the day before the meeting for new fuel storage tanks. He said the week after the meeting bids would be solicited for kiosks and canopies for the plazas.

Mr. Johnson said further that a separate contract would be awarded for installation of the fuel dispensers and fuel storage tanks. He said the plans and documents covering the installation would be ready next month. He said the timing of the total project was crucial and it was probable that a Commission meeting would not be held prior to opening of those bids. He said that, therefore, he was asking for the authority to make the award of the kiosk and canopy and the installation contracts after the bids were received, assuming that the bids were proper and appropriate, and that the bids were approved by the Commission's consulting engineers and the Commission's general counsel.

Mr. Johnson said further that the bids received for fuel dispensers and fuel storage tanks were excellent bids, especially on the fuel storage tanks. He said all the bids were substantially under estimated costs and he thought the equipment was being purchased at the right time. He said he hoped the Commission would have the same experience with the bids for the kiosks and canopies and installation of equipment.

A resolution authorizing the Executive Director to take immediate action concerning award of construction contracts was moved for adoption by Mrs. Davidson, seconded by Mr. Anderson, as follows:

"WHEREAS, the Commission has undertaken a program of replacing the fuel dispensing equipment, fuel storage tanks and fuel distribution systems at its sixteen service plazas;

"WHEREAS, the Commission has entered into contracts for the purchase of fuel dispensing equipment, Contract No. 2239-R, and for the purchase of underground fuel storage tanks, Contract No. 2252-R, and will advertise in the near future for a contract for the installation of the fuel dispensing equipment, fuel distribution systems and fuel storage tanks, and a separate contract for the furnishing and installation of the necessary kiosks and canopies for said service plazas;

"WHEREAS, it is imperative that the aforesaid work be completed as soon as possible in order to minimize its impact on the heavy traffic season;

"WHEREAS, it is estimated that the cost of the contract for the installation of the fuel dispensing equipment and fuel storage tanks as well as the contract for the furnishing and installation of the kiosks and canopies will each exceed the \$250,000 limit of authorization heretofore granted by the Commission to the executive director with respect to the award of such contracts; and

"WHEREAS, the Commission desires to delegate to the executive director authority to make awards of these contracts for the performance of the work of each of these projects so that such awards

may be made immediately as soon as appropriate;

"NOW, THEREFORE, BE IT

"RESOLVED that with respect to the award of any contracts for the installation of the fuel dispensing equipment and fuel storage tanks and the contract for the furnishing and installation of kiosks and canopies, all at the Commission's service plazas, if in the opinion of the executive director and of the consulting engineer it is in the best interest of the Commission for an award to be made by the executive director in advance of any meeting of the Commission, the executive director hereby is authorized to award and enter into any contract or contracts and to take whatever other action, on behalf of the Commission, the executive director, with the approval of the consulting engineer, shall determine to be in the best interest of the Commission, notwithstanding any limitation imposed upon the authority of the executive director under any resolution heretofore adopted, provided that any award made and contract entered into pursuant to authority granted here-
in shall be approved by general counsel; and

"FURTHER RESOLVED that the executive director shall inform the Commission of the actions taken hereunder."

A vote of ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Mrs. Davidson, Mr. Anderson, Mr. Weir, Mr. Rogers

Nays: None

The Chairman declared the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 13-1980.

The Chairman said the report of the Committee on Service Plazas was accepted as offered. He said the report of the Committee on Employee Relations would be received.

The vice chairman of the Committee on Employee Relations, G. Alan Plain, said the committee had recently concluded discussions with the various employee groups and had made the following recommendations to the Executive Director:

1. A general 8% wage and salary increase for all regular full-time employees effective after January 1, 1981.
2. A longevity program to provide an additional 1% of compensation to employees for each five year period of service as a regular full-time employee of the Commission. This program would be effective July 1, 1981.

3. Revise the method of payment for a portion of accumulated but unused sick leave for regular full-time employees with at least 10 years service who voluntarily terminate their service in good standing. In case of death, benefits would be paid to the spouse or estate.
4. An adjustment in the dental benefits to eliminate the annual \$25.00 per person deductible and increase major restorative coverage from 50% to 60%.
5. Appropriate manual changes to accommodate the recommendations and other minor items.

The Chairman said the report of the Committee on Employee Relations was accepted as offered. He said the report of the Director of Transportation would be received.

The Director of Transportation, Mr. Weir, said that the Ohio General Assembly included in O.D.O.T's budget for 1980-81 a requirement that the department make a study of the financial impact of the department assuming the operational costs of the Turnpike once the tolls were paid off. He said that he had just received the report prepared by the private engineering firm hired for the job, Howard, Needles, Tammen & Bergendoff. He said he had read the draft of the cover letter for distribution to the General Assembly and Commission Members. He said copies would be distributed to the Commission Members within a matter of a few days after the meeting.

