

MINUTES OF THE 358TH MEETING OF THE OHIO TURNPIKE COMMISSION

March 21, 1988

Pursuant to the bylaws, the Ohio Turnpike Commission in regular session in the Administration Building at 682 Prospect Street in Berea, Ohio at 1:35 p.m., on March 21, 1988, with key members of the staff; a representative, William R. Fleischman, of the consulting engineers, J. E. Greiner Company - Ohio; a representative, Richard L. Fetzer, of the trustee, Ameritrust Company National Association; Captain H. E. Williams, Commander of District 10, Ohio State Highway Patrol; two members of the media, Jeff Harrington, The (Toledo) Blade, and Pauline Thoma, The (Cleveland) Plain Dealer; and others in attendance.

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

Present: Bernard B. Hurst, Edwin M. Bergsmark,  
Charles R. Pinzone, Sandra Dombey Cooke

Absent: Clarence D. Rogers, Jr.

A motion was made by Mr. Bergsmark, seconded by Mr. Pinzone, that the minutes of the meeting of December 18, 1987, which had been examined by the Members, be approved without reading.

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

Ayes: Mr. Bergsmark, Mr. Pinzone, Mr. Hurst,  
Mrs. Cooke

Nays: None

The Vice Chairman declared the minutes stood approved with all Members present voting in the affirmative.

The Vice Chairman of the Commission reported that the meeting was the 358th of the Ohio Turnpike Commission, and it was held at the Commission's headquarters as provided for in the Commission's Code of Bylaws. She said she wanted to welcome everyone present, including representatives of the media and especially John McWilliam, President of the Toledo-Lucas County Port Authority.

The Vice Chairman reported that the primary purpose of the meeting was to act on a resolution designating and approving construction of a new Turnpike interchange with State Route 2 in Lucas County at the Toledo Express Airport. She said that since the Commission's out-of-town Members had to leave as soon as possible, she would dispense with the customary report of the

Chairman on the financial experience so far that year. She said those statistics and other information, of course, had been compiled and distributed in the regular reports issued by the Commission.

The Vice Chairman said that in the absence of any questions, the report of the Vice Chairman was accepted as offered. She said the report of the Executive Director would be received.

The Executive Director, Allan V. Johnson, said that the Chairman, Mr. Rogers, had been delayed at a hearing in downtown Cleveland, and had called to request that action on the most important matter on the day's agenda be delayed until he arrived at the meeting.

The Executive Director said that in the meantime, he would introduce some of the guests and staff members in attendance. He said that at the meeting were Dick Fetzer from Ameritrust, the Commission's trustee, and Captain Henry Williams, Ohio State Highway Patrol. He said the staff members present were Lou Disantis, Director of Administrative Services; Phil Loftus, Assistant General Counsel; Don Sharp, Director of Operations; Jean Floasin, Administrative Assistant to the Executive Director and Staff Lawyer; Craig Rudolphy, Comptroller; Jim McGrath, General Counsel; Bob Barnett, Director of Information and Research; and Alan Plain, Deputy Executive Director and Chief Engineer.

The Executive Director said also that between April 24 through April 26 the annual workshop meeting of the International Bridge, Tunnel and Turnpike Association, of which the Commission has been a member for many years, was being held in Cleveland. He said the Commission was the host organization for that meeting. He said he happened to be the First Vice President of the I.B.T.T.A. and he was anxious to have the workshop in Cleveland in order to show off the state, city, the Turnpike and the Commission. He said he hoped the Members would be able to attend at least part of those functions. He said the workshop would be at Stouffer's Tower City Plaza Hotel and there would be a number of activities and meetings associated with that conference. He said he urged the Members to put it on their calendars so that they possibly could attend part of the sessions.

The Executive Director said further that he wanted to comment on the Commission's 1988 construction program. He said he recently had sent the Members a list of the projects and contracts awarded for the year. He said 52 mainline bridges would undergo bridge deck replacement and widening, while the decks of 7 bridges over the Turnpike would be replaced. He said there would be 3 mainline resurfacing projects covering 24.1 miles of roadway. He said the total amount of those contracts would be \$37.4 million.

