

MINUTES OF THE 387TH MEETING OF THE OHIO TURNPIKE COMMISSION

June 14, 1993

Pursuant to the bylaws, the Ohio Turnpike Commission met in regular session in the Administration Building at 682 Prospect Street, Berea, Ohio at 10:14 a.m., on June 14, 1993, with key members of the staff; a representative, W. Robson Fleischman, of the consulting engineers, Greiner Engineering, Inc.-Ohio; two members of the media, Hank Harvey, The (Toledo) Blade, and Steve Fogarty, The (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: Robert F. Hagan, M. Ben Gaeth, Charles R. Pinzone, Jerry Wray, Ruth Ann Leever, Umberto Fedeli

Absent: Edwin Bergsmark

A motion was made by Mr. Wray, seconded by Mrs. Leever, that the minutes of the meeting of May 10, 1993, 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. Wray, Mrs. Leever, Mr. Pinzone, Mr. Fedeli

Nays: None

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

The Chairman said that there were a number of guests at the meeting and he asked them to identify themselves as follows: Dennis Schwallie, Peck, Schafer and Williams; Dick Fetzer, Society Bank; John Lavelle, Society Corporation; Jim Conroy, Porter, Wright, Morris and Arthur; Pauline Thoma, The (Cleveland) Plain Dealer (at the meeting as a guest and not as a reporter); Leslie Gaines, Minority Business Enterprise Coordinator; Hank Harvey, The (Toledo) Blade; Steve Fogarty, The (Elyria) Chronicle-Telegram; Gordon Reis, Seasongood and Mayer; Willie Mitchell, Law Clerk, Ohio Turnpike Commission; Jeff Gorski, Law Clerk, Ohio Turnpike Commission; John Lee, Kemper Securities; Jim Cooper, Donaldson, Lufkin and Jenrette; Kym Arnone, Bear Stearns; Dan Rohr, Bank One Capital; Clive Brooks, Brooks Securities; Al Smith, Electrical Union; Susannah Davis, Electrical Union; Craig Rudolphy, Comptroller; Andrea Plassard, Assistant Comptroller;

Sharon Isaac, Staff Counsel; Don Sharp, Director of Operations; Barbara Lesko, Executive Director's Secretary; Leah Fox, ODOT; and Diane Pring, General Counsel's Secretary.

(The following individuals either entered the meeting room after the identifications were made or did not respond at the time: Courtney Shea, Artemis; Frank Lamb, Huntington Capital Corporation; David Millstone, Squire, Sanders and Dempsey; Captain Hank Williams, Commander-District 10, Ohio State Highway Patrol; Dennis Wilcox, Climaco and Seminatore; Jim Beck, CAP, J.P. Morgan; Joe Rice, Joseph Rice Consultants; Lou Disantis, Director of Administrative Services; and Pat Patton, Government Liaison Officer.)

The Chairman said the meeting was the 387th of the Ohio Turnpike Commission and it was being held at the Commission's headquarters as provided for by the Commission's Bylaws. He said Mr. Bergsmark was unable to attend the day's meeting, but a quorum was present.

The Chairman said also that the main reason for the meeting was to receive committee and staff reports and to act on resolutions, draft copies of which had been previously sent to the Members, and also were in the Members' folders. He said the resolutions would be explained and introduced during the various committee and staff reports.

The Chairman said that if there were no questions, the report of the Assistant Secretary-Treasurer would be received.

The Assistant Secretary-Treasurer, Allan V. Johnson, said that the following listed items had been sent to the Members since the last regular meeting of the Commission, May 10, 1993:

- (1) Weekly Traffic Statistics
- (2) Investment Transactions which occurred during May 1993
- (3) Draft of the Commission Meeting minutes of May 10, 1993
- (4) Financial Statement for April and May 1993
- (5) Traffic Accident Analysis for April and May 1993
- (6) Traffic and Revenue Report for April and May 1993

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

Mr. Johnson said that since the last Commission meeting an RFP was issued for Investment Banking Services and those proposals were submitted a week before the Commission meeting date. He said he thought the Chairman had something to say about that subject.

The Chairman said the proposals were being evaluated to come up with a short list of companies whose representatives would be invited to make their presentations. He said those meetings would be held within the next several weeks.

Mr. Johnson said there were forty proposals submitted, so there was some work to be done in evaluating them.

The Chairman said it would take a little time to read the proposals. He said the proposals came from the best minds on Wall Street in New York and on Ninth Street in Cleveland, as well as those from Columbus and every where else.

The Chairman said the report of the Committee on Budget and Finance was accepted as offered. He ascertained there would be no report from the Committee on Audit and Legal and the Committee on Service Plazas. He said the report of the Committee on Employee Relations would be received.