The Chairman said the report of the Director of Transportation was accepted as offered. He said the report of the Committee on Safety would be received.

The chairman of the Committee on Safety, Mr. Johnson, said he was pleased to report the Turnpike's safety record for 1980 was vastly improved over what it had been in 1979.

Mr. Johnson said further that he disliked having to report the record in such terms, but fatal accidents were one of the measures of the road's safety record. He said that there were 29 fatal accidents for the year 1979 and there were 38 fatalities in those 29 accidents. He said that up to the day of the meeting only 26 fatalities had been recorded in 1980, a decrease of 32 percent in comparison with 1979, and only 16 fatal accidents, a 45 percent reduction. He said two and one-half months had passed without a fatal accident.

Mr. Johnson said further that, in addition, the total number of all kinds of accidents had declined by almost 12 percent. He said he thought that the overall reduction in accidents was the result of the Commission's concern and the intensified enforcement of the Commission's traffic regulations by District 10 of the Ohio State Highway Patrol. He said that, for example, the addition of a third aircraft to help patrol the Turnpike from the air had proven successful. He said he was pleased with the Patrol's efforts and

hoped the safety record would improve even more in 1981.

The Chairman said the report of the Committee on Safety was accepted as offered. He said the report of the Executive Director would be received.

Mr. Johnson said the environmental and engineering studies to identify improvements that would be made in case the Turnpike goes toll-free and to qualify those improvements for 90% federal funds were moving along on schedule. He said the next visible move of the studies would be another series of public meetings conducted next spring to discuss a narrowed list of potential new interchange sites. He said the Commission's staff, along with representatives of the engineering consulting firm of Dalton-Dalton, Newport, O.D.O.T., and the Federal Highway Administration were in the process of narrowing down the list of potential new interchange sites which were most promising and they will be the subject of more intense technical and environmental studies.

Mr. Johnson said also that Mr. Weir and others from O.D.O.T. opened up a stretch of Interstate Route 480 the week prior to the Commission meeting. He said the Commission was in the process of building a toll plaza to link I-480 to the Turnpike. He said there had been a delay in building the plaza, but he didn't consider the situation a problem. He said that traffic could leave I-480 about a mile away from the Turnpike at the new exit with State Route 10 and travel about one-half mile on State Route 10 to existing Turnpike Interchange Number 9 (North Olmsted-Cleveland). He said the new toll plaza should be finished on schedule in March 1981.

Mr. Johnson said also that four of the eight salt storage buildings, for which an award had been made on an emergency basis, had been constructed at four maintenance buildings located at the eastern end of the Turnpike. He said the contract had specified that four of the buildings were to be constructed in 1980 and the other four in 1981.

Mr. Johnson said also that a new exit lane was being built by Commission maintenance crews at Interchange 5 in the Toledo area to accommodate heavy commercial traffic. He said the work would be done in the spring of 1981.

Mr. Johnson said also that, as had been mentioned at the last Commission meeting, the Chairman, Vice Chairman, several staff members and he attended the annual meeting of the International Bridge, Tunnel and Turnpike Association early in December.

Mr. Johnson said also that, as the Chairman had already stated, the Christmas luncheon for Commission employees would be held when the meeting concluded.

The Chairman said the report of the Executive Director was accepted as offered. He said the report of General Counsel would be received.

General Counsel, Francis K. Cole, said that the Supreme Court of Ohio had declined to hear the Commission's appeal of the Stacey case and, therefore, he would no longer be regaling the Commission Members with information concerning that case.

The Chairman said the report of General Counsel was accepted as offered. He ascertained there would not be a report from the consulting engineers. He said the report of the Trustee would be received.

Mr. Sesler said bonds in the face amount of \$923,000 were tendered on December 11, 1980. He said the high price was 101 and the low price was 98 for an average of 100.8. He said that of the bonds tendered most came in at the call price of 101. He said that if the moneys remaining in the Redemption Account were not spent by April 15, 1981, the Trustee would have to make a bond call as of June 1, 1981. He said, however, that the Trustee hoped that a call would not have to be made.

Mr. Johnson said that, returning to an earlier report, the Trust Agreement requirement calling for a study of the toll schedule was for the benefit of the bondholders to protect the money they have invested in the bonds so that they received their interest payments and so the bonds eventually would be retired. He said that he thought it important to note that, as Mr. Sesler reported at the last Commission meeting, of the bonds called in 1978 more than \$600,000 face amount of them had not been turned in for payment.

