

## MINUTES OF THE 423rd MEETING OF THE OHIO TURNPIKE COMMISSION

August 19, 1996

Pursuant to the bylaws, the Ohio Turnpike Commission met in regular session in the Administration Building at 682 Prospect Street, Berea, Ohio at 10:18 a.m. on August 19, 1996, with members of the staff: Gino Zomparelli, General Counsel and Deputy Executive Director-External Services; Robert Arlow, Deputy Executive Director-Operations; Anthony A. DiPietro, Deputy Executive Director-Administration; Stephen G. Lorton, Director of Public Affairs & Marketing; Craig Rudolphy, Comptroller; David H. Ransbury, Chief Engineer; Daniel F. Castrigano, Maintenance Engineer; Sharon Isaac, Director of Toll Operations, John Mitchell, Director of Management Information Services; and others in attendance.

Present: M. Ben Gaeth, Marilyn R. Baker, Earl W. Williams, Umberto P. Fedeli

Absent: Jerry Wray, Ruth Ann Leever, Rep. Hodges

The Chairman said that the minutes of the last Commission meeting of June 24, 1996, had been distributed to the Members for their comments and he would accept a motion to adopt them without reading.

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

Ayes: Mrs. Baker, Mr. Williams, Mr. Platt, Mr. Fedeli

Nays: None

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

The Chairman said the meeting was the 423rd meeting of the Commission. He said it was being held at the Commission's headquarters as provided for in the Commission's Code of Bylaws. He said Ruth Ann Leever, Representative Hodges and Jerry Wray were unable to attend the day's meeting. He said Mr. Platt, Assistant Director of ODOT, was authorized to represent and vote for Mr. Wray. He said that, also, Mr. Plain could not attend the meeting. He said Mr. Zomparelli would be giving Mr. Plain's report.

The Chairman said there were a number of guests at the meeting and he would ask them to identify themselves as follows: Marty Voghtsberger, Ohio Company; Kathleen Collins, KeyBank; Ed Presley, KeyBank; Cleve Brooks, SBK Brooks; Bob Dougherty, Merrill Lynch; Fred McFall, Host Marriott; Irv Gill, Gladieux Enterprises; Mike Kury, Advance Restaurant Concepts; Paul Ash, Ohio State Highway Patrol; John Delvecchio, Ohio State Highway Patrol; Ken Zapinski, The Cleveland *Plain Dealer*; Frank Lamb, Huntington Trust; Gary Joseph, ODOT; Keith Rosburg, HNTB; Charles T. Visconsi, Key Capital Markets; Rob Fleischman, Greiner Engineering; Anthony Palombo, Staff Counsel; Bob Barnett, Public Affairs and Marketing; Diane Pring, General Counsel's secretary; and Leah Fox, ODOT.

The Chairman said various reports would then be received and the Commission would act on a number of resolutions, draft copies of which had been previously sent to the Members and updated drafts were also in the Members' folders. He said the resolutions would be explained during the appropriate reports.

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

Mrs. Baker said that the following listed items had been sent to the Members since the last regularly scheduled meeting of the Commission on June 24, 1996:

1. Weekly Traffic Statistics.
2. Traffic Accident Summary for June and July 1996.
3. Traffic and Revenue Report for June and July 1996.
4. Financial Statement for June and July 1996.
5. Draft of Commission Meeting Minutes June 24, 1996.
6. Investment Transactions June and July 1996.
7. Budget and Expense Report First Six Months of 1996.
8. Text of Am. Sub. HB No. 335 and Final Analysis of Bill.
9. Litigation Report for Period Ending June 30, 1996.
10. News Releases: #22 Turnpike Interchange #14 Re-opens  
#23 Turnpike to be Ready for Peak Season  
#24 9A Ramp Closed for Bridge Pier Removal  
#25 Two Turnpike Lanes Ready for Summer  
#26 Delays Possible at Turnpike Exit 15  
#27 Turnpike Welcomes Contract Review

The Chairman said the report of the Secretary-Treasurer was accepted as offered. He ascertained there would be no report on Budget and Finance. He said the report on Audit/Legal would be received.

Mr. Rudolphy said the accounting firm of Coopers and Lybrand had completed their audit of the six months ending June 30, 1996. He said he was pleased to report that, once again, no audit adjustments had been made. He said he would like to commend his staff and the Chief Auditor for their efforts. He said the auditor's report would be distributed as soon as it was received by him.

The Chairman said the report on Audit/Legal was accepted as offered. He said the report on Service Plazas would be received.

Mr. Gaeth said he would only say that it was good to know that the service plazas were under consideration for renovation. He said they were long past due.

The Chairman said the report on Service Plazas was accepted as offered. He said the report of Mr. Platt would be received.

Mr. Platt said that ODOT had been approved for the State Infrastructure Bank. He said there had been a cooperative agreement signed with the Federal Highway Administration and Federal Transit Administration enabling ODOT to participate in various projects, including one in Erie County on U.S. 250. He said that ODOT would be working with local government units for a cooperative approach to that project.

Mr. Williams said that relative to the service plazas he wanted to request that the Commission receive a briefing in terms of where the plans stood for renovating or replacing them.

The Chairman asked Mr. Williams if he wanted the briefing at the next Commission meeting or some time before that.

Mr. Williams said he would like to have it between then and the next meeting.

Mr. Arlow said he would see that a report was prepared to update the Commission on what was going on.

The Chairman said the report of Mr. Platt was accepted as offered. He said the report on Employee Relations would be received.

Mr. DiPietro said that there was no report specifically on Employee Relations. He said he wanted to introduce John Mitchell, Director of Management Information Systems, who would give a brief update on the status of the Commission's Business Applications Systems Project.

Mr. Mitchell said that in December of 1995, the staff began evaluating several potential information technology projects. He said it was determined that, at that time, the Commission's business applications were in need of replacement. He said that business applications included equipment maintenance, financial reporting, inventory, payroll, purchasing, as well as human resources.

Mr. Mitchell said further that in each of the Members' folders was a report outlining the project and the status as of that day. He said that essentially the project was broken into three phases. He said that phase one, which included interviews with staff members, should be completed by the upcoming Friday with the draft of possible proposals.

Mr. Mitchell said that phase two would actually be developing the implementation and testing plans. He said that phase three would be the actual implementation.

Mr. Mitchell said further that he expected the system would cost approximately \$500,000 and a recommendation for award would be coming to the Commission in October.

Mrs. Baker said that Mr. Mitchell's report said that the Commission would be purchasing an off-the-shelf package rather than a custom package. She asked what were the advantages to the off-the-shelf package.

Mr. Mitchell said that the implementation time of an off-the-shelf package was much faster than if it were a custom package. He said that a current custom package might be 100 percent effective today, but only 75 percent effective by the time it was implemented because the Commission's requirements would change. He said that with an off-the-shelf package it would be customized to the Commission's own needs.

Mrs. Baker asked if there was a cost savings.

Mr. Mitchell said it was significant. He said that obviously the vendor was selling the same package to several customers and spreading those costs.

The Chairman asked if other Turnpike's were using the system.

Mr. Mitchell said that the staff had not actually selected a vendor. He said that there were obviously other organizations that were using off-the-shelf solutions.

The Chairman asked if any outside consultant was being used to help.

Mr. Mitchell said Vince Chiarucci had been assisting the staff, not only from a software perspective but also from a process perspective. He said Mr. Chiarucci had been evaluating what was being done and why it was done that way.

Mr. DiPietro said that, as part of the RFP, proposals would have to include references from their other customers and what similar systems they had prepared so that the Commission's staff could review them.

The Chairman said that Mr. Mitchell's report was accepted as offered.

The Chairman said that he had asked Mr. Plain to give the Commission a report about how much the payroll had been cut by the Commission's early buyout. He said Mr. Plain had prepared a written report that said the reduction had been just under \$2.3 million annually on payroll.

The Chairman said further that the reduction was done without firing anyone and, in the same token, it was a good return on the Commission's investment. He said there had been 99 early retirements.

Mr. Williams said that as a result of looking over the report he would like to have a separate report on all the new hires that had taken place and promotions by name, position, salary, race and gender within the twelve months.

The Chairman asked what staff member could complete such a report.

Mr. Zomparelli said Mr. DiPietro could provide that information.

The Chairman said also that he got the Commission's monthly newspaper and he thought it was awfully nice. He asked what kind of comments were received and if they cared about what was going on.

Mr. Lorton said limited comments had been received.

The Chairman said that there was something that he recommended they continue to do and that was meetings with employees. He said last year he had seven meetings with employees. He said all 1100 employees of the Commission were invited to attend one of seven different sessions. He said that, unfortunately, not every employee attended a meeting.

The Chairman said that, obviously, the meetings were held on the employees own time and voluntary. He said that probably several hundred participated.

The Chairman said further that those sessions lasted an average of two to three hours. He said that in the first ten or fifteen minutes he spoke and gave an outline of the direction of

where the Commission was going and what they were trying to accomplish. He said he basically stressed the three things the Commission was working on which was safety, accessibility and economic development.

The Chairman said further that then for the next hour and a half to two hours the employees told them things that they thought the Commission should do. He said he asked Toll Collectors what they heard from patrons driving through. He said he thought the toll collectors knew better about what was needed.

The Chairman said further that a lot of good ideas came up. He said that about 80 percent of the suggestions that came out of every meeting were similar. He said that, by the way, the third lane was recommended by employees in those meetings.

The Chairman said further that he recommended the development of a program to take management out on the road to talk to employees on every level. He said it would give employees an opportunity to tell management what was on their mind. He said they would probably have many suggestions about how to improve service to our customers.

The Chairman said he would like to eventually have a transition that all Toll Collectors were really basically customer service people. He said that, besides collecting tolls, they were customer service people who could help with directions, help give advice and make sure we give our customers that value-added service. He said that he thought a series of meetings with employees should be held even though he would not be able to participate. He said he wanted to set an example last year by doing it himself. He said the employees appreciated being listened to and it was amazing what they would tell you. He said the Commission didn't have to spend any money on high-pressure consultants, either.