The chairman of the Committee on Employee Relations, Mr. Pinzone, said the fact finder assigned by SERB did issue his report and recommendations relative to contract negotiations with the Commission's radio room personnel. He said the union sent a notice of rejection of the fact finder's report, but it appeared the rejection was not made in a timely manner and SERB notified all parties that the fact finder's report was deemed accepted.

Mr. Pinzone said further that the proposed collective bargaining agreement for the radio room employees, reflecting agreements reached in negotiations and the recommendations of the fact finder, had been forwarded to the United Electrical, Radio & Machine Workers of America, and a copy was sent to the Commission on May 26, 1993.

Mr. Pinzone said further that the hearing officer assigned by SERB on the questions of the appropriateness of the part-time toll collectors as a bargaining unit had issued his recommended determination, which was that the part-time collectors were "public employees" under applicable law and were an appropriate unit for purposes of collective bargaining.

Mr. Pinzone said further that the Committee on Employee Relations disagreed with that determination. He said exceptions to the hearing officer's recommended determination were filed on behalf of the Commission in order to have a determination by the entire State Employment Relations Board.

Mr. Pinzone said further that since the time of its certification, the UE has filed fifteen unfair labor practice charges against the Commission; of which eight have been dismissed by SERB, six were still pending, and one had been directed to hearing on a finding of probable cause. During the same period, the Commission had filed two unfair labor practice charges against the UE and had another prepared to be filed on June 15, 1993. He said one was pending and one had been directed to hearing on a finding of probable cause.

Mr. Pinzone said further that a brief summary of all Unfair Labor Practice Charges filed by the UE and the Commission was in the Members' folders.

Mr. Pinzone said further that as was reported at the meeting of the Commission on May 10, 1993, representatives of the Committee on Employee Relations have held meetings with representatives of the Commission's regular, full-time employees who were not members of a collective bargaining unit, for input and discussion of salaries, benefits, working conditions and general labor/management concerns.

Mr. Pinzone said further that as a result of those meetings, several issues relative to departmental administrative matters had been addressed and were in the process of being resolved.

Mr. Pinzone said further that the questions relative to employee health benefits were being held in abeyance pending analysis of financial information and proposals which would be available after the end of the first contract year.

Mr. Pinzone said further that, as was set forth in the recommendations sent to the Members on May 26, 1993, the Committee on Employee Relations recommended that regular full-time employees who were not members of a collective bargaining unit receive a five percent (5%) pay increase, effective July 1, 1993.

Mr. Pinzone said he would ask General Counsel, Mr. McGrath, to read the resolved of the resolution to approve such an increase.

Mr. McGrath said he would read the resolved as follows:

"RESOLVED that the Ohio Turnpike Commission hereby approves the recommendations of the Committee on Employee Relations, which recommendations have had prior approval of the chairman and the executive director, and adopts such recommendations granting regular, full-time Commission employees who are neither members of a collective bargaining unit nor those employees who currently have a petition before the State Employee Relations Board requesting a representation election, a wage or salary increase of 5% effective July 1, 1993."

A resolution approving and adopting 1993 wage increase for certain Commission employees was moved for adoption by Mr. Pinzone, seconded by Mrs. Leever as follows:

RESOLUTION NO. 22-1993

"WHEREAS, the Commission, acting through its Committee on Employee Relations, has conducted discussions with representatives of various regular, full-time employee groups, who are not part of a collective bargaining unit, concerning wages and salaries;

"WHEREAS, the Commission's Committee on Employee Relations has made a recommendation to the executive director and the executive director in turn has made a recommendation to the chairman concerning wage and salary adjustments for certain of its regular, full-time employees, who are neither part of a collective bargaining unit nor those employees who currently have a petition pending before the State Employment Relations Board requesting a representation election and the chairman has approved such recommendation;

"NOW, THEREFORE, BE IT

"RESOLVED that the Ohio Turnpike Commission hereby approves the recommendations of the Committee on Employee Relations, which recommendations have had prior approval of the chairman and the executive director, and adopts such recommendations granting regular, full-time Commission employees who are neither members of a collective bargaining unit nor those employees who currently have a petition before the State Employment Relations Board requesting a representation election, a wage or salary increase 5% effective July 1, 1993."

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

Ayes: Mr. Pinzone, Mrs. Leever, Mr. Wray, Mr. Fedeli  
Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 22-1993.

The Chairman said he had a response to the union that would be going out the day of the meeting. He said he received two or three hundred postcards on a particular matter and he did have a response. He said that rather than sending two or three hundred letters, he figured he would just do one and then have it distributed. He said his response would be ready later in the day.

Mr. Hagan asked the Chairman if he could get a copy of Mr. Pinzone's report.

The Chairman said Mr. Hagan could be given a copy.