The Executive Director said further that with the completion of work on the 52 mainline bridges, 254 of the 295 mainline bridges have had the decks replaced and widened since the program began in 1983. He said that of the 295 bridges 5 were interstate roads that cross over the Turnpike, were built subsequent to the Turnpike, and are essentially the responsibility of the Ohio Department of Transportation. He said the Commission already had put new latex concrete overlays on those 5 bridges. He said only 36 of the mainline bridges had yet to have the deck replacements and widening. He said that the Commission was near to the end of that program.

The Executive Director said further that work on the 1988 bridge projects would be suspended at the end of June, so that all mainline lanes of the Turnpike would be open during the busiest travel months of July and August. He said the contracts then would resume after Labor Day and continue through November. He said the resurfacing projects were scheduled for total completion by the end of June.

The Executive Director said further that through 1987, 28 bridges over the Turnpike had the deck replacements. He said 7 more were scheduled for 1988. He said 8 bridges over the Turnpike had the latex concrete overlays applied. He said there were 182 other bridges carrying traffic over the Turnpike that were the responsibility of the Commission. He said there were 4 railroad bridges over the Turnpike and 13 bridges over the Turnpike that were the responsibility of ODOT. He said that, all in all, he thought the Commission has done an adequate job on the deck replacement program and that it had been very difficult to handle traffic over the years. He said the Commission already had spent over \$125 million on the bridge rehabilitations and he honestly believed that the Commission was coasting home on that whole program.

The Executive Director said further that deck replacements for 21 of those remaining bridges over the Turnpike were in the design state. He said he didn't know when plans for those bridges would be released for bidding because it was difficult to schedule them in conjunction with the mainline deck projects that necessitated closing half the travel lanes.

The Executive Director said further that plans were being prepared for modernizing the eight maintenance buildings on the Turnpike, which essentially were the same as they had been for 32 years. He said we also are working on plans to update the Ohio State Highway Patrol Posts which were part of those maintenance buildings and that the Patrol post at Castalia would be relocated into the Sandusky-Norwalk (#7) interchange area in order for it to be more centrally located.

The Executive Director said further that, as the Members were aware, plans were in progress for a new interchange between the Turnpike and Interstate Route 75 in Wood County. He said the Commission's staff was coordinating that project with the state's demonstration project, which will be another interchange between State Route 795 and I-75 just south of the Turnpike. He said that the interchanges were so close together that the projects overlapped and must be worked together in order for the 795 project to gain federal approval. He said the staff had held regular meetings with ODOT and with the Federal Highway Administration to coordinate those plans. He said Mr. Hurst might be able to update the Commission further on the plan status.

The Executive Director said further that he attended a meeting in Columbus two weeks before the Commission meeting to keep that project moving along. He said that it appeared the new Turnpike interchange and the 795 project would be approved. He said he expected the Turnpike interchange would reach the construction state sooner than the state's 795 project.

Mr. Bergsmark asked Mr. Hurst if he could comment on the 795 project.

Mr. Hurst said he first wanted to comment on the Turnpike interchange with I-75. He said that the FHWA had requested some modifications to the interchange plans and those changes were to be made by the Commission's staff. He said he thought everything was on target for the Turnpike and I-75 connection.

Mr. Hurst said further that the Ohio 795 link with I-75 was started in 1987, and the Wood County Commissioners took on the responsibility for hiring the engineering firm to put together an access study report for submission to the FHWA for approval. He said that once that report was approved, the next step was an environmental and engineering study, followed by actual design of the interchange.

Mr. Bergsmark asked if ODOT had hired an engineering firm for the project.

Mr. Hurst said that the Wood County Commissioners took lead responsibility to have the access point approved by the FHWA and that it had to go all the way to Washington.

Mr. Bergsmark asked Mr. Hurst when he thought the project might come on stream.