Mr. Williams said that getting back to the buyout, he would like to ask Mr. Rudolph how long it would take before the Commission might realize some savings from the buyout.

Mr. Rudolph said the out-of-pocket dollars that the Commission had to pay to PERS for the retirement plan amounted to just slightly over \$4 million. He said the savings in salaries that the Chairman commented on was \$2.3 million. He said the expense of the retirement plan would be recovered in a little less than two years.

The Chairman said that was a little bit better than a 50 percent return on the Commission's investment and he thought any business person that could spend a dollar and get back 53 cents in savings the first year was doing pretty good. He said that by the end of the second year the Commission would be ahead of the game.

The Chairman said further that the Commission accomplished the plan without going in and firing anyone. He said there had to be a balance to it. He said the Commission had to run an efficient organization, but he didn't think they could walk in and say to loyal people with 25 or 30 years of service that their jobs were being eliminated. He said he thought it was a fair way to do it and it resulted in a substantial amount of savings.

The Chairman said further that when you take \$2.3 million here and the other \$1.5 million to \$2 million the Commission was making in additional profits from the service station contract, plus the over \$2.5 million savings in insurance and several other items every year, the Commission was up to about \$10 million in additional income or savings per year. He said he

would like to see the trend continue. He said that as new interchanges were added and the third lane was opened the Turnpike operations would be expanded and it would be run more efficiently with fewer employees.

The Chairman said Mr. Mitchell and outside consultants were looking at all the Commission's business practices and looking at every aspect of the Turnpike to see where improvements could be made.

The Chairman said the Turnpike and Commission were more highly regarded out of state than they were in their own backyard. He said Standard & Poor's and Moody's had given the Commission the highest ranking for its bonds of any Turnpike facility in the country. He said when you travel across the country and mentioned that you were affiliated with the Ohio Turnpike you heard tremendous praise. He said that praise especially came from people who traveled many Turnpikes. He said the Ohio Turnpike was a good road and good people worked there. He said the Toll Collectors, over a period of time, should become customer service people.

The Chairman said further that, for example, at Jacobs Field the personnel were trained by the Disney people. He said that at the Disney parks the employees were absolutely fantastic. He said they couldn't be more courteous. He said they couldn't be more helpful. He said they were constantly picking up papers. He said you just could not figure out where they found all those nice people that were so happy to work there.

The Chairman said further that some 43 million people used the Turnpike and Commission employees had to make a good impression on them. He said that over a period of time the Commission would do its own public relations with the help of satisfied customers. He said the people that were using the Turnpike's services were the ones that really counted.

The Chairman said that he had read a letter to the editor from the *Elyria Chronicle Telegram* praising the attention a family had received when their young daughter had injured herself in a fall from an outside picnic table. The letter said several employees at the plaza were quite helpful during the period of their distress. He said they did not know the names of the people who helped them.

Mr. Zomparelli said that he would try to ascertain the names of those individuals.

The Chairman said that would be nice. He said there were a number of those types of articles in the last set of newspaper clippings he had read. He said there were a number of articles that were written on letters concerning people on the Turnpike who actually had gone out of their way to help people.

Mr. McFall said the incident relative to the *Chronicle Telegram* letter had occurred at the Vermilion Valley Service Plaza and he could give the names of those mentioned to the Chairman.

The Chairman said the people who wrote the letter were very appreciative. He said he had received a complimentary letter recently and he responded by picking up the phone, got the person's telephone number and called them to express his gratitude.

The Chairman said further that he thought that was the type of thing that should be started from the top on down. He said that was how our customers could be affected and they could be made happy. He said the Commission had to take care of its customers, its employees, and all the people associated with it.

The Chairman said the report of Mr. Arlow would be received.

Mr. Arlow said there were two new toll plazas under construction at that time at State Route 109 and State Route 51 on the western end of the Turnpike. He said they were progressing very well and he expected a late fall opening for both. He said that would occur even though there had been a very rainy spring. He said one interchange was for North Star Steel in Delta and the other was at Elmore.

Mr. Arlow said further that the renovation of Exit 15 was on schedule and would be completed in late fall.

Mr. Arlow said further that he expected the Commission would award a contract that day for renovation of Exit 12 at State Route 8 in Summit County.

Mr. Arlow said there were six third lane projects in progress and they would open in late fall.

The Chairman said Mr. Arlow's report was accepted as offered

The Chairman said that he had been in Europe the previous week and had run into three people who happened to be from northwest Ohio. He said they asked him if the Mayor of Toledo had met with Commission officials about running a waterline along Turnpike right-of-way. He said they asked if the Commission was cooperating with the Toledo folks. He said he told them that, first of all, no one ever checked with the Commission before they made plans to run a water line along the Turnpike from the Toledo area over to Delta for North Star Steel. He said it was not that the Commission was not trying to help them, because it was. He said the problem was that the Commission could not jeopardize the Turnpike. He said there was a fiber optic cable already in the same area and a ruptured water line could damage those cables. He said income from that cable amounted to \$8.1 million over twenty years. He said the Commission planned to tie into the cable for its use.

Mr. Zomparelli said there were 24 fibers that would be used for the service plazas, maintenance buildings and toll interchanges.

The Chairman said further that the water line controversy was front page news in the *Toledo Blade*. He said Mr. Plain had sent a letter to the editor of the newspaper explaining the situation. He said the Commission wanted to help anywhere it could, but he reminded Toledo's Mayor that if it wasn't for the Commission, North Star Steel would not have built a plant in Delta.

The Chairman said further that the Commission was spending slightly under \$10 million to construct a new interchange at State Route 109 to attract a major employer that was investing a half a billion dollars in Ohio. He said Ohio had competed with many other states to land the plant. He said it was owned by Cargill, the world's largest privately held company.

The Chairman said further that he had talked to Senator Gaeth and he was a big promoter for having the plant there in Delta. He said the Commission tried to do many things for northwest Ohio, but the Turnpike also went through many other communities. He said that if the Commission started putting water lines, electric lines and all kinds of lines along the Turnpike it would mess up the integrity of the road. He said Toledo officials should have contacted the Commission initially before going ahead with plans for the water line.

Mr. Zomparelli said the problem was that the City of Toledo, their Council representatives and the residents of Toledo still needed to resolve the issue. He said it really was not fair to the Commission to take a stand at this point until the issue was resolved. He said he thought there was a Council meeting the next day in Toledo pertaining to the funding of the water line. He said the Commission had not really received any kind of confirmation that funding for the water line would be authorized. He said he thought there were a lot of initial steps that needed to be finalized.

Mr. Zomparelli said the Commission had given the City of Toledo access to the Turnpike for survey purposes to see if it was feasible to exist on the Turnpike.

The Chairman said there was a piece of property that was owned by the Commission that might be of use to Toledo. He said the Commission would continue to cooperate with them.

Mr. Zomparelli said that the Commission also would have to have its General Consultant or another engineer look at that piece of property to see if it could be sold.

The Chairman asked Mr. Platt if ODOT had been involved in any way.

Mr. Platt said some Toledo officials had talked to ODOT about alternatives, but they were told to come up with some plans.

Senator Gaeth asked where the Commission stood on the new interchange with Fulton County Road 24.

Mr. Arlow said the Commission was waiting for the Ohio EPA. He said the EPA erred in issuing its permit initially. He said they had to go back and start over by holding a public hearing. He said the Commission would not hear if the permit could be re-issued until September 12. He said that once the permit was received then plans could move forward on the interchange.

Mr. Arlow said further that the federal government already had given its okay to proceed.

The Chairman said construction of that interchange was something that should be done because that area seemed to have a tremendous amount of growth potential.

The Chairman said further that the Mayor of Archbold had said northwest Ohio was one of the fastest growing areas in the state.

The Chairman said the report of the Executive Director would be received. He said Mr. Zomparelli would give that report.



Mr. Zomparelli said he had several draft resolutions to introduce to the Commission. He said the first was a Resolution Awarding Contract No. 58-96-04. He said the resolution pertained to a bid invitation for a contract for the demolition and reconstruction of a Toll Plaza for Interchange 12, which was located at Milepost 180.3 in Summit County.

Mr. Zomparelli said three bids had been received for the performance of that contract. He said the bids were reviewed by the Chief Engineer and Executive Director. He said they recommended the acceptance of the bid of the A. P. O'Horo Company. He said he would read the Resolved as follows:

"RESOLVED that the bid of the A. P. O'Horo Company of Youngstown, Ohio, in the amount of \$3,631,988.50 for the performance of Contract No. 58-96-04 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 said 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, and

"FURTHER RESOLVED that Project No. 58-96-04 is designated a System Project under the Commission's 1994 Master Trust Agreement."

Mr. Zomparelli said he recommended that the resolution be adopted.

A Resolution Awarding Contract No. 58-96-04 was moved for adoption by Mrs. Baker, seconded by Mr. Platt as follows:

#### **RESOLUTION NO. 55-1996**

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for demolition and reconstruction of a toll plaza for Interchange 12, Ohio Turnpike at S. R. 8, located at Milepost 180.3 in Summit County, which project has been designated Project No. 58-96-04;

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

"WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer, and he has submitted a report concerning such analysis and his report is before the Commission, and the Commission's executive director has made his recommendation to the Commission predicated upon such analysis;

"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 The A. P. O'Horo Company of Youngstown, Ohio, in the amount of \$3,631,988.50 for the performance of Contract No. 58-

96-04 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, 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 The A. P. O'Horo Company;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of The A. P. O'Horo Company of Youngstown, Ohio, in the amount of \$3,631,988.50 for the performance of Contract No. 58-96-04 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 said 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, and

"FURTHER RESOLVED that Project No. 58-96-04 is designated a System Project under the Commission's 1994 Master Trust Agreement."

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

Ayes: Mrs. Baker, Mr. Platt, Mr. Williams, 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. 55-1996.