The Chairman ascertained there would be no reports from the Committee on Safety and the Director of the Ohio Department of Transportation. He said the report of the Executive Director, Allan Johnson, would be received.

The Executive Director said he would offer two resolutions, copies of which were in the Members' folders. He said the

resolutions were not long and he would read the entire resolution as follows:

"Resolution Expressing Appreciation  
to Pauline Thoma

"WHEREAS, Pauline Thoma, as a reporter for the Plain Dealer, covered the activities of the Ohio Turnpike Commission for sixteen years;

"WHEREAS, Pauline Thoma's reporting of the Ohio Turnpike Commission was characterized by a fairness and objectivity associated with responsible journalism;

"WHEREAS, her reporting contributed to giving readers of The Plain Dealer a better understanding of the Ohio Turnpike Commission and its many activities, operations and responsibilities;

"WHEREAS, Pauline Thoma now has been reassigned to other reporting duties for the Plain Dealer;

"NOW, THEREFORE BE IT

"RESOLVED that the members and staff of the Ohio Turnpike Commission hereby wish Pauline Thoma well on her new duties and extend to her their sincere appreciation for the responsible and fair manner in which she covered the Ohio Turnpike Commission activities; and

"FURTHER RESOLVED that the assistant secretary-treasurer be, and hereby he is, directed to send a certified copy of this resolution to Mrs. Thoma."

The Executive Director said he heartily recommended that the resolution be adopted unanimously by the Members.

A resolution expressing appreciation to Pauline Thoma was moved for adoption by Mr. Pinzone, seconded by Mr. Wray as follows:

RESOLUTION NO. 23-1993

"WHEREAS, Pauline Thoma, as a reporter for The Plain Dealer, covered the activities of the Ohio Turnpike Commission for sixteen years;

"WHEREAS, Pauline Thoma's reporting of the Ohio Turnpike Commission was characterized by a fairness and objectivity associated with responsible journalism;

"WHEREAS, her reporting contributed to giving readers of The Plain Dealer a better understanding of the Ohio Turnpike Commission and its many activities, operations and responsibilities;

"WHEREAS, Pauline Thoma now has been reassigned to other reporting duties for The Plain Dealer;

"NOW, THEREFORE BE IT

"RESOLVED that the members and staff of the Ohio Turnpike Commission hereby wish Pauline Thoma well on her new duties and extend to her their sincere appreciation for the responsible and fair manner in which she covered the Ohio Turnpike Commission activities; and

"FURTHER RESOLVED that the assistant secretary-treasurer be, and hereby he is, directed to send a certified copy of this resolution to Mrs. Thoma."

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

Ayes: Mr. Pinzone, Mr. Wray, Mrs. Leever, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 23-1993.

The Executive Director said a copy of the resolution had been put on parchment which would be framed and sent to Mrs. Thoma.

Mrs. Thoma said she had enjoyed very much covering the Commission. She said that at some times it had been complicated and she wanted the Chairman to know that she received tremendous help from the staff, from Allan Johnson and Alan Plain, from Jim McGrath and Bob Barnett, and from just everybody. She said their assistance made her job easier. She said it didn't make it easier to not cover the Commission. She said that she was afraid that those were the breaks. She said she thanked the Commission Members.

The Executive Director said the second resolution expressed appreciation to Hank Harvey, which he would read as follows:

"Resolution Expressing Appreciation  
to Hank Harvey

"WHEREAS, Hank Harvey has been a distinguished Ohio journalist for thirty-six years;

"WHEREAS, Hank Harvey has been the transportation writer for The (Toledo) Blade since 1979;

"WHEREAS, his reportorial duties have included coverage of the Ohio Turnpike Commission and its many projects, ranging from new interchanges to the proposed Great Lakes, Mid-Atlantic Corridor;

"WHEREAS, his insightful reporting has given Blade readers a better understanding of Ohio's transportation system and the problems confronting it;

"WHEREAS, his reporting has won a number of prestigious awards and earned him the respect of his journalist peers;

"WHEREAS, after a thirty-year career with The Blade, Hank Harvey has decided to retire to his native Arkansas to pursue music, fishing and travel;

"NOW, THEREFORE, BE IT

"RESOLVED that the members and staff of the Ohio Turnpike Commission extend their appreciation and offer their best wishes to Hank Harvey on his well-deserved retirement and congratulate him on the positive example his reporting has set for his journalistic peers.

"FURTHER RESOLVED that the assistant secretary-treasurer be, and hereby he is, directed to send a certified copy of this resolution to Mr. Harvey."

The Executive Director said that, once again, he heartily recommended adoption of the resolution.