Mr. Hurst said he thought the interchange would probably be two to three years after the Turnpike connection with I-75.

Mr. Bergsmark asked Mr. Hurst if it could be speeded up.

Mr. Hurst said that it is a speeded up schedule.

Mr. Bergsmark asked why the Commission could move so fast and the state or county can't.

Mr. Hurst said the Commission held public hearings in 1982 as part of environmental and engineering studies to establish new Turnpike access locations with interstate routes and other roads. He said that assessment had been approved by the FHWA, and it included an interchange with I-75. He said the 795 project had to start from the very beginning.

Mr. Bergsmark asked Mr. Hurst if ODOT ran a risk of losing the funding for the federal demonstration project.

Mr. Hurst said no because ODOT had at least four years before the funding would expire.

The Executive Director said the Commission had to back up on the Turnpike interchange with I-75 so that it might be coordinated and submitted along with the 795 project for environmental assessment to the FHWA, even though the Commission's environmental studies were approved in 1983.

Mr. Bergsmark said he wondered why the environmental studies did not apply to both projects since they were so close.

The Executive Director said that the previously approved studies would not apply in every element. He said those type of studies got down to the point where every little pond and field had to be studied.

Mr. Bergsmark said he guessed he was looking for ways to speed up the 795 project. He said that since both projects were linked together it appeared that everything should be done to expedite the 795 and I-75 interchange.

Mr. Hurst said the Commission selected a consultant to begin engineering studies for the Turnpike and I-75 interchange in June 1987. He said that ODOT would name its consultant for 795 after Wood County had finished its access study and environmental assessment.

The Executive Director said the Commission's staff would do anything it could to expedite the 795 project. He said he thought the access study had been submitted to FHWA through ODOT's offices in Columbus.

Mr. Hurst said that a draft of the access study had been submitted and ODOT had been reviewing it. He said a copy also had gone to the FHWA and they were reviewing it at the same time.

Mr. Bergsmark asked if that meant the access study was complete.

Mr. Hurst said it might not be complete because the FHWA continued to review it and they might ask for additional information.

Mr. Bergsmark asked the status of the environmental assessment.

Mr. Hurst said that was the responsibility of the Wood County Commissioners and the associated public hearings had yet to begin.

The Executive Director said he hoped that because the two interchanges were being considered together, the Commission didn't have to conduct new public hearings on the Turnpike/I-75 interchange since they were held years ago. He said that would be a giant step backwards.

Mr. Bergsmark asked the Executive Director to keep the Wood County Commissioners informed of what was required of them concerning all aspects of the two projects. He said he didn't want the Turnpike/I-75 interchange construction slowed down because of the access study-environmental assessments process. He said he also didn't want to lose the demonstration grant because both projects were coupled.

The Executive Director said he would keep the Commission informed of his efforts with regard to both projects. He said he wanted to mention that since the Commission had agreed to fund the Turnpike/I-75 interchange he had sought approval from the FHWA to credit that contribution toward the state's matching funds. He said the answer had been no, but he wished the Commission could appeal that ruling. He said that, unfortunately, he didn't know how that could be done.

(At this point in the meeting, the Commission's Chairman entered the conference room.)

The Executive Director said the next item in his report concerned the main issue before the meeting. He said that, while the issue of when or whether tolls will end has been undecided, the Commission had resisted requests for additional interchanges on the road because of the fundamental differences in design between toll and toll-free interchanges. He said that, however, there has been a growing, intense interest in improving access to the Turnpike. He said that in 1979 the Commission authorized the environmental and engineering studies, already discussed at the meeting, in cooperation with ODOT and the FHWA to identify additional interchanges.

The Executive Director said further that one of those locations was the previously mentioned I-75 interchange with the Turnpike in Wood County. He said that in 1987 the Commission approved and authorized the design, construction and funding of

that toll-type interchange. He said that design was in progress. He said that at the same time the Commission extended the maturity of its outstanding debt to June 1, 1992.