Mr. Zomparelli said also that the next resolution was a Resolution Rejecting the Bid on Contract No. 59-96-04. He said it was a bid invitation for a contract for mainline repairs, resurfacing, relocation and guardrail improvements of the eastbound and westbound roadways, including the Eastland Road bridge widening between Milepost 160.0 to Milepost 161.7 in Cuyahoga County.

Mr. Zomparelli said further that the Commission only received one bid for the performance of the contract and the bid was submitted by the S. E. Johnson Company of Maumee. He said the company also submitted an alternate bid. He said both bids from the single bidder were reviewed by the Chief Engineer and the Executive Director. He said both concurred that the bid should be rejected. He said there was a report in the Members' folders explaining the situation.

Mrs. Baker asked if the bid had been rejected because there was only one bidder or because it was too high a bid.

Mr. Zomparelli said there was only one bidder and the bid was substantially higher than the engineer's estimate for the cost of the project.

Mr. Williams asked if the contract would be rebid and what steps would be taken to ensure that the Commission would receive more bids.

Mr. Zomparelli said he would call on Mr. Ransbury to respond.

Mr. Ransbury said that in checking with some of the other potential bidders as to the reason they didn't bid he found that they were extremely busy this fall and they couldn't perform the fall phase of the work. He said the staff felt that by seeking bids next spring they would have more bidders. He said the road was in good enough condition to allow for resurfacing to be put off until next spring.

Mr. Zomparelli said he would read the Resolved as follows:

"RESOLVED that the above-mentioned bid hereto received pursuant to the advertisement for bids upon Contract No. 59-96-04 for the mainline repairs, resurfacing, relocation and guardrail improvements of eastbound and westbound roadways, including the Eastland Road Bridge widening, of original construction section C-19, between Milepost 160.0 to Milepost 161.7 in Cuyahoga County, Ohio be and the same hereby is rejected, and the executive director is authorized to notify the bidder in writing of said action, and to return to the bidder the bid security furnished by it; and

"FURTHER RESOLVED that the executive director and general counsel hereby are authorized and directed to take any and all action necessary to re-advertise for bids for contracts for the mainline repairs, resurfacing, relocation and guardrail improvements of eastbound and westbound roadways, including the Eastland Road Bridge widening, of original construction section C-19, between Milepost 160.0 to Milepost 161.7 in Cuyahoga County, Ohio, forthwith."

Mr. Zomparelli said he recommended the adoption of the resolution.

The Chairman said he would abstain from voting on this resolution.

A Resolution Rejecting the Bid for Contract No. 59-96-04 was moved for adoption by Mr. Williams, seconded by Mr. Platt as follows:

#### **RESOLUTION NO. 56-1996**

"WHEREAS, the Commission has duly advertised according to law for bids upon Contract No. 59-96-04 for mainline repairs, resurfacing, relocation and guardrail improvements of eastbound and westbound roadways, including the Eastland Road Bridge widening, of original construction section C-19, between Milepost 160.0 to Milepost 161.7 in Cuyahoga County, Ohio;

"WHEREAS, the Commission has received a bid from one bidder in response to the subject invitation;

"WHEREAS, said bid has been reviewed and analyzed by the Commission's chief engineer and he has reported thereon, and he, and also the Commission's executive director, have made recommendations with respect thereto;

"WHEREAS, the Commission has been advised by its general counsel that it may lawfully reject all bids for the aforesaid invitation;

"NOW, THEREFORE, BE IT

"RESOLVED that the above-mentioned bid hereto received pursuant to the advertisement for bids upon Contract No. 59-96-04 for the mainline repairs, resurfacing, relocation and guardrail improvements of eastbound and westbound roadways, including the Eastland Road Bridge widening, of original construction section C-19, between Milepost 160.0 to Milepost 161.7 in Cuyahoga County, Ohio be and the same hereby is rejected, and the executive director is authorized to notify the bidder in writing of said action, and to return to the bidder the bid security furnished by it; and

"FURTHER RESOLVED that the executive director and general counsel hereby are authorized and directed to take any and all action necessary to re-advertise for bids for contracts for the mainline repairs, resurfacing, relocation and guardrail improvements of eastbound and westbound roadways, including the Eastland Road Bridge widening, of original construction section C-19, between Milepost 160.0 to Milepost 161.7 in Cuyahoga County, Ohio, forthwith."

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

Ayes: Mr. Williams, Mr. Platt, Mrs. Baker

Nays: None

Abstain: Mr. Fedeli

The Chairman declared the resolution stood adopted with all Members present, except him, voting in the affirmative. The resolution was identified as No. 56-1996.

Mr. Platt asked if the project was anywhere near any of the third lane construction or did it tie into that work.

Mr. Arlow said it tied into the third lane construction.

Mr. Platt asked if rebidding it next year would not hurt third lane construction.

Mr. Arlow said that was correct. He said it was not in the area where third lane construction was being performed.

Mr. Zomparelli said the next resolution was a Resolution Awarding Contract No. 77-96-01. He said the resolution was for construction of a third lane between Milepost 92.75 to Milepost 100.52 in Sandusky County, Ohio.

Mr. Zomparelli said further that the Commission received five bids for performance of the contract. He said all bids were reviewed by the Executive Director and Chief Engineer. He said they recommended acceptance of the low bid by Great Lakes Construction Company. He said he would read the Resolved as follows:

"RESOLVED that the bid of the Great Lakes Construction Company of Cleveland, Ohio, in the amount of \$27,136,964.12, using crushed slag surface course, for the performance of Contract No. 77-96-01, 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 said 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; and

"FURTHER RESOLVED that Project No. 77-96-01 is designated a System Project under the Commission's 1994 Master Trust Agreement."

Mr. Zomparelli said he recommended that the resolution be adopted.

The Chairman said he also would abstain from voting on this resolution.

A Resolution Awarding Contract No. 77-96-01 was moved for adoption by Mr. Platt, seconded by Mrs. Baker as follows:

**RESOLUTION NO. 57-1996**

"WHEREAS, pursuant to Resolution No. 19-1996, the Commission has duly re-advertised according to law for bids upon a contract for 3rd lane construction between Milepost 92.75 to Milepost 100.52 located in Sandusky County, Ohio;

"WHEREAS, the Commission has received bids from five bidders and each bidder submitted alternate bids for the performance of said contract;

"WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer, and he has submitted a report concerning such analysis and his report is before the Commission and the Commission's executive director has made his recommendation to the Commission predicated upon such analysis;

"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 Great Lakes Construction Company of Cleveland, Ohio in the amount of \$27,136,964.12, using crushed slag surface course, for the performance of Contract No. 77-96-01 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, 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 the Great Lakes Construction Company;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of the Great Lakes Construction Company of Cleveland, Ohio, in the amount of \$27,136,964.12, using crushed slag surface course, for the performance of Contract No. 77-96-01, 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 said 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; and

"FURTHER RESOLVED that Project No. 77-96-01 is designated a System Project under the Commission's 1994 Master Trust Agreement."

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

Ayes: Mr. Platt, Mrs. Baker, Mr. Williams

Nays: None

Abstain: Mr. Fedeli

The Chairman declared the resolution stood adopted with all Members present, except him, voting in the affirmative. The resolution was identified as No. 57-1996.

Mr. Zomparelli said the next resolution was a Resolution Concerning Award of Contract Pursuant to invitation No. 3502. He said the resolution was for furnishing and delivery to the Commission of approximately 55,000 tons of sodium chloride, which was rock salt.

Mr. Zomparelli said further that, three bids were received for performance of the contract. He said the invitation to bid was divided into eleven items. He said bids were reviewed by the Maintenance Engineer and he has stated that the lowest responsive bid for items 1, 2, 3, 4 and 5 were submitted by North American Salt Company of Kansas in the amount of \$878,920.00. He said that for items 6, 7, 8, 9, 10 and 11 the lowest bid was submitted by Morton International, Inc. in the total amount of \$1.3 million. He said he would read the Resolved as follows:

"RESOLVED that the bid of North American Salt Company of Overland Park, Kansas, for Items 1, 2, 3, 4 and 5 in the total estimated amount of \$878,920.00 and Morton International, Inc., Morton Salt Division, of Chicago, Illinois for Items 6, 7, 8, 9, 10 and 11 in the total estimated amount of \$1,131,280.00 for Invitation No. 3502 are, and are by the Commission deemed to be the lowest responsive and responsible bids received and are

accepted and the chairman and executive director, or either of them, is hereby authorized (1) to execute a contract with each successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid invitation; (2) to direct the return to the other bidder of its bid security, when appropriate; and (3) to take any and all action necessary to properly carry out the terms of said contract."

Mr. Zomparelli said that he recommended that the resolution be adopted.