A resolution expressing appreciation to Hank Harvey was moved for adoption by Mrs. Leever, seconded by Mr. Wray as follows:

RESOLUTION NO. 24-1993

"WHEREAS, Hank Harvey has been a distinguished Ohio journalist for thirty-six years;

"WHEREAS, Hank Harvey has been the transportation writer for The (Toledo) Blade since 1979;

"WHEREAS, his reportorial duties have included coverage of the Ohio Turnpike Commission and its many projects, ranging from new interchanges to the proposed Great Lakes, Mid-Atlantic Corridor;

"WHEREAS, his insightful reporting has given Blade readers a better understanding of Ohio's transportation system and the problems confronting it;



"WHEREAS, his reporting has won a number of prestigious awards and earned him the respect of his journalist peers;

"WHEREAS, after a thirty-year career with The Blade, Hank Harvey has decided to retire to his native Arkansas to pursue music, fishing and travel;

"NOW, THEREFORE, BE IT

"RESOLVED that the members and staff of the Ohio Turnpike Commission extend their appreciation and offer their best wishes to Hank Harvey on his well-deserved retirement and congratulate him on the positive example his reporting has set for his journalistic peers.

"FURTHER RESOLVED that the assistant secretary-treasurer be, and hereby he is, directed to send a certified copy of this resolution to Mr. Harvey."

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

Ayes: Mrs. Leever, Mr. Wray, Mr. Pinzone, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 24-1993.

The Executive Director said that, again, the resolution had been on parchment paper. He said it would be framed and sent to Mr. Harvey.

Mr. Harvey said he was not going to make a speech, but since Pauline did, he would.

Mr. Harvey said The Blade couldn't let The Plain Dealer get ahead of it. He said he had been talking to Jim Brennan, the Commission's Development Coordinator, at a party in Toledo the day before the Commission meeting. He said he mentioned to Mr. Brennan that as a young radio reporter in Lima in 1955 one of his first out-of-town assignments was going up to the Turnpike's Westgate terminal to cover the opening of the Turnpike. He said he didn't quite know where it was located. He said the news director said, "Well, drive as far in Ohio as you can and you'll see a bunch of cars and stop there and that's it."

Mr. Harvey said further that he remembered how cold it was and, of course, being from Arkansas, he didn't have a heavy jacket. He said it was about 6:00 a.m. and he met two real colorful characters there. He said one was Frank Lausche, who was just wrapping up his career as Governor of Ohio. He said

Governor Lausche told him that the opening of the Turnpike was his last official act as Governor. He said the other person he met was Jim Shocknessy, the first Chairman of the Commission, who was quite a colorful guy in his own right.

Mr. Harvey said his association with the Turnpike had continued down through the years. He said he covered it off and on for almost 30 years, but full-time for the last 12 or 13 years. He said he would say that the Commission had always maintained high standards. He said it was one of the very few public agencies that he had personally covered where there was no scandal that besmirched the name of the agency. He said he thought the Commission and the employees could be very proud of that.

The Executive Director said he had a few other matters to cover. He said, first of all, the Commission's ongoing program of designating and proceeding on new interchanges was continuing. He said he was ready at that time to recommend that the Commission formally designate two other sites for design and eventual construction.

The Executive Director said further that the first was an interchange linking Interstate Route 77 with the Turnpike. He said I-77 crossed the Turnpike between existing gates 10 (Strongsville-Cleveland) and 11 (Cleveland) in Summit County, very close to Cuyahoga County. He said that since I-77 was constructed in the 1960's, as part of the Interstate Highway System, an interchange between those two facilities, both of which were on the Interstate System, had been under consideration. He said that, in fact, when I-77 was designed in the 1960's, the then Department of Highways, now Department of Transportation, developed a Turnpike interchange configuration and the right-of-way for that configuration was acquired. The interchange was not built because it was expected that eventually the Turnpike would become a free facility. He said that, as the Members knew, the design of toll interchanges was different than for freeway-type facilities.

The Executive Director said further that the decision was made not to build the interchange at that time. He said that he would have to say, in hindsight, in his almost 23 years with the Commission, it probably should have been built back then when I-77 was built.

The Executive Director said further that now that the issue of tolls was settled, just as the Commission did several years ago with the construction of a Turnpike interchange with Interstate Route 75, he thought the time had come to proceed with an interchange with I-77. He said he recommended that the Commission proceed with development of configurations and detailed construction plans for the I-77 interchange.