The Executive Director said further that another desirable access point identified in those environmental and engineering studies was at Ohio Route 2, which was known as Airport Highway in Lucas County and adjoins the Toledo Express Airport.

The Executive Director said further that it was a unique situation in that it was the only metropolitan airport located right next to the Turnpike. He said that in his 17 plus years as Executive Director there was no other site that had generated more local interest for an access point. He said that for most of those years he had told local authorities that the Commission had not been in a position to schedule such an access point.

The Executive Director said further that with the changes in the future outlook of the Turnpike, and funding for other transportation facilities, and a renewed interest by local authorities and agencies, he submitted that the time had arrived for the Commission to proceed with this long-delayed project.

The Executive Director said further that the Toledo-Lucas County Port Authority had offered to assist the Commission on this interchange. He said he had advised the Members of that offer and it was evidenced at the meeting by the presence of John McWilliam, who was introduced earlier, the President of Toledo-Lucas County Port Authority. He said the Commission's staff had done some preliminary studies to determine the feasibility of a toll interchange at that location, and he was convinced a suitable design could be developed to serve both the airport and that whole area in general.

The Executive Director said further that, accordingly, a draft resolution had been prepared, copies of which were in the Members' folders, which he would read as follows:

"Resolution approving the location, design and construction of an interchange with State Route 2 (Airport Highway) and the Ohio Turnpike in the vicinity of milepost 52.9 in Lucas County, Ohio.

WHEREAS, Revised Code of Ohio, Section 5537.04 (J), provides that this Commission may designate the locations, and establish, limit, and control such points of ingress to and egress from the Ohio Turnpike as are necessary or desirable in the judgment of the Commission and of the Director of Transportation to insure the proper operation and maintenance thereof;

WHEREAS, the Commission, in cooperation with the Ohio Department of Transportation and the Federal Highway Administration performed Environmental and Engineering Studies to determine, among other things, the location of additional interchanges desirable for operation of the Ohio Turnpike as a toll-free Interstate Highway, and one of the locations so determined is with State Route 2 (Airport Highway) in Lucas County, Ohio;

WHEREAS, the Turnpike has remained and will remain a toll road for longer than was then anticipated which has precluded the construction of a freeway-to-freeway interchange;

WHEREAS, there has been a longstanding interest expressed by local officials and agencies for an interchange between the Turnpike and S.R. 2 to be constructed as soon as possible to improve transportation and access to the area and particularly to the adjoining Toledo Express Airport;

WHEREAS, the Toledo-Lucas County Port Authority has proposed to cooperate with the Commission insofar as it can, legally and practically, in advancing the design, financing for and the construction of an interchange with S.R. 2, and also is willing to include the interchange between the Turnpike and Interstate Route 75 which has been approved previously by the Commission in Resolution No. 4-1987 adopted June 11, 1987;

WHEREAS, the Commission recognizes the need and desirability to connect the Turnpike and S.R. 2 without further delay so as to promote the purposes of the Ohio Turnpike Act, particularly as set forth in the Ohio Revised Code, Section 5537.03, and also to relieve congestion on connecting roadways;

WHEREAS, the Commission desires to cooperate and coordinate with the Toledo-Lucas County Port Authority, the State of Ohio, and other agencies interested and involved in the highway network in the vicinity of the Ohio Turnpike at its intersection with S.R. 2;

WHEREAS, the Commission is willing to perform and fund the design, construction and operation of a toll-type interchange between the Turnpike and S.R. 2, but also wishes to pursue the offer of the Port Authority to assist in the financial arrangements and acquisition of necessary right-of-ways for the project.