A Resolution Concerning Award of Contract Pursuant to Invitation No. 3502 was moved for adoption by Mrs. Baker, seconded by Mr. Williams as follows:

**RESOLUTION NO. 58-1996**

"WHEREAS, the Commission has advertised for bids for Invitation No. 3502 for furnishing to the Commission its requirements for sodium chloride (rock salt) estimated at approximately 55,000 tons, and three bids were received in response to that invitation, such bids having been reviewed by the Commission's staff;

"WHEREAS, it is anticipated that the expenditures of the Commission for sodium chloride under Invitation No. 3502 shall exceed \$500,000 and in accordance with Article V, Section 2.10 (16) of the Commission's Code of Bylaws, Commission action is necessary for the award of such contract;

"WHEREAS, the bids were reviewed by the maintenance engineer who has stated that the lowest responsive and responsible bid for Items 1, 2, 3, 4 and 5 was submitted by North American Salt Company of Overland Park, Kansas, in the total amount of approximately \$878,920.00, and for Items 6, 7, 8, 9, 10 and 11 by Morton International, Inc., Morton Salt Division, of Chicago, Illinois, in the total amount of approximately \$1,311,280.00 and that both bidders propose to furnish materials and services in accordance with the Commission's specifications;

"WHEREAS, the Commission's general counsel has reviewed the bids received and has advised the Commission that the procedure followed by the Commission in advertising for Invitation No 3502 is in accordance with Section 5537.07 of the Revised Code of Ohio, and that the bids of North American Salt Company and Morton International, Inc., Morton Salt Division, are the lowest responsive and responsible bids received and that the Commission may legally enter into contracts with North American Salt Company and Morton International, Inc., Morton Salt Division, to furnish sodium chloride in accordance with Invitation No. 3502;

"WHEREAS, the executive director has reviewed the bids received and has recommended to the Commission that contracts be awarded to the lowest responsive and responsible bidders, North American Salt Company and Morton International, Inc., Morton Salt Division;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of North American Salt Company of Overland Park, Kansas, for Items 1, 2, 3, 4 and 5 in the total estimated amount of \$878,920.00 and Morton International, Inc., Morton Salt Division, of Chicago, Illinois for Items 6, 7, 8, 9, 10 and 11 in

the total estimated amount of \$1,311,280.00 for Invitation No. 3502 are, and are by the Commission deemed to be the lowest responsive and responsible bids received and are accepted and the chairman and executive director, or either of them, is hereby authorized (1) to execute a contract with each successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid invitation; (2) to direct the return to the other bidder of its bid security, when appropriate; and (3) to take any and all action necessary to properly carry out the terms 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: Mrs. Baker, Mr. Williams, Mr. Platt, 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. 58-1996.

Mr. Zomparelli said the next resolution was a Resolution Establishing Toll Rates for Interchanges 3B and 5A and Establishing New Toll Class 12.

Mr. Zomparelli said further that the Commission had scheduled the opening of Interchange 3B and Interchange 5A, and therefore it was necessary for the Commission to establish toll schedules to accommodate those interchanges. He said the Executive Director and Comptroller in conjunction with the Toll Operations Department had developed toll rates for Interchanges 3B and 5A. He said, also, a new Class 12 rate would apply to combination vehicles weighing between 127,400 pounds and 150,000 pounds, which will be operating between Exits 3 and 4A, after special provisions for permit requirements are established by the Commission.

Mr. Zomparelli said further that the new classification for Class 12 is the result of the new interchange being located at State Route 109 to accommodate the heavy traffic that will be coming in from Michigan.

Mr. Platt said those were Michigan Loads that had been authorized by ODOT on state routes. He said they had additional axles to distribute the weight. He said they had gross weights of much more than ODOT's 84,000 pound limit. He said that in order to compete with the Michigan area special provisions had been set in northwest Ohio for Michigan loads. He said ODOT appreciated the cooperation on that by the Commission.

Mr. Zomparelli said it was another example of the Commission working with ODOT to help economic development in Ohio.

Mr. Zomparelli said he would read the Resolved of the resolution as follows:

"RESOLVED that the Commission adopts the toll rates for new Interchanges **3B and 5A**, which are incorporated herein, and establishes a new **toll class 12**, between Exits 3B to 4A, which will apply to long double-combination vehicles (LCVs) weighing between 127,400 and 150,000 pounds, under special provisions and permit requirements established by the



Commission, and adopts the toll rates for such classes, which are incorporated herein, and directs that certified copies thereof be filed with the trustee pursuant to Section 4.04(f) of the Commission's Master Trust Agreement dated February 15, 1994."

Mrs. Baker asked if the Class 12 loads were limited in the area between 3B and 4A.

Mr. Zomparelli said that was correct. He said that Class 11 would be the top weight limit throughout the other portions of the Turnpike.

Mrs. Baker said that it would be interesting after this was done for a year or two to see what effect it would have on the road.

Mr. Platt said that by spreading the load out on a greater number of wheels it did have the effect of reducing the pounds per square inch that actually hit the pavement.

Mrs. Baker said that it was not as bad as it seemed.

Mr. Platt said it was not as bad as it seemed because of the additional axles. He said that, however, ODOT would have to look at the bridge loads because that was a static load.

Mr. Zomparelli said he recommended that the resolution be adopted.

Senator Gaeth asked what happened if those heavy trucks went beyond the specified section of the Turnpike.

Mr. Arlow said the heavy loads could get on at Exit 4A and only go west to get off at Exit 3B. He said they could not go beyond those limits. He said that if they went beyond those points they would be stopped and fined for being overweight.

Mr. Platt said that a lot of the steel and raw materials being processed at North Star Steel would be coming out of Michigan. He said the alternative to allowing the heavy loads in Ohio was to have them broken down into smaller loads at the Michigan-Ohio border. He said that was a non-competitive position with Michigan.

Mr. Platt said further that by allowing the heavier loads in Ohio it eliminated breaking down into two different loads and provided easier access to the steel plant. He said ODOT had the same situation in terms of law enforcement for Michigan loads that went beyond the designated roadways and there were stiff penalties and fines for that. He said portable scales were used through the PUCO for enforcement with assistance from the State Highway Patrol.

Senator Gaeth asked Mr. Platt if ODOT made special arrangements for grain trucks coming from Michigan to grain elevators in Fulton County.

Mr. Platt said ODOT had selected certain routes in Williams, Lucas and Fulton Counties where Michigan Loads could travel.

Mr. Platt said further that ODOT could not designate that Michigan loads use Interstate Routes because the Federal Highway Administration restricted them on that.

Mr. Zomparelli said he had one last comment regarding Senator Gaeth's concern about the overweight loads. He said that Class 12 combinations could only travel between Exits 3B and 4A. He said that if they tried to exit at a different interchange there would be an automatic violation.

The Chairman said Senator Gaeth was concerned about the Commission's efforts to balance economic development with safety. He asked if there was anything else that needed to be done from a safety standpoint.

Mr. Zomparelli said the bridges were an issue.

Mr. Ransbury said the general consultant, Greiner Company, had analyzed the stresses on all the bridges between those locations, so they knew what the stresses were on those structures. He said there were a few little things that had to be done on three of the bridges.

The Chairman said further that when the third lane was opened trucks would be able to use it. He said it would only be for cars so that truck traffic will be over to the right side. He said that, again, the Commission was trying to balance safety and economic development. He said that if the Commission didn't let businesses take their products to market there were not going to be jobs for people to be employed.

A Resolution Establishing Toll Rates for Interchanges 3B and 5A and Establishing New Toll Class 12 was moved for adoption by Mr. Platt, seconded by Mr. Williams as follows:

#### **RESOLUTION NO. 59-1996**

"WHEREAS, the Commission has scheduled the opening of Interchange 3B and Interchange 5A, and it is necessary to establish toll schedules to accommodate those interchanges;

"WHEREAS, it is desirable to establish a new toll classification, namely class 12;

"WHEREAS, the Commission's executive director and comptroller, in conjunction with the toll operations department, have developed toll rates for Interchanges 3B and 5A;

"WHEREAS, toll class 12 will apply to long double-combination vehicles (LCVs) weighing between 127,400 and 150,000 pounds and operating between Exits 3B to 4A under special provisions and permit requirements established by the Commission. The toll rate for class 12 will be the sum of that charged for a class 7 vehicle and a class 9 vehicle;

"WHEREAS, the Schedule of Tolls for Interchanges 3B and 5A, as well as the Schedule of Tolls for Class 12, has been prepared and has been submitted to the Commission and are identified as follows: **Ohio Turnpike Commission Toll Rates, Interchanges 3B and 5A, Ohio Turnpike Commission Toll Rates for Class 12, between Exits 3B to 4A**, and are incorporated into this resolution by reference, as if fully reproduced herein;

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission adopts the toll rates for new **Interchanges 3B and 5A**, which are incorporated herein, and establishes a new **toll class 12**, between Exits 3B to 4A, which will apply to long double-combination vehicles (LCVs) weighing between 127,400 and 150,000 pounds, under special provisions and permit requirements established by the Commission, and adopts the toll rates for such classes, which are incorporated herein, and directs that certified copies thereof be filed with the trustee pursuant to Section 4.04(f) of the Commission's Master Trust Agreement dated February 15, 1994."

OHIO TURNPIKE COMMISSION  
 Schedule of Tolls  
 Class 1

INTERCHANGE	1	2	3	3B	3A	4	4A	5	5A	6	6A	7	7A	8	8A	9	10	11	12	13	13A	14	14A	14B	15	16	16A	17	
1				1.00				2.15																					
2				.70				1.75																					
3				.45				1.25																					
3B	1.00	.70	.45	N/A	.45	.60	.65	.90	1.35	1.80	2.10	2.55	2.80	2.80	3.00	3.00	3.20	3.60	3.75	3.95	4.10	4.45	4.60	N/A	4.75	5.10	N/A	5.35	
3A				.45				.80																					
4				.60				.65																					
4A				.55				.55																					
5				.90				.45																					
5A	2.15	1.75	1.25	1.10	.80	.65	.55	.45	N/A	.45	.75	1.00	1.45	1.70	1.90	1.90	2.15	2.50	2.65	2.85	3.00	3.40	3.50	N/A	3.65	4.05	N/A	4.25	
6				1.35				.45																					
6A				1.80				.75																					
7				2.10				1.00																					
7A				2.65				1.45																					
8A				2.80				1.70																					
8				2.80				1.70																					
9A				3.00				1.90																					
9				3.00				1.90																					
10				3.20				2.15																					
11				3.60				2.60																					
12				3.75				2.65																					
13				3.85				2.85																					
13A				4.10				3.00																					
14				4.45				3.40																					
14A				4.60				3.50																					
14B				N/A				N/A																					
15				4.75				3.65																					
16				5.10				4.05																					
16A				N/A				N/A																					
17				5.35				4.25																					