The Executive Director said further the Members had copies of a resolution entitled "Resolution Approving the Location, Design and Acquisition of Right-of-Way for an Interchange with I-77 and the Ohio Turnpike in the Vicinity of Milepost 172.5 in Summit County, Ohio." He said he would read the Resolveds as follows:

"NOW, THEREFORE BE IT

"RESOLVED that, pursuant to Section 5537.04 (A)(9) of the Ohio Revised Code, this Commission does hereby formally designate a connection of I-77 as a point of ingress to and egress from the Ohio Turnpike in Summit County, Ohio;

"FURTHER RESOLVED that the Chairman and Executive Director are authorized and directed to engage the services of such consulting firm or firms as they deem capable and appropriate to accomplish the expeditious study and design of a toll interchange between I-77 and the Ohio Turnpike and to confer with the Ohio Department of Transportation so as to coordinate such design with any other projects contemplated for this area that would affect the proposed interchange; and

"FURTHER RESOLVED that the Commission determines hereby that the costs and expenses for the study, design, right-of-way acquisition and construction of the toll-interchange project shall be paid by the Commission;

"FURTHER RESOLVED that the Executive Director be, and hereby he is, directed to develop, along with the Commission's Committee on Budget and Finance and the Commission's Financial Advisor, and present to the Commission a funding proposal for the project at such time as the design and related cost estimates have progressed sufficiently."

The Executive Director said he recommended that the resolution be adopted.

The Chairman said he thought that particular interchange would tie Akron and Cleveland closer together. He said that anyone who had travelled on I-77 knew that a direct interchange would help with accessibility.

The Chairman said further that he was recently asked how the new interchanges helped the Turnpike with business. He said that, first of all, the Turnpike is supposed to help business which, in turn, helps jobs, which in turn helps people. He said he thought the quality of the road, and with more accessibility with the new interchanges one could see every month that Turnpike revenues were going up. He said he thought that with more interchanges the Turnpike would do better. He said he thought the new Turnpike interchange with I-77 would be a nice addition.

A resolution approving the location, design and acquisition of right-of-way for an interchange with I-77 and the Ohio Turnpike was moved for adoption by Mr. Pinzone, seconded by Mrs. Leever as follows:

RESOLUTION NO. 25-1993

"WHEREAS, Revised Code of Ohio, Section 5537.04 (A)(9) 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 of the Ohio Turnpike;

"WHEREAS, there has been a long-standing interest expressed by local officials, agencies and the general public for the construction of an interchange between the Turnpike and I-77;

"WHEREAS, the Commission recognizes the need and desirability to connect these roadways so as to facilitate vehicular traffic in the area and to promote the agricultural, commercial, recreational, tourism and industrial development in accordance with Section 5537.03 of the Revised Code;

"WHEREAS, the Director of Transportation has concurred in the designation of I-77 as a point of ingress to and egress from the Turnpike;

"WHEREAS, the Commission will perform and fund the design, right-of-way acquisition and construction of the interchange between the Turnpike and I-77 with its own financial resources;

"NOW, THEREFORE, BE IT

"RESOLVED that, pursuant to Section 5537.04 (A)(9) of the Ohio Revised Code, this Commission does hereby formally designate a connection of I-77 as a point of ingress to and egress from the Ohio Turnpike in Summit County, Ohio;

"FURTHER RESOLVED that the Chairman and Executive Director are authorized and directed to engage the services of such consulting firm or firms as they deem capable and appropriate to accomplish the expeditious study and design of a toll interchange between I-77 and the Ohio Turnpike and to confer with the Ohio Department of Transportation so as to coordinate such design with any other projects contemplated for this area that would affect the proposed interchange; and

"FURTHER RESOLVED that the Commission determines hereby that the costs and expenses for the study, design, right-of-way acquisition and construction of the toll-interchange project shall be paid by the Commission;

"FURTHER RESOLVED that the Executive Director be, and hereby he is, directed to develop, along with the Commission's Committee on Budget and Finance and the Commission's Financial Advisor, and present to the Commission a funding proposal for the project at such time as the design and related cost estimates have progressed sufficiently."

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

Ayes: Mr. Pinzone, Mrs. Leever, Mr. Wray, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 25-1993.

The Executive Director said further that, as the Members knew, the Commission had been discussing a number of other interchange sites. He said a resolution had been prepared to designate an interchange between the Turnpike and Baumhart Road in Lorain County. He said the interchange had been under consideration since 1988 as a spin-off of the long range studies that had been done a number of years ago.

The Executive Director said further that consideration of that interchange as an alternate to one at State Route 60 had been requested by local officials. He said an interchange with State Route 60 had been considered in the Commission's environmental and engineering studies that were done between 1979 and 1984. He said the Commission and its staff had looked at the proposed interchanges in that area very closely. He said that the Commission had held two public meetings in the area and there had been some opposition for an interchange both at Baumhart Road and State Route 60. He said he sincerely considered that much of the opposition to an interchange at Baumhart Road was in the form of a letter writing campaign directed to the Commission which contained a flier with some misleading information. He said that, for example, the flier stated that the distance between an interchange at Baumhart Road and one at State Route 58, which had previously been designated by the Commission, was only one and a half miles. He said that, in fact, the distance was four miles. He said that while the difference might not sound like a lot, it was a significant difference when talking about spacing between interchanges.