NOW, THEREFORE, BE IT

RESOLVED that, pursuant to Section 5537.04 (J) of the Ohio Revised Code, this Commission does hereby formally designate State Route 2 (Airport Highway) as a point of ingress to and egress from the Ohio Turnpike at the approximate crossing of S.R. 2 at milepost 52.9 of the Turnpike in Lucas County, Ohio, subject to the concurrence of the Director of the Ohio Department of Transportation; and



FURTHER RESOLVED that the Commission's Executive Director be, and hereby he is, authorized to negotiate and execute an agreement between the Commission and the Toledo-Lucas County Port Authority to establish and set forth the responsibilities of the respective agencies in carrying out this project, provided, however, that such agreement first shall be approved by the General Counsel and, if the agreement should call for the Port Authority to provide any financing to be reimbursed by the Commission, it shall also be approved by the Commission's fiscal counsel; and

FURTHER RESOLVED that the actions of the Executive Director and General Counsel to review the proposals of the Port Authority and to engage the services of consulting firms to represent the Commission hereby are confirmed and ratified; and

FURTHER RESOLVED that the Executive Director be, and hereby he is, directed to pursue and ascertain whether other funds might be available on a timely basis to help finance the construction of the project, and to develop and present to the Commission a funding proposal (or proposals) for the construction of this project and the I-75 project, as previously authorized by Resolution No. 4-1987, at such time as the designs and related cost estimates have progressed sufficiently."

The Executive Director said further that he recommended that the resolution be approved.

Mr. Bergsmark said that on behalf of all the citizens in northwest Ohio, who numbered some 1.5 million strong, we're very dependent upon the Ohio Turnpike as a means of east-west transportation. He said that, furthermore, we are very dependent upon Toledo Express Airport as a means of air transportation and are very desirous of having this interchange.

Mr. Bergsmark said further that in addition to the impact it would make on the substantial population base, it would also help in the area of economic development, which has been the concern of the Port Authority, to enhance development of that area, which in turn, would enhance the State of Ohio with jobs and its tax base. He said he wholeheartedly recommended this interchange and moved to adopt the resolution which was seconded by Mrs. Cooke.

Mr. Hurst said he made a further motion that the resolution be amended to strike out any reference to the word "construction." He said that for the past two to three years he had, on behalf of ODOT, tried to get a commitment from the Commission as to how they will address the problems of rehabilitating the Turnpike bridges. He said he knew a good job had been done on the mainline bridges, but there were a couple hundred overhead bridges.

Mr. Hurst said further that the law that sets up the Turnpike Commission states that before the Turnpike becomes toll free after the last bonds are retired in 1992, the ODOT Director will inspect it and make sure it is in good and reasonable repair. He said that as ODOT Director it was his responsibility to see that the Turnpike was in good and reasonable repair in 1992. Mr. Hurst said further that he had been unable to get a commitment from the Commission on a schedule for completing those bridges. He said that the Executive Director had said there were another 182 bridges to undergo rehabilitation. He said he didn't know how many bridges were being worked on per year, but he wanted a commitment from the Commission that the top priority will be given to the rehabilitation of the bridges and then whatever can be funded beyond that was fine. He said ODOT endorsed the Turnpike interchange with Airport Highway because it was badly needed in that area. He said ODOT would like to cooperate in every extent in approving and building that interchange but he first wanted the commitment that the bridge program would be financed.

Mr. Bergsmark said he has listened to Mr. Hurst's comments and found it quite unconscionable that the people of northwest Ohio should be penalized because of a separate issue that had nothing to do with the Turnpike-Airport Highway interchange. He said what Mr. Hurst has brought up at the meeting was a separate matter which had no relation to the resolution before the Members which should not be used as a means to gain something that wasn't discussed.

Mr. Rogers said Mr. Hurst had made a motion to amend the resolution. He asked if Mr. Bergsmark, the maker of the motion, accepted the motion to amend.

Mr. Bergsmark said he would not accept the motion to amend.

Mr. Rogers said the motion to amend must be rejected. He said he understood what Mr. Hurst had mentioned, and that it was a subject that the Commission had discussed over the years. He said he felt comfortable that the Commission had lived up to the commitment to rehabilitate the bridges, and that, although a schedule had not been produced, he felt the program was on target. He said that, in many cases, he thought the Commission was ahead of schedule in terms of the obligation the Commission had should the road become free of tolls.