OHIO TURNPIKE COMMISSION  
 Schedule of Tolls  
 Class 2

INTERCHANGE	1	2	3	3B	3A	4	4A	5	5A	6	6A	7	7A	8	8A	9	9A	10	11	12	13	13A	14	14A	14B	15	16	16A	17	
1				1.30					2.65																					
2				.80					2.15																					
3				.50					1.50																					
3B	1.30	.80	.50	N/A	.50	.65	.75	1.00	1.35	1.65	2.25	2.50	3.45	3.55	4.05	4.05	4.50	4.50	4.95	5.45	5.95	6.25	6.85	7.20	N/A	7.40	7.85	N/A	8.25	
3A				.50					1.00																					
4				.65					.80																					
4A				.75					.75																					
5				1.00					.50																					
5A	2.65	2.15	1.50	1.35	1.00	.80	.75	.50	N/A	.50	1.00	1.30	2.15	2.20	2.70	2.70	3.20	3.20	3.65	4.15	4.65	4.90	5.55	5.85	N/A	6.05	6.55	N/A	6.90	
6				1.65					.50																					
6A	2.25	2.60	2.20	2.20					1.00																					
7				2.60					1.30																					
7A				3.45					2.15																					
8				3.55					2.20																					
8A				3.55					2.20																					
9				4.05					2.70																					
9A				4.05					2.70																					
10				4.50					3.20																					
10A				4.50					3.20																					
11				4.95					3.65																					
11A				4.95					3.65																					
12				5.45					4.15																					
12A				5.45					4.15																					
13				6.25					4.90																					
13A				6.25					4.90																					
14				6.85					5.55																					
14A				7.20					5.85																					
14B				N/A					N/A																					
15				7.40					6.05																					
15A				7.40					6.05																					
16				7.85					6.55																					
16A				N/A					N/A																					
17				8.25					6.90																					

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OHIO TURNPIKE COMMISSION  
 Schedule of Tolls  
 Class 3

INTERCHANGE	1	2	3	3B	3A	4	4A	5	5A	6	6A	7	7A	8	8A	9	10	11	12	13	13A	14	14A	15	16	16A	17		
1				1.80					3.65																				
2				1.20					3.05																				
3				.60					2.10																				
3B	1.80	1.20	.60	N/A	.60	.90	1.05	1.45	1.90	2.35	3.30	3.70	4.55	5.05	5.05	5.50	6.15	6.75	7.20	7.75	8.15	9.05	9.40	N/A	9.65	10.20	N/A	10.55	
3A				.60					1.45																				
4				.90					1.15																				
4A				1.05					.95																				
5				1.45					.60																				
5A	3.65	3.05	2.10	1.90	1.45	1.15	.95	.60	N/A	.60	1.35	1.80	2.65	3.15	3.65	3.85	4.20	4.90	5.35	5.90	6.25	7.15	7.50	N/A	7.70	8.40	N/A	8.80	
6				2.35					.60																				
6A				3.30					1.35																				
7				3.70					1.80																				
7A				4.55					2.65																				
8				5.05					3.15																				
8A				5.05					3.15																				
9				5.50					3.65																				
9A				5.50					3.65																				
10				6.15					4.20																				
11				6.75					4.90																				
12				7.20					5.35																				
13				7.75					5.90																				
13A				8.15					6.25																				
14				9.05					7.15																				
14A				9.40					7.50																				
14B				N/A					N/A																				
15				9.65					7.70																				
16				10.20					8.40																				
16A				N/A					N/A																				
17				10.65					8.80																				

OHIO TURNPIKE COMMISSION  
 Schedule of Tolls  
 Class 4

INTERCHANGE	1	2	3	3B	3A	4	4A	5	5A	6	6A	7	7A	8	8A	9	10	11	12	13	13A	14	14A	14B	15	16	16A	17		
1	5.00			2.30					5.00																					
2		1.50		1.50				4.20																						
3			.65	.65				2.95																						
3B	2.30	1.50	.65	N/A	.65	1.05	1.45	2.00	2.65	3.30	4.20	4.65	5.75	6.35	6.70	6.70	7.40	8.40	8.80	9.30	9.90	11.10	11.30	N/A	11.45	12.40	N/A	13.00		
3A				.65				2.00																						
4				1.05				1.65																						
4A				1.45				1.25																						
5				2.00				.65																						
5A	5.00	4.20	2.95	2.65	2.00	1.65	1.25	.65	N/A	.65	1.75	2.25	3.40	4.05	4.40	4.40	5.20	6.05	6.60	7.05	7.55	8.75	9.10	N/A	9.40	10.20	N/A	10.85		
6				3.30				.65																						
6A				4.20				1.75																						
7				4.65				2.25																						
7A				5.75				3.40																						
8				6.35				4.05																						
8A				6.35				4.05																						
9				6.70				4.40																						
9A				6.70				4.40																						
10				7.40				5.20																						
10A				7.40				5.20																						
11				8.40				6.05																						
11A				8.40				6.05																						
12				8.80				6.60																						
12A				8.80				6.60																						
13				9.30				7.05																						
13A				9.30				7.05																						
14				11.10				8.75																						
14A				11.30				9.10																						
14B				N/A				N/A																						
15				11.45				9.40																						
15A				11.45				9.40																						
16				12.40				10.20																						
16A				N/A				N/A																						
17				13.00				10.85																						

OHIO TURNPIKE COMMISSION  
 Schedule of Tolls  
 Class 5

INTERCHANGE	1	2	3	3B	3A	4	4A	5	5A	6	6A	7	7A	8	8A	9	10	11	12	13	13A	14	14A	14B	15	16	17	
1				2.60				5.55																				
2				1.85				4.65																				
3				.70				3.40																				
3B	2.60	1.65	.70	2.25	.75	1.25	1.60	2.25	3.05	3.80	5.10	6.75	7.00	7.75	8.20	9.15	10.10	10.65	11.05	11.60	12.95	13.50	N/A	13.85	14.85	N/A	15.50	
3A				.75				2.25																				
4				.75				1.85																				
4A				1.25				1.40																				
5				2.25				.75																				
5A	5.55	4.65	3.40	3.80	2.25	1.85	1.40	.75	N/A	.75	2.15	2.75	4.05	4.70	5.25	6.05	7.15	7.60	8.10	8.70	10.00	10.55	N/A	10.80	11.90	N/A	12.55	
6				3.80				.75																				
6A				8.10				2.15																				
7				6.75				2.75																				
7A				7.00				4.05																				
8A				7.75				4.70																				
8				7.75				4.70																				
9A				8.20				5.25																				
9				8.20				6.25																				
10				9.15				6.05																				
11				10.10				7.15																				
12				10.65				7.60																				
13				11.05				8.10																				
13A				11.60				8.70																				
14				12.95				10.00																				
14A				13.50				10.55																				
14B				N/A				N/A																				
15				13.85				10.80																				
16				14.85				11.90																				
16A				N/A				N/A																				
17				15.50				12.55																				



OHIO TURNPIKE COMMISSION  
 Schedule of Tolls  
 Class 6

INTERCHANGE	1	2	3	3B	3A	4	4A	5	5A	6	6A	7	7A	8	8A	9	9A	10	11	12	13	13A	14	14A	14B	15	16	16A	17
1				2.90					6.15																				
2				1.85					5.20																				
3				.75					3.70																				
3B		2.90	1.85	.75	N/A	1.45	1.90	2.50	3.35	4.20	5.75	6.45	7.75	8.50	8.50	9.15	9.15	10.10	11.20	11.80	12.30	13.00	14.45	15.05	N/A	15.45	16.55	N/A	17.30
3A				.85					2.50																				
4				1.45					2.00																				
4A				1.90					1.55																				
5				2.60					.90																				
5A		6.15	5.20	3.70	3.35	2.50	2.00	1.55	.90	.90	2.35	3.10	4.45	5.30	5.30	5.80	5.80	6.70	7.85	8.45	9.05	9.70	11.15	11.70	N/A	12.05	13.20	N/A	13.95
6				4.20					.90																				
6A				5.75					2.35																				
7				6.45					3.10																				
7A				7.75					4.45																				
8A				8.60					5.30																				
8				8.60					5.30																				
8A				9.15					5.80																				
9				9.15					5.80																				
10				10.10					6.70																				
10				10.10					6.70																				
11				11.20					7.85																				
11				11.20					7.85																				
12				11.80					8.45																				
13				12.30					9.05																				
13A				13.00					9.70																				
14				14.45					11.15																				
14				14.45					11.15																				
14A				15.05					11.70																				
14A				15.05					11.70																				
14B				N/A					N/A																				
15				15.45					12.05																				
15				15.45					12.05																				
16				16.55					13.20																				
16				16.55					13.20																				
16A				N/A					N/A																				
17				17.30					13.95																				

OHIO TURNPIKE COMMISSION  
 Schedule of Tolls  
 Class 7

INTERCHANGE	1	2	3	3B	3A	4	4A	5	5A	6	6A	7	7A	8	8A	9	9A	10	11	12	13	13A	14	14A	14B	15	16	16A	17	
1	7.45			3.45					7.45																					
2		2.30		2.30					6.30																					
3			.80	.80					4.45																					
3B	3.45	2.30	.80	N/A	1.00	1.65	2.20	2.95	4.00	5.05	6.90	7.75	9.40	10.30	10.30	11.05	11.05	12.20	13.50	14.10	14.85	15.60	17.40	18.10	N/A	18.55	19.80	N/A	20.85	
3A			1.00	1.00					2.95																					
4			1.85	1.85					2.35																					
4A			2.20	2.20					1.85																					
5			2.85	2.85					1.00																					
5A	7.45	6.30	4.45	4.00	2.95	2.35	1.85	1.00	N/A	1.00	2.90	3.70	5.40	6.35	6.35	7.05	7.05	8.20	9.50	10.15	10.90	11.65	13.40	14.05	N/A	14.50	15.85	N/A	16.85	
6			5.05	5.05					1.00																					
6A			6.90	6.90					2.90																					
7			7.75	7.75					3.70																					
7A			9.40	9.40					5.40																					
8A			10.30	10.30					6.35																					
8			10.30	10.30					6.35																					
9A			11.05	11.05					7.05																					
9			12.20	12.20					7.05																					
10			12.20	12.20					8.20																					
11			13.50	13.50					9.50																					
12			14.10	14.10					10.15																					
13			14.85	14.85					10.90																					
13A			15.60	15.60					11.65																					
14			17.40	17.40					13.40																					
14A			18.10	18.10					14.05																					
14B			N/A	N/A					N/A																					
15			18.65	18.65					14.50																					
16			19.80	19.80					15.85																					
16A			N/A	N/A					N/A																					
17			20.85	20.85					16.85																					