The Executive Director said further that, at any rate, Baumhart Road as an interchange site had been under consideration since 1988. He said it was an alternative to State Route 60 which was west of there. He said he thought it would provide another source of improved access between the long Turnpike stretch between existing gate 7 at Norwalk-Sandusky and western Lorain County. He said it was the longest stretch on the Turnpike without access and it definitely, in his opinion, would open up western Lorain County to the Turnpike and be beneficial to that area. He said that would be the case for areas north of the Turnpike, such as the cities of Vermilion and Lorain, as well as development that existed in the area. He said the interchange also would aid other areas that had potential for future development.

The Executive Director said the Members had before them a resolution entitled "Resolution Approving the Location, Design and Acquisition of Right-of-Way for an Interchange with Baumhart Road and the Ohio Turnpike in the Vicinity of Milepost 136.2 in Lorain County, Ohio."

The Executive Director said further that he would dispense with the Whereases and read the Resolveds as follows:

"RESOLVED that, pursuant to Section 5537.04 (A)(9) of the Ohio Revised Code, this Commission does hereby formally designate a connection of Baumhart Road as a point of ingress to and egress from the Ohio Turnpike in Lorain County, Ohio;

"FURTHER RESOLVED that the Chairman and Executive Director are authorized and directed to engage the services of such consulting firm or firms as they deem capable and appropriate to accomplish the expeditious study and design of a toll interchange between Baumhart Road and the Ohio Turnpike and to confer with the Ohio Department of Transportation so as to coordinate such design with any other projects contemplated for this area that would affect the proposed interchange; and

"FURTHER RESOLVED that the Commission determines hereby that the costs and expenses for the study, design, right-of-way acquisition and construction of the toll-interchange project shall be paid by the Commission;

"FURTHER RESOLVED that the Executive Director be, and hereby he is, directed to develop, along with the Commission's Committee on Budget and Finance and the Commission's Financial Advisor, and present to the Commission a funding proposal for the project at such time as the design and related cost estimates have progressed sufficiently."

The Executive Director said further that, once again, he recommended that the resolution be adopted.

The Executive Director said further that Baumhart Road was a county road so the staff would also be working closely with Lorain County officials in that area in the development of the design and the impact on the local road system. He said he thought Mr. Brennan might have something further to add on the selection of Baumhart Road.

Mr. Brennan said he had nothing significant to add other than the fact, as Mr. Johnson had mentioned, all the political and business leadership in the Lorain area were in favor of that interchange. He said he too strongly recommended the adoption of the resolution.

The Chairman said that the selection of an interchange at Baumhart Road carried on the Commission's mission in Lorain County to help with economic development and accessibility. He said he thought the decision made a lot of sense. He said there was a major Ford Motor plant that was close to the interchange site where there were a lot of jobs like there were in Lordstown.

A resolution approving the location, design and acquisition of right-of-way for an interchange with Baumhart Road and the Ohio Turnpike in the vicinity of milepost 136.2 in Lorain County, Ohio was moved for adoption by Mr. Wray, seconded by Mrs. Leever as follows:

RESOLUTION NO. 26-1993

"WHEREAS, Revised Code of Ohio, Section 5537.04 (A)(9) 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 of the Ohio Turnpike;

"WHEREAS, there has been a long-standing interest expressed by local officials, agencies and the general public for the construction of an interchange between the Turnpike and Baumhart Road;

"WHEREAS, the Commission recognizes the need and desirability to connect these roadways so as to facilitate vehicular traffic in the area and to promote the agricultural, commercial, recreational, tourism and industrial development in accordance with Section 5537.03 of the Revised Code;

"WHEREAS, the Director of Transportation has concurred in the designation of Baumhart Road as a point of ingress to and egress from the Turnpike;

"WHEREAS, the Commission will perform and fund the design, right-of-way acquisition and construction of the

interchange between the Turnpike and Baumhart Road with its own financial resources;

"NOW, THEREFORE, BE IT

"RESOLVED that, pursuant to Section 5537.04 (A)(9) of the Ohio Revised Code, this Commission does hereby formally designate a connection of Baumhart Road as a point of ingress to and egress from the Ohio Turnpike in Lorain County, Ohio;

"FURTHER RESOLVED that the Chairman and Executive Director are authorized and directed to engage the services of such consulting firm or firms as they deem capable and appropriate to accomplish the expeditious study and design of a toll interchange between Baumhart Road and the Ohio Turnpike and to confer with the Ohio Department of Transportation so as to coordinate such design with any other projects contemplated for this area that would affect the proposed interchange; and

"FURTHER RESOLVED that the Commission determines hereby that the costs and expenses for the study, design, right-of-way acquisition and construction of the toll-interchange project shall be paid by the Commission;

"FURTHER RESOLVED that the Executive Director be, and hereby he is, directed to develop, along with the Commission's Committee on Budget and Finance and the Commission's Financial Advisor, and present to the Commission a funding proposal for the project at such time as the design and related cost estimates have progressed sufficiently."