A resolution approving the location, design and construction of an interchange with State Route 2 (Airport Highway) and the Ohio Turnpike in the vicinity of milepost 52.9 in Lucas County, Ohio, was moved for adoption by Mr. Bergsmark, seconded by Mrs. Cooke as follows:

RESOLUTION NO. 1-1988

"WHEREAS, Revised Code of Ohio, Section 5537.04 (J) provides that this Commission may designate the locations, and establish, limit, and control such points of ingress to and egress from the Ohio Turnpike as are necessary or desirable in the judgment of the Commission and of the Director of Transportation to insure the proper operation and maintenance thereof;

"WHEREAS, the Commission, in cooperation with the Ohio Department of Transportation and the Federal Highway Administration performed Environmental and Engineering Studies to determine, among other things, the location of additional interchanges desirable for operation of the Ohio Turnpike as a toll-free Interstate Highway, and one of the locations so determined is with State Route 2 (Airport Highway) in Lucas County, Ohio;

"WHEREAS, the Turnpike has remained and will remain a toll road for longer than was then anticipated which has precluded the construction of a freeway-to-freeway interchange;

"WHEREAS, there has been a longstanding interest expressed by local officials and agencies for an interchange between the Turnpike and S.R. 2 to be constructed as soon as possible to improve transportation and access to the area and particularly to the adjoining Toledo Express Airport;

"WHEREAS, the Toledo-Lucas County Port Authority has proposed to cooperate with the Commission insofar as it can legally and practically in advancing the design, financing for and the construction of an interchange with S.R. 2, and also is willing to include the interchange between the Turnpike and Interstate Route 75 which has been approved previously by the Commission in Resolution No. 4-1987 adopted June 11, 1987;

"WHEREAS, the Commission recognizes the need and desirability to connect the Turnpike and S.R. 2 without further delay so as to promote the purposes of the Ohio Turnpike Act, particularly as set forth in the Ohio Revised Code, Section 5537.03, and also to relieve congestion on connecting roadways;

"WHEREAS, the Commission desires to cooperate and coordinate with the Toledo-Lucas County Port Authority, the State of Ohio, and other agencies interested and involved in the highway network in the vicinity of the Ohio Turnpike at its intersection with S.R. 2;

"WHEREAS, the Commission is willing to perform and fund the design, construction and operation of a toll-type interchange between the Turnpike and S.R. 2, but also wishes to pursue the offer of the Port Authority to assist in the financial arrangements and acquisition of necessary right-of-ways for the project;

"NOW, THEREFORE, BE IT

"RESOLVED that, pursuant to Section 5537.04 (J) of the Ohio Revised Code, this Commission does hereby formally designate State Route 2 (Airport Highway) as a point of ingress to and egress from the Ohio Turnpike at the approximate crossing of S.R. 2 at milepost 52.9 of the Turnpike in Lucas County, Ohio, subject to the concurrence of the Director of the Ohio Department of Transportation; and

"FURTHER RESOLVED that the Commission's Executive Director be, and hereby he is, authorized to negotiate and execute an agreement between the Commission and the Toledo-Lucas County Port Authority to establish and set forth the responsibilities of the respective agencies in carrying out this project, provided, however, that such agreement first shall be approved by the General Counsel and, if the agreement should call for the Port Authority to provide any financing to be reimbursed by the Commission, it shall also be approved by the Commission's fiscal counsel; and

"FURTHER RESOLVED that the actions of the Executive Director and General Counsel to review the proposals of the Port Authority and to engage the services of consulting firms to represent the Commission hereby are confirmed and ratified; and

"FURTHER RESOLVED that the Executive Director be, and hereby he is, directed to pursue and ascertain whether other funds might be available on a timely basis to help finance the construction of the project, and to develop and present to the Commission a funding proposal (or proposals) for the construction of this project and the I-75 project, as previously authorized by Resolution No. 4-1987, at such time as the designs and related cost estimates have progressed sufficiently."