OHIO TURNPIKE COMMISSION  
 Schedule of Tolls  
 Class 8

INTERCHANGE	1	2	3	3B	3A	4	4A	5	5A	6	6A	7	7A	8	8A	9	9A	10	11	12	13	13A	14	14A	14B	15	16	16A	17					
1	4.10			4.10					8.95																									
2		2.60		2.60					7.60																									
3			.85	.85					5.50																									
3B	4.10	2.60	.85	N/A	1.25	1.95	2.70	3.65	4.95	6.25	8.40	9.50	11.55	12.75	12.75	13.40	13.40	15.00	16.55	17.50	18.45	19.35	21.30	22.10	N/A	22.65	24.35	N/A	25.40					
3A			1.25	1.25					3.70																									
4			1.95	1.95					3.00																									
4A			2.70	2.70					2.20																									
5			3.65	3.65					1.25																									
5A	8.95	7.60	5.50	4.95	3.70	3.00	2.20	1.25	N/A	1.25	3.45	4.45	6.65	7.80	7.80	8.55	8.55	9.95	11.65	12.65	13.65	14.50	16.45	17.20	N/A	17.75	19.40	N/A	20.60					
6			6.25	6.25					1.25																									
6A			8.40	8.40					3.45																									
7			9.50	9.50					4.45																									
7A			11.55	11.55					6.65																									
8			12.75	12.75					7.80																									
8A			12.75	12.75					7.80																									
9			13.40	13.40					8.55																									
9A			13.40	13.40					8.55																									
10			15.00	15.00					9.95																									
10A			15.00	15.00					9.95																									
11			16.55	16.55					11.65																									
11A			16.55	16.55					11.65																									
12			17.50	17.50					12.65																									
12A			17.50	17.50					12.65																									
13			18.45	18.45					13.65																									
13A			18.45	18.45					13.65																									
14			21.30	21.30					14.50																									
14A			21.30	21.30					14.50																									
14B			22.10	22.10					17.20																									
15			N/A	N/A					N/A																									
15A			N/A	N/A					17.75																									
16			24.35	24.35					19.40																									
16A			N/A	N/A					N/A																									
17			25.40	25.40					20.60																									

OHIO TURNPIKE COMMISSION  
 Schedule of Tolls  
 Class 9

INTERCHANGE	1	2	3	3B	3A	4	4A	5	5A	6	6A	7	7A	8	8A	9	10	11	12	13	13A	14	14A	14B	15	16	17		
1	7.10			7.10				15.45																					
2		4.70		4.70																									
3			1.60	1.60																									
3B				N/A																									
3A				2.15																									
4				3.45																									
4A				4.70																									
5				6.25																									
5A				8.40																									
6				10.50																									
6A				14.15																									
7				15.35																									
7A				19.35																									
8A				21.25																									
8				21.25																									
9A				22.80																									
9				22.80																									
10				25.05																									
11				27.95																									
12				29.40																									
13				30.75																									
13A				32.40																									
14				36.10																									
14A				37.50																									
14B				N/A																									
15				38.35																									
16				41.25																									
16A				N/A																									
17				43.25																									

OHIO TURNPIKE COMMISSION  
 Schedule of Tolls  
 Class 10

INTERCHANGE	1	2	3	3B	3A	4	4A	5	5A	6	6A	7	7A	8	8A	9	10	11	12	13	13A	14	14A	14B	15	16	16A	17	
1				8.90				19.10																					
2				5.90				16.10																					
3				2.20				11.40																					
3B	8.90	5.90	2.20	N/A	2.75	4.35	5.75	7.70	10.30	12.85	17.45	19.65	23.90	26.30	26.30	28.30	31.20	34.70	36.60	38.50	40.55	45.15	46.90	N/A	48.00	51.45	N/A	53.80	
3A				2.75				7.70																					
4				4.35				6.20																					
4A				5.75				7.70																					
5				7.70				2.75																					
5A	19.10	16.10	11.40	10.30	7.70	6.20	4.60	2.75	N/A	2.75	7.20	9.35	13.65	16.15	16.15	18.05	20.95	24.55	26.40	28.35	30.35	34.85	36.70	N/A	37.75	41.35	N/A	43.70	
6				12.85				2.75																					
6A				17.45				7.20																					
7				19.65				9.35																					
7A				23.90				13.65																					
8				26.30				16.15																					
8A				26.30				16.15																					
9				28.30				18.05																					
9A				28.30				18.05																					
10				31.20				20.95																					
11				34.70				24.55																					
12				36.60				26.40																					
13				38.50				28.35																					
13A				40.55				30.35																					
14				45.15				34.85																					
14A				46.90				36.70																					
14B				N/A				N/A																					
15				48.00				37.75																					
16				51.45				41.35																					
16A				N/A				N/A																					
17				53.80				43.70																					

OHIO TURNPIKE COMMISSION  
 Schedule of Tolls  
 Class 11

INTERCHANGE	1	2	3	3B	3A	4	4A	5	5A	6	6A	7	7A	8	8A	9	10	11	12	13	13A	14	14A	14B	15	16	16A	17		
1	21.00			9.70					21.00																					
2		6.35		17.70					17.70																					
3		2.30		2.30					12.70																					
3B	9.70	6.35	2.30	N/A	2.90	4.70	6.30	8.50	11.45	14.30	19.25	21.70	26.35	29.00	29.00	31.00	34.20	38.05	40.05	41.80	44.00	49.05	51.00	N/A	52.20	56.10	N/A	58.75		
3A				2.90					8.50																					
4		4.70		6.30					6.30																					
4A				6.30					5.05																					
5		8.50		8.50					2.90																					
5A	21.00	17.70	12.70	11.45	8.50	6.90	5.05	2.90	N/A	2.90	8.00	10.30	15.05	17.70	17.70	19.65	22.80	26.80	28.65	30.55	32.80	37.70	39.75	N/A	40.85	44.85	N/A	47.45		
6				14.30					2.90																					
6A				19.25					8.00																					
7		21.70		10.30					10.30																					
7A		15.05		15.05					15.05																					
8		29.00		29.00					17.70																					
8A		29.00		29.00					17.70																					
9		31.00		31.00					19.65																					
9A		31.00		31.00					19.65																					
10		34.20		34.20					22.80																					
11		38.05		38.05					26.80																					
12		40.05		40.05					28.65																					
13		41.80		41.80					30.55																					
13A		44.00		44.00					32.80																					
14		49.05		49.05					37.70																					
14A		51.00		51.00					39.75																					
14B		N/A		N/A					N/A																					
15		62.20		62.20					40.85																					
16		56.10		56.10					44.85																					
16A		N/A		N/A					N/A																					
17		58.75		58.75					47.45																					