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

Ayes: Mr. Wray, Mrs. Leever, Mr. Pinzone, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 26-1993.

The Executive Director said also that he had another resolution he would like to explain and recommend and that was a resolution for awarding a contract for installation of overhead sign supports. He said he would read the first Whereas as follows:

"WHEREAS the Commission has duly advertised according to law for bids upon a contract for the furnishing and installation of overhead sign supports at the following toll plazas: 2, 3, 4, 5, 8, 9, 13, 14, 15, 16, and 17, which contract has been designated CIP 45-93-01."



The Executive Director said further that the contract was for completing the upgrading of the Turnpike approach signing to those toll plazas. He said the signs at all the other toll plazas had already been installed. He said that, as the Members could see from the resolution, four bids were received on that contract. He said he would read the Resolved as follows:

"RESOLVED that the bid of M. P. Dory Co. of Columbus, Ohio, in the amount of \$1,046,655.00, for the performance of Contract CIP 45-93-01 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairman and executive director, or either of them, hereby is authorized (1) to execute a contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

The Executive Director said he recommended that the resolution be adopted.

A resolution awarding contract CIP 45-93-01 was moved for adoption by Mr. Pinzone, seconded by Mr. Wray as follows:

RESOLUTION NO. 27-1993

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for the furnishing and installation of overhead sign supports at the following toll plazas: 2, 3, 4, 5, 8, 9, 13, 14, 15, 16, and 17, which contract has been designated CIP 45-93-01;

"WHEREAS, four bids for the performance of said contract were received;

"WHEREAS, said bids have been reviewed and analyzed by the Commission's deputy executive director-chief engineer, and the Commission's consulting engineer, and they have submitted reports concerning such analyses and those reports are before the Commission, and the Commission's executive director has made his recommendation to the Commission predicated upon such analyses;

"WHEREAS, the Commission's minority business enterprise coordinator has reviewed the documents submitted by the bidders and has determined that there is satisfactory evidence of compliance with the Commission's Minority Business Enterprise Program;

"WHEREAS, all bids for said contract were solicited on the basis of the same terms and conditions and the same

specifications, and the bid of M. P. Dory Co. of Columbus, Ohio, in the amount of \$1,046,655.00 for the performance of Contract CIP 45-93-01 has been determined by the Commission to be the lowest responsive and responsible bid received;

"WHEREAS, the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.07 (B), Section 9.312 and Section 153.54, all of the Revised Code of Ohio, and that a performance bond with good and sufficient surety has been submitted by M. P. Dory Co.;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of M. P. Dory Co. of Columbus, Ohio, in the amount of \$1,046,655.00, for the performance of Contract CIP 45-93-01 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairman and executive director, or either of them, hereby is authorized (1) to execute a contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

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

Ayes: Mr. Pinzone, Mr. Wray, Mrs. Leever, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 27-1993.

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

The Development Coordinator, Mr. Brennan, said that the review of a new Turnpike interchange at State Route 51 in Ottawa/Sandusky Counties was continuing. He said the proposed interchange at State Route 66 or County Road 24 in Fulton County at Archbold had been placed back on the Commission's schedule and would move forward. He said interested parties in the Fulton County/Archbold area had been notified of the Commission's decision and they were pleased about it.

Mr. Brennan said further that, as far as the I-73/74 corridor was concerned, there were meetings held on June 2 and 3 in Bluefield, West Virginia, which he and Pat Patton, the

Commission's Government Liaison Officer, attended. He said the purpose of the meetings was to get all the six states involved in the corridor together. He said Congressman Nick J. Rahall, who was Chairman of the House Subcommittee on Surface Transportation Committee, was the featured speaker. He said Congressman Rahall's district included Bluefield, West Virginia, so that undoubtedly was why the meetings were held there. He said that one of the most interesting things of Congressman Rahall's report was the fact that West Virginia seemed to have all their money to get their job done, compliments of Senator Robert C. Byrd. He said he didn't know who got the money, but they sure had it.

Mr. Brennan said further that an agreement had been reached to form an umbrella organization involving the six states, with the exception of Michigan, which displayed a lack of interest by not attending the meeting. He said that there were five states that were very interested and those five states agreed to set up a temporary umbrella organization that would try to move the entire project together and get the interest of all members of Congress through whose districts the road would pass. He said the interest of the U.S. Senators also would be sought. He said the umbrella organization would operate on a six-month trial basis.