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

Ayes: Mr. Bergsmark, Mrs. Cooke, Mr. Pinzone,  
Mr. Rogers

Nays: Mr. Hurst

The Chairman declared the resolution stood adopted with all Members, with the exception of Mr. Hurst, voting in the affirmative. The resolution was identified as No. 1-1988.

Mr. Bergsmark said he wanted to commend Mr. Johnson for his efforts and diligence in working toward the resolution. He said he also wanted to commend Mr. McWilliam, President of the Toledo-Lucas County Port Authority, who had worked through the years on that project. He said he knew the people of northwest Ohio thanked the Commission for passing the resolution, and he hoped ODOT would be very cooperative in fulfilling the objective.

Mr. Hurst said that with regard to the last paragraph of the resolution which instructs the Executive Director to study the financing of the interchange, he wanted Mr. Johnson to present that to the Commission before construction finally was approved. He said his intention in asking for the amendment to the resolution was to strike the construction and proceed with the engineering, the design, which he thought had some major problems associated with it.

Mr. Hurst said further that he brought a letter to Mr. Johnson before the meeting pointing out ODOT's reservations about the ability of an interchange design to handle the traffic at an at-grade intersection. He said that there were a lot of engineering problems to the design which had to be resolved before it would be acceptable.

Mr. Rogers said sometimes he thought that the only other profession that created more questions than the lawyers were the engineers. He said he thought the engineers would have to resolve those issues, but as Mr. Hurst pointed out, there were safeguards built into the resolution. He said the cooperation of ODOT was important and essential, as was the cooperation of the Commission's staff. He said both parties needed to come together and provide the people of northwest Ohio with the badly needed interchange.

Mr. Johnson said that concerning the construction of the interchange, he wouldn't proceed with it without coming to the Commission for a contract award. He said the Commission will have many chances to review the project with him, the staff, the engineers, and whomever else would be working on it. He said that on the matter of maintenance, he didn't think that there was any other organization in Ohio and probably in the country, that had done a better job of maintaining the bridges than the Commission had done. He said it had been difficult coordinating the rebuilding of a major facility, 241 miles long, such as the Turnpike. He said the Commission was committed to total deck replacement on the mainline bridges because they all were being widened. He said he wasn't ready to agree or accept that all the bridges over the Turnpike needed the same total deck replacement treatment. He said each year's program largely was based on the annual inspections which are done on all Turnpike bridges, and he could assure the Members that none of those bridges were allowed to reach any state of disrepair.

Mr. Johnson said further as far as compliance with the Turnpike Act that he read it a little differently than Mr. Hurst, in that the road would become toll free after the bonds were paid and if it was determined by the ODOT Director to be in good condition and repair. He said there was nothing in the Act that said the determination had to be made on the same day the bonds were paid off. He said the Commission was dealing with something that might have to be decided not sooner than 1992, so it was

difficult to project ahead what would happen on that particular date. He said he could assure the Members that the staff was not falling down on the job of maintaining the roadway and all its facilities.

Mr. Johnson said also that he wanted to talk about the poll commissioned by the Commission to determine the current attitude of Ohioans on the issue of the Turnpike and the issue of continuing tolls. He said the Commission engaged the services of an independent polling firm in 1987 to develop and conduct a scientific survey of those attitudes, and the results of those polls were in the Members' folders.

Mr. Johnson said further the survey was conducted in two groups. He said the first involved Turnpike users and the second sought opinions on a statewide level. He said the surveys consisted of a number of questions and were conducted by telephone interviews. He said the final results were very strong in favor of keeping tolls on the Turnpike. He said that in what is called the informed position, 77 percent of Turnpike users favor keeping tolls, compared to 19 percent for removing tolls. He said that statewide 83 percent favored keeping tolls to only 13 percent for removing them. He said that based on the substantially supportive information the Commission was again seeking Congressional action to void the 1964 Tripartite Agreement among the Commission, ODOT and FHWA, and he proceeded as authorized and instructed by the Commission on that matter in Resolution No. 17-1983.