Mr. Johnson said further that the bond call in 1979, which amounted to \$4-1/2 million, bonds totalling over \$2 million had not been turned in. He said holders of called bonds were not receiving interest on them and they must not know they own the bonds. He said that the Trustee had almost \$4 million in bond redemption funds in early December, but less than \$1 million were tendered. He said that what he was stressing was that bondholders wishing to sell the bonds back to the Trustee had ample opportunities to do so and the Trustee would be back on the market in January, or shortly thereafter, to accept additional tenders. He said he didn't think the bondholders had any reason to be nervous about the financial standing or status of the Commission; it was solid.

The Chairman said the report of the Trustee was accepted as offered. He said the report of the Director of Information and Research would be received.

The Director of Information and Research, Robert P. Barnett, said preparation of the Commission's 1980 annual report was in progress and it would be completed on schedule.

The Chairman said the report of the Director of Information and Research was accepted as offered. He said the Executive Director would read the fifth and final resolution at the meeting.

(At this point in the meeting, Mr. Johnson read aloud a resolution congratulating and expressing appreciation to Jo Ann Davidson.)

Mr. Johnson said that he would like, on behalf of the Commission's staff to endorse the sentiments included in the resolution because the staff had really enjoyed working with Mrs. Davidson. He said she had been a marvelous person to work with and she had contributed greatly to the Commission's success.

Mr. Cole suggested that a certified copy of the resolution would be sent to Mrs. Davidson by the Secretary-Treasurer.

The Chairman said the Secretary-Treasurer would be so instructed.

The Chairman said he thought the record should show that the Commission would miss Mrs. Davidson. He said she had been very inspiring to the Commission Members and her presence had added a lot. He asked that the record also should show that the resolution congratulating and expressing appreciation to Mrs. Davidson was offered and adopted unanimously, to which the Members assented, as follows:

"WHEREAS, Jo Ann Davidson has been a valued Member of this Commission since her appointment on August 3, 1978, and has been vice-chairman thereof since July 10, 1979;

"WHEREAS, in the aforesaid capacities and as a member of committees of the Commission, she has contributed greatly to its affairs and work through her diligent application to the problems coming before the Commission and the astuteness and knowledge which she has employed in making and expressing judgment with respect to them; and

"WHEREAS, in recognition of these and similar qualities, the people of the 27th District of the Ohio House of Representatives have elected her to represent them in the next session of the General Assembly, and she, therefore, will tender her resignation as a Member of this Commission;

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission hereby recognizes and expresses its appreciation of the diligent, active and valuable service rendered by Jo Ann Davidson as a Member and vice-chairman of the Ohio Turnpike Commission; and

"FURTHER RESOLVED that the Commission extends to Jo Ann Davidson its congratulations and its best wishes for her success and well-being as a legislator and in all matters and engagements which she shall undertake in the future."

A vote by ayes and nays was taken and all Members, with the exception of Mrs. Davidson, responded to roll call. The vote was as follows:

Ayes: Mr. Weir, Mr. Anderson, Mr. Rogers

Nays: None

Abstaining: Mrs. Davidson

The Chairman declared the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 14-1980.

Mrs. Davidson asked the Chairman if she might have 30 seconds to make a few comments.

The Chairman said she could have that amount of time or more to comment.

Mrs. Davidson said that, first of all, one of the regrets she had in being elected to the legislature was the necessity to resign as a Member of the Commission. She said it had been a real privilege and honor for her to be given an opportunity to serve and it had been a very rich experience, a learning experience because she did not know a great deal about the Turnpike when she began. She said she would be remiss if she did not say she had been very favorably impressed with the operation of the Turnpike and with the people who handled the responsibility for its operation. She said she wanted to thank the Commission Members and the members of the administrative staff for their courtesies extended to her in her term of office and for the tolerance of her questions at many times. She said she would miss the Commission and hoped she could be of some help in the legislative discussions over the next two years on the future of the Turnpike.

The Chairman said that at that time it did not appear to be necessary for a Commission meeting to be held in January. He said that with Mrs. Davidson leaving there were two vacancies on the Commission. He said he hoped that Governor Rhodes, in his wisdom, would act expeditiously in filling those vacancies, perhaps by the time the Commission meets in February.

There being no further business to come before the Commission, a motion was made by Mr. Weir, seconded by Mrs. Davidson that the meeting adjourn, subject to call of the Chairman.

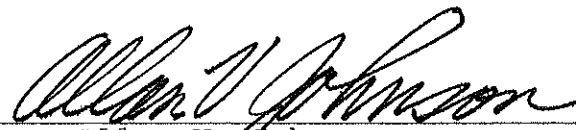
A vote by ayes and nays was taken and all Members responded to roll call.

Ayes: Mr. Weir, Mrs. Davidson, Mr. Anderson, Mr. Rogers

Nays: None

The Chairman declared the meeting adjourned. Time of adjournment was 11:56 a.m.

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



Allan V. Johnson
Assistant Secretary Treasurer