OHIO TURNPIKE COMMISSION  
Schedule of Rates  
Class 12

INTERCHANGE	1	2	3	3B	3A	4	4A	5	5A	6	6A	7	7A	8A	8	8A	9	10	11	12	13	13A	14	14A	14B	15	16	16A	17
1	N/A	3.55	9.20	10.65	13.70	15.50	17.40	18.70	22.90	28.05	31.05	34.25	38.35	42.25	44.20	44.20	44.20	47.85	52.05	54.05	56.20	59.60	63.85	66.15	N/A	67.50	71.70	N/A	74.50
2	3.55	N/A	5.65	7.00	10.15	12.00	13.85	16.20	19.35	22.55	28.05	30.65	35.70	38.60	40.85	40.85	40.85	44.20	48.45	50.60	52.50	54.95	60.45	62.55	N/A	63.85	68.10	N/A	71.05
3	9.20	5.65	N/A	2.40	4.50	6.35	8.25	10.55	13.75	16.90	22.40	25.05	30.10	32.90	35.25	35.25	36.60	42.75	44.90	46.85	49.35	54.90	56.90	58.90	N/A	59.20	62.40	N/A	65.45
3B	10.65	7.00	2.40	N/A	3.15	5.10	6.90	9.20	12.40	15.55	21.05	23.70	28.75	31.55	33.85	33.85	33.85	37.25	41.45	43.50	45.60	48.00	53.50	55.60	N/A	56.90	61.05	N/A	64.10
3A	13.70	10.15	4.50	3.15	N/A	2.25	3.70	6.05	9.20	12.40	17.85	20.55	25.65	28.50	30.70	30.70	30.70	34.20	38.40	40.30	42.55	44.90	50.25	52.45	N/A	53.85	57.95	N/A	60.90
4	15.50	12.00	6.35	5.10	2.25	N/A	2.25	4.15	7.40	10.55	16.05	18.65	23.80	26.80	28.90	28.90	28.90	30.60	34.75	36.60	38.95	41.25	46.55	48.75	N/A	50.20	54.35	N/A	57.15
4A	17.40	13.85	8.25	6.90	3.70	2.25	N/A	2.25	6.50	9.75	14.20	16.75	22.00	24.85	26.95	26.95	26.95	30.60	34.75	36.60	38.95	41.25	46.55	48.75	N/A	50.20	54.35	N/A	57.15
5	18.70	16.20	10.55	9.20	6.05	4.15	2.25	N/A	3.15	6.35	11.90	14.40	19.60	22.60	24.55	24.55	24.55	28.25	32.45	34.30	36.55	38.95	44.20	46.45	N/A	47.85	52.05	N/A	54.90
5A	22.90	19.35	13.75	12.40	9.20	7.40	5.50	3.15	N/A	3.15	8.75	11.25	16.40	19.35	21.45	21.45	21.45	24.95	29.15	31.20	33.35	35.75	41.10	43.25	N/A	44.55	48.80	N/A	51.75
6	28.05	22.55	16.90	15.55	12.40	10.55	8.75	6.35	3.15	N/A	5.55	8.10	13.15	16.05	18.05	18.05	18.05	21.70	25.85	28.10	30.10	32.50	38.00	40.10	N/A	41.30	45.55	N/A	48.50
6A	31.85	28.05	22.40	21.05	17.85	16.05	14.20	11.90	8.75	5.55	N/A	2.50	7.80	10.85	12.85	12.85	12.85	16.25	20.40	22.55	24.60	27.05	32.40	34.60	N/A	36.00	40.10	N/A	43.05
7	34.25	30.65	25.05	23.70	20.55	18.65	16.75	14.40	11.25	8.10	2.60	N/A	5.15	8.10	10.20	10.20	10.20	13.70	17.80	19.90	22.10	24.45	29.80	32.05	N/A	33.50	37.45	N/A	40.40
7A	38.35	35.70	30.10	28.75	25.65	23.80	22.00	19.60	16.40	13.15	7.90	5.15	N/A	2.95	2.95	2.95	5.25	8.50	12.65	14.75	16.85	19.20	24.65	26.85	N/A	28.25	32.30	N/A	35.30
8	42.25	38.60	32.90	31.55	28.50	26.80	24.85	22.60	19.35	16.05	10.65	8.10	2.95	N/A	N/A	N/A	N/A	8.50	12.65	14.75	16.85	19.20	24.65	26.85	N/A	28.25	32.30	N/A	35.30
8A	44.20	40.85	35.25	33.85	30.70	28.90	26.95	24.55	21.45	18.40	12.85	10.20	2.95	N/A	N/A	N/A	N/A	8.50	12.65	14.75	16.85	19.20	24.65	26.85	N/A	28.25	32.30	N/A	35.30
9	44.20	40.85	35.25	33.85	30.70	28.90	26.95	24.55	21.45	18.40	12.85	10.20	2.95	N/A	N/A	N/A	N/A	8.50	12.65	14.75	16.85	19.20	24.65	26.85	N/A	28.25	32.30	N/A	35.30
10	47.85	44.20	38.60	37.25	34.20	32.45	30.60	28.25	24.95	21.70	16.25	13.70	8.50	N/A	N/A	N/A	N/A	8.50	12.65	14.75	16.85	19.20	24.65	26.85	N/A	28.25	32.30	N/A	35.30
11	52.05	48.45	42.75	41.45	38.40	36.55	34.75	32.45	29.15	25.85	20.40	17.80	12.65	N/A	N/A	N/A	N/A	8.50	12.65	14.75	16.85	19.20	24.65	26.85	N/A	28.25	32.30	N/A	35.30
12	54.05	50.60	44.90	43.50	40.30	38.50	36.60	34.30	31.20	28.10	22.55	19.90	14.75	N/A	N/A	N/A	N/A	8.50	12.65	14.75	16.85	19.20	24.65	26.85	N/A	28.25	32.30	N/A	35.30
13	56.20	52.50	46.95	45.60	42.55	40.85	38.85	36.55	33.35	30.10	24.60	22.10	16.85	N/A	N/A	N/A	N/A	8.50	12.65	14.75	16.85	19.20	24.65	26.85	N/A	28.25	32.30	N/A	35.30
13A	58.60	54.85	49.35	48.00	44.90	43.15	41.25	38.85	35.75	32.50	27.05	24.45	19.20	N/A	N/A	N/A	N/A	8.50	12.65	14.75	16.85	19.20	24.65	26.85	N/A	28.25	32.30	N/A	35.30
14	63.85	60.45	54.90	53.50	50.25	48.40	46.55	44.20	41.10	38.00	32.40	29.80	24.85	N/A	N/A	N/A	N/A	8.50	12.65	14.75	16.85	19.20	24.65	26.85	N/A	28.25	32.30	N/A	35.30
14A	66.15	62.55	56.90	55.60	52.45	50.65	48.75	46.45	43.25	40.10	34.60	32.05	26.85	N/A	N/A	N/A	N/A	8.50	12.65	14.75	16.85	19.20	24.65	26.85	N/A	28.25	32.30	N/A	35.30
14B	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	8.50	12.65	14.75	16.85	19.20	24.65	26.85	N/A	28.25	32.30	N/A	35.30
15	67.50	63.85	58.20	56.90	53.85	52.05	50.20	47.85	44.55	41.30	36.00	33.50	28.25	N/A	N/A	N/A	N/A	8.50	12.65	14.75	16.85	19.20	24.65	26.85	N/A	28.25	32.30	N/A	35.30
16	71.70	68.10	62.40	61.05	57.95	56.20	54.35	52.05	48.80	45.55	40.10	37.45	32.30	N/A	N/A	N/A	N/A	8.50	12.65	14.75	16.85	19.20	24.65	26.85	N/A	28.25	32.30	N/A	35.30
16A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	8.50	12.65	14.75	16.85	19.20	24.65	26.85	N/A	28.25	32.30	N/A	35.30
17	74.50	71.05	65.45	64.10	60.90	59.00	57.15	54.90	51.75	48.60	43.05	40.40	35.30	N/A	N/A	N/A	N/A	8.50	12.65	14.75	16.85	19.20	24.65	26.85	N/A	28.25	32.30	N/A	35.30

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

Ayes: Mr. Platt, Mr. Williams, Mrs. Baker, 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. 59-1996.

Mr. Zomparelli said the next resolution was a Resolution Concerning the Financial Condition of the Commission. He said the resolution was prepared pursuant to the requirements of Section 4.04 (a) of the Master Trust Agreement between the Commission and Huntington National Bank. He said it was prepared to report on the financial condition of the Commission. He said he would read the Resolved as follows:

"RESOLVED that the Commission having reviewed the analysis prepared by the comptroller determines that there will be sufficient Gross Revenues for fiscal year 1996 together with Series Payments, Additional System Payments and Supplemental Payments to meet the requirements of §4.04 (a) of the Trust Agreement and hereby authorizes and directs the comptroller to issue a certificate required by §4.04(b) of the Trust Agreement; and

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

Mr. Zomparelli said he recommended that the resolution be adopted.

A Resolution Concerning the Financial Condition of the Commission was moved for adoption by Mr. Platt, seconded by Mr. Williams as follows:

#### **RESOLUTION NO. 60-1996**

"WHEREAS, §4.04(a) of the Master Trust Agreement ("Trust Agreement") between the Commission and The Huntington National Bank, as trustee, dated February 15, 1994, requires that on or before July 31 of each year the Commission shall complete a review of its financial condition for the purpose of estimating whether the Gross Revenues for such Fiscal Year will be sufficient to provide, together with Series Payments, Additional System Payments and Supplemental Payments, the amounts specified in §4.04(a) of the Trust Agreement;

"WHEREAS, the Commission's comptroller has analyzed the Commission's financial condition and has advised the Commission that on the basis of his analysis the Commission's revenues for fiscal year 1996 will be sufficient to meet the requirements of §4.04(a) of the Trust Agreement and has set forth a detailed statement of the actual and estimated Gross Revenues, Series Payments, Additional System Payments and Supplemental Payments and a certification of same is before the Commission;

"NOW, THEREFORE, BE IT



"RESOLVED that the Commission having reviewed the analysis prepared by the comptroller determines that there will be sufficient Gross Revenues for fiscal year 1996 together with Series Payments, Additional System Payments and Supplemental Payments to meet the requirements of §4.04(a) of the Trust Agreement and hereby authorizes and directs the comptroller to issue a certificate required by §4.04(b) of the Trust Agreement; and

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

## TRUST AGREEMENT SECTION 4.04 CALCULATION

**Requirement I - GROSS REVENUES:**

ACTUAL FOR 1ST HALF 1996	\$ 60,860,827	
SECOND HALF ESTIMATE	\$ 74,511,346	
ESTIMATE FOR 1996	\$ 135,372,173	Section 4.04 (a) (l) and 4.04 (b)
OM&A PER BUDGET	\$ 71,739,765	Section 4.04 (a) (l) (1)
EXPENSE RESERVE AMT.	\$ 297,139	Section 4.04 (a) (l) (2)
TOTAL FOR 1996	\$ 72,036,904	
EXCESS <DEFICIENCY>	\$ 63,335,269	

**Requirement II - SYSTEM PLEDGED REVENUES:**

GROSS REVENUES	\$ 135,372,173	
less: OM&A	\$ <71,739,765>	
less: EXPENSE RESERVE AMT.	\$ <297,139>	
SYSTEM PLEDGED REVENUES	\$ 63,335,269	Section 4.04 (a) (ii)
ANNUAL DEBT SERVICE REQUIREMENT		Section 4.04 (a) (ii)
1994 bonds	\$ 8,659,423	
1996 bonds	\$ 15,263,375	
DEBT SERVICE RESERVE	\$ -	Section 4.04 (a) (ii)
RENEWAL & REPLACEMENT	\$ 12,000,000	Section 4.04 (a) (ii)
TOTAL	\$ 35,922,798	
EXCESS <DEFICIENCY>	\$ 27,412,471	

**Requirement III - SYSTEM PLEDGED REVENUES  
120% ANNUAL DEBT SERVICE**

	\$ 63,335,269
	\$ 28,707,358
EXCESS <DEFICIENCY>	\$ 34,627,911

**ESTIMATE OF GROSS REVENUE - 1996**

<b><u>Toll Revenue</u></b>	<b><u>1st HALF</u></b>	<b><u>2nd HALF</u></b>	
1991	37,324,721	42,860,473	
1992	39,140,693	44,504,138	
1993	40,899,893	47,468,700	
1994	43,524,470	50,917,155	
1995	46,171,531	55,832,236	
1996	55,962,603	64,207,071	(EST.)

<b><u>Special Toll Permit</u></b>			
1991	615,992	551,435	
1992	922,455	843,763	
1993	1,140,659	947,122	
1994	1,291,285	1,046,185	
1995	1,456,523	1,223,832	
1996	1,560,483	1,223,832	(EST.)