Mr. Johnson said further that the Commission's legislative effort would be patterned after legislation passed in 1987 which voided similar agreements for states of West Virginia, Kansas and Maryland. He said that action was contained in the Surface Transportation and Uniform Relocation Assistance Act of 1987, and he thought the time was right for something similar to be done for the Ohio Turnpike.

Mr. Johnson said further that for years he had been saying that the Agreement was unfair in relation to what had happened for other toll roads since it had been signed. He said there never was one penny that developed by entering into the Agreement for use on the Ohio Turnpike. He said that by comparison West Virginia, which had been released from its Agreement, was the recipient of some \$650 million in interstate construction funds for use on upgrading the West Virginia Turnpike. He said they entered into that Agreement in return for getting \$650 million and they have been released from the Agreement without paying back any of that money. He said that is why he felt the Commission got a raw deal for entering into the Agreement, never received a penny and its hands tied on the issue of what to do after the bonds were paid and cannot issue additional debt. He said he was ready to renew that effort.

The Chairman said Mr. Johnson's comments certainly reflected his own attitude on the matter. He said he thought the survey was scientifically done and supported the conclusions that had been reached by other past surveys. He said a survey had been conducted by the Ohio Motorists Association whose figures were higher than the Commission's poll with regard to the number of Ohioans who thought the tolls should remain in place on the Turnpike. He said that with that knowledge the Commission had an obligation to live up to the feelings of the people in the state, and efforts have and will be made to seek release from the Tripartite Agreement. He said whatever obligations that might flow from that action will have to be dealt with at the appropriate time.

Mr. Bergsmark asked the Chairman whether a resolution was needed to go forward with those efforts. He said he endorsed them 100 percent.

The Chairman said the Commission already adopted a Resolution on that subject in 1983. He said the Commission was getting closer to the time when such actions should be taken, and it would flow from the results of the attitude survey.

The Chairman said the report of the Executive Director was accepted as offered. He ascertained there would be no report from General Counsel. He said the report of the consulting engineers would be received.

The representative of the consulting engineers, Mr. Fleischman, said the structures portion of their annual inspection was scheduled to begin in mid-April, and he would be making recommendations to the Commission in June concerning the 1989 bridge rehabilitation program.

The Chairman said the report of the consulting engineers was accepted as offered. He said the report of the Secretary-Treasurer would be received.

The Secretary-Treasurer, Mr. Pinzone, said the following listed items had been sent to the Members since the last regular meeting of the Commission, December 18, 1987:

1. Weekly Traffic Statistics
2. Investment transactions which occurred during December 1987; January and February 1988
3. Draft of the Commission Meeting minutes of December 18, 1987
4. Traffic accident analysis through February 1988
5. Traffic and revenue report for December 1987; January and February 1988
6. Financial statements for December 1987; January and February 1988
7. Expense and Budget Report, 12 months 1987

8. Resolution No. 12-1987 adopting 1988 Annual Budget
9. Litigation Report, Fourth Quarter 1987
10. Bid tabulations for various 1988 construction projects
11. News Release #7 re: Free Coffee on Turnpike New Year's Eve

The Chairman said the report of the Secretary-Treasurer was accepted as offered. He ascertained there would be no report from the trustee. He said the report of the Director of Information and Research would be received. (At this point, Mr. Pinzone left the meeting.)

The Director of Information and Research, Robert P. Barnett, said work was nearly complete on the Commission's 1987 annual report and it would be distributed on or before April 1.

The Chairman said the report of the Director of Information and Research was accepted as offered. He ascertained there would be no reports from the Committee on Budget and Finance, Committee on Service Plazas, Committee on Employee Relations and the Committee on Safety.

The Chairman said the next Commission meeting would be held sometime in May. He said the day and time of the meeting would be determined after consultation with the Members.

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

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

Ayes: Mr. Bergsmark, Mrs. Cooke, Mr. Hurst,  
Mr. Rogers

Nays: None

The Chairman declared the meeting adjourned. Time of adjournment was 2:25 p.m.

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

  
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Charles R. Pinzone, Secretary-Treasurer