The Chairman said that Mr. Brennan had been doing a great job as Development Coordinator. He said he and the Executive Director had received reports at least once a week about Mr. Brennan's efforts. He said Mr. Brennan had been travelling the great State of Ohio.

Mr. Brennan said Ohio was a big state.

The Chairman said Ohio was the sixth largest of the United States.

The Chairman said also that he wanted to re-emphasize the Commission's relationship with the Ohio Department of Transportation. He said he was very proud to have Mr. Wray, ODOT Director, as the Commission's partner. He said someone recently asked him a question about how did the Commission get along with ODOT. He said he replied by saying the Commission got along with ODOT very, very, very well. He said to remember one thing and that was ODOT was like a very big country, like the United States or China. He said ODOT was very big and very powerful and they had a lot of problems. He said that the Commission was like a little country with a lot of money. He said that, however, the big country could put the Commission out of business.

The Chairman said further that he thought strategically, to not have a good relationship with ODOT would be very, very poor judgment. He said he was very proud of the Commission's relationship with ODOT in working together and furthering the transportation needs of the State of Ohio.

The Chairman said further that everyone understood ODOT had a lot of roads to take care of. He said the Commission had only one to take care of and ODOT had many, many more to take care of than the Commission. He said it was a big job. He said that it was important to remember that ODOT had some 7,000 employees where the Commission had slightly under a thousand and ODOT's budget was between \$2 billion and \$4 billion.

Mr. Wray said ODOT's budget was for \$1.5 billion.

The Chairman said the Commission's budget was about \$100 million. He said ODOT had more responsibilities than the Commission.

The Chairman said the report of Development Coordinator 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.

Mr. Fleischman said that the week before the meeting the consulting engineers completed its annual inspection of all Turnpike buildings and all the bridges not located within construction zones. He said the bridge inspection reports that were required by the Ohio Department of Transportation for those bridges would be forwarded to the Deputy Executive Director/Chief Engineer, Mr. Plain, the week of the meeting. He said he had delivered about 100 of those to Mr. Plain the morning of the meeting. He said he would be forwarding the inspection findings to Mr. Plain in the very near future.

The Chairman said the report of the consulting engineers was accepted as offered.

The Chairman said to Mr. Hagan that he had asked Mr. Brennan and Mr. Johnson to go ahead and speed up the review of State Route 11 and Mahoning County Road 18 in the Youngstown area as sites of new Turnpike interchanges. He said it was the Commission's wish to further Governor Voinovich's mission of increasing the Turnpike's accessibility and spur economic development. He said the Commission would like to be able to help Youngstown, Akron, Cleveland, Lorain, and all the way up to northwest Ohio, where some special things were going on.

Mr. Hagan thanked the Chairman.

The Chairman said the Commission's next meeting would be on Wednesday, July 14. He said the meeting would be at Lordstown for the grand opening of the new Lordstown interchange. He said it would be kind of a special interchange in that it would utilize special toll collection technology developed by the electronic division of Hughes Aircraft, a unit of General Motors. He said the final details had not been determined, but the grand opening ceremony would be held after the Commission meeting. He

said the meeting would probably be held somewhere between 10:00 a.m. and 11:00 a.m.

The Executive Director said he wanted to mention that two mainline resurfacing projects on the Turnpike were winding down. He said that one was at the extreme west end from the Indiana line to around milepost 5. He said the second project was between the Stony Ridge-Toledo (No. 5) and Fremont-Port Clinton (No. 6) Interchanges. He said those two projects were basically finished.

The Executive Director said the third project, between the Strongsville-Cleveland (No. 10) and Cleveland (No. 11) Interchanges, would be suspended by the end of June, with no work being done during the months of July and August, and started again after Labor Day. He said Mr. Plain might have something to report on the progress of some of the Turnpike's maintenance building work.

Mr. Plain said the work was on schedule and going very well. He said the concrete barriers were being removed at that time at the two resurfacing projects Mr. Johnson had indicated. He said that barriers were being moved at Westgate, but there still remained some finishing work that could be done in a single-lane zone, but there wouldn't be any barriers or work zones on the week-ends.

There being no further business to come before the Commission, a motion was made by Mrs. Leever, seconded by Mr. Wray that the meeting adjourn until the next meeting on July 14.

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

Ayes: Mrs. Leever, Mr. Wray, Mr. Pinzone, Mr. Fedeli

Nays: None

The Chairman declared the meeting adjourned. Time of adjournment was 10:55 a.m.

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



Allan V. Johnson  
Assistant Secretary-Treasurer