<b><u>Investment Revenue 1996</u></b>			
Revenue Fund	565,874		
Renewal & Replacement Fund	299,827		
System Projects Fund	2,073,268		
Construction Fund	398,772		
Total 1st Half 1996	3,337,741	9,080,443	(EST.)

**2ND HALF ESTIMATE** **74,511,346**

I hereby certify the calculations above to be an accurate estimation of the Gross Revenues per Section 4.04b of the Master Trust Agreement.

Craig Rudolph  
Authorized Officer

1/31/96  
Date

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

Ayes: Mr. Platt, Mr. Williams, Mrs. Baker, 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. 60-1996.

Mr. Zomparelli said Mr. Plain had asked him to bring up a couple of other items at the meeting. He said one dealt with the public hearing requirement after House Bill 335 was signed by the Governor. He said it required the Commission to have a public hearing thirty days before any increase which the Commission had already adopted for its new toll rates.

Mr. Zomparelli said further that the Commission was scheduled to have a toll rate increase in January of 1997. He said Mr. Plain had asked that the Members consider what might be an appropriate location for that hearing.

The Chairman asked if there was a location specified in the House Bill.

Mr. Zomparelli said a location was not specified.

Mrs. Baker said she thought it should be held somewhere along the Turnpike.

The Chairman asked if the Commission was required to hold only one public hearing.

Mr. Zomparelli said one hearing was required on the toll rates the Commission had already adopted. He said that any future toll increase after 1998 required three hearings 90 days before they were to go into effect. He said that there would have to be a hearing thirty days before toll increases in January 1997, January 1998 and July 1998.

Mr. Zomparelli said further that Mr. Plain wanted to know if any of the Members had any suggestions for an appropriate hearing location.

Mrs. Baker said that perhaps the meeting before the January 1997 toll increase could be held somewhere near the center of the Turnpike, the one proceeding January 1998 east and then west in advance of the July 1998 hike.

Mr. Zomparelli said further that the other item dealt with Senate Bill 81 which was signed and became law. He said it dealt with investments. He said Marty Voghtsberger from the Ohio Company was at the meeting. He said Mr. Plain was going to have Mr. Voghtsberger and the Ohio Company review that piece of legislation and see how it would impact the Commission's investment policy.

The Chairman asked Mr. Voghtsberger if he could give a brief explanation of the bill.

Mr. Voghtsberger said it was adopted into law earlier in 1996 and became law on September 28. He said it specified the types of investments that were now permitted for public agencies. He said another area concerned training of public employees who made

investments. He said that yet another was the requirement that investment dealers read and became familiar with the investment policy of each public agency they sold investments to.

Mr. Voghtsberger said the Ohio Company thought the law would be more applicable to the funds of the Commission that were non-bond funds. He said the bond proceeds were pretty well controlled by the Trust Agreement.

Mr. Voghtsberger said further that, backing up, the Commission was not specifically identified in the law so technically he didn't think it legally applied to the Commission. He said that just because it didn't apply didn't mean there might not be some good ideas in it.

The Chairman said he thought that was a good approach and he appreciated Mr. Voghtsberger giving a summary on the law. He said that one or more training courses would probably be good for the staff persons involved in investments. He said the Commission had been historically pretty conservative and was not involved in anything too fancy.

The Chairman said that the law probably resulted from problems encountered with the SAFE program in Cuyahoga County and the Orange County situation in California.

Mr. Zomparelli said he did have a resolution as General Counsel dealing with an amendment to a prior resolution. He said the resolution was a Resolution Amending Resolution No. 53-1996 Regarding the Description of Property to be Appropriated.

Mr. Zomparelli said further that it had come to the attention of the Commission that in regard to the interchange to be located at State Route 109 and the Turnpike it was now necessary to acquire additional land for the temporary construction easement owned by Patrick R. Kennedy and Tammy I. Kennedy, which was further described in Resolution No. 53-1996.

Mr. Zomparelli said he would read the Resolved as follows:

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owner, but has been unable to enter into an agreement and has complied with the provisions of sections 163.04 and 929.05 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 109 and the Ohio Turnpike in the vicinity of Milepost 40.3 in Fulton County, Ohio;

"RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the fee title and necessary temporary construction easement on Parcel No. 3B-6T from the owner and persons having an interest therein, to-wit:

<u>Owners</u>	<u>Place of Residence</u>
Patrick R. Kennedy	9130 Township Road HJ Delta, OH 43515
Tammy L. Kennedy	9130 Township Road HJ Delta, OH 43515
John Trudel Auditor, Fulton County	210 S. Fulton Street Wauseon, OH 43567

Dennis Hales  
Treasurer, Fulton County

210 S. Fulton Street  
Wauseon, OH 43567

"The aforementioned property to be appropriated is described as follows:

**Parcel No. 3B-6T - Temporary Construction Easement**

A revised legal description is attached as Exhibit "A";

"RESOLVED that the General Counsel be, and he hereby is, instructed to do or cause to be done all things that may be necessary in the premises in order that the proceedings already commenced in the Common Pleas Court of Fulton County in connection with Parcel No. 3B-6WD, as described in Resolution No. 53-1996 (adopted June 24, 1996) to provide for the appropriation of those parcels;

"FURTHER RESOLVED that the general counsel be, and he hereby is instructed to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above as Parcel No. 3B-6T may be commenced."

Mr. Zomparelli said he recommended the Commission adopt the resolution.

Senator Gaeth asked if the temporary easements were restored to the original owners after the construction.

Mr. Zomparelli said that generally that took place. He said he would review the situation with the Chief Engineer, but at that time the plan was to return the property to the owner.

Mr. Ransbury said it was a temporary easement to construct some sanitary sewer septic areas. He said the land would be returned to the owners after that was done.

A Resolution Amending Resolution No. 53-1996 Regarding the Description of Property to be Appropriated was moved for adoption by Mr. Platt, seconded by Mrs. Baker as follows:

**RESOLUTION NO. 61-1996**

"WHEREAS, it has come to the attention of the Commission that under the detailed construction/engineering plans for the construction of an interchange with State Route 109 and the Ohio Turnpike, it is necessary to acquire additional land for the temporary construction easement owned by Patrick R. Kennedy and Tammy L. Kennedy, his wife, as was described in Resolution No. 53-1996; and

"WHEREAS, the Commission has been unable to agree with the owners of said property as to the compensation to be paid for said property, either as described in Resolution No. 53-1996, or as hereinafter described and amended.

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owner, but has been unable to enter into an agreement and has complied with the provisions of sections 163.04 and 929.05 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 109 and the Ohio Turnpike in the vicinity of Milepost 40.3 in Fulton County, Ohio;

"RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the fee title and necessary temporary construction easement on Parcel No. 3B-6T from the owner and persons having an interest therein, to-wit:

<u>Owners</u>	<u>Place of Residence</u>
Patrick R. Kennedy	9130 Township Road HJ Delta, OH 43515
Tammy L. Kennedy	9130 Township Road HJ Delta, OH 43515
John Trudel Auditor, Fulton County	210 S. Fulton Street Wauseon, OH 43567
Dennis Hales Treasurer, Fulton County	210 S. Fulton Street Wauseon, OH 43567

"The aforementioned property to be appropriated is described as follows:

**Parcel No. 3B-6T - Temporary Construction Easement**

A revised legal description is attached as Exhibit "A";

"RESOLVED that the General Counsel be, and he hereby is, instructed to do or cause to be done all things that may be necessary in the premises in order that the proceedings already commenced in the Common Pleas Court of Fulton County in connection with Parcel No. 3B-6WD, as described in Resolution No. 45-1996 (adopted May 23, 1996), and Parcel No. 3B-6T, as described in Resolution No. 53-1996 (adopted June 24, 1996) to provide for the appropriation of those parcels;

"FURTHER RESOLVED that the general counsel be, and he hereby is instructed to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above as Parcel No. 3B-6T may be commenced."

**Parcel No. 3B-6T**

Being a parcel of land situated in Fulton County, Ohio, Pike Township, Section 3, Town 7N, Range 7E, and lying on the left side of the centerline of a survey, made by the Ohio Turnpike Commission and recorded in Book \_\_\_\_\_, Page \_\_\_\_\_, of the records of Fulton County and being located within the following described points in the boundary thereof:

Commencing at a P.K. nail found at the southeast corner of Section 3;

Thence North 01 Degrees 03 Minutes 09 Seconds East a distance of 1393.09 feet along the centerline of State Route 109 to the intersection of the centerline of State Route 109 and the centerline of the Ohio Turnpike, designated as Station 66+82.80 on the centerline of State Route 109;

Thence North 01 Degrees 03 Minutes 09 Seconds East a distance of 1245.86 feet continuing along said centerline to a point at the intersection of Township Road HJ, designated as Station 52+65.47 on the centerline of Township Road HJ;

Thence North 89 Degrees 50 Minutes 44 Seconds West a distance of 830.50 feet along the centerline of Township Road HJ to a point on the Grantor's westerly property line, 0.57 feet right of Station 44+34.96 on the centerline of Relocated Township Road HJ;

Thence North 01 Degrees 02 Minutes 09 Seconds East a distance of 45.63 feet along said property line to a point on a curve on the proposed northerly right-of-way line of Relocated Township Road HJ, 45.00 feet left of Station 44+37.34; also being the point of beginning;

Thence North 01 Degrees 02 Minutes 09 Seconds East a distance of 267.24 feet along said property line, 311.73 feet left of Station 44+58.05;

Thence South 89 Degrees 50 Minutes 44 Seconds East a distance of 90.01 feet, 300.25 feet left of Station 45+89.53;

Thence South 01 Degrees 02 Minutes 09 Seconds West a distance of 175.02 feet, 128.32 feet left of Station 45+47.05;

Thence South 89 Degrees 50 Minutes 44 Seconds East a distance of 130.01 feet to a point on the Grantor's easterly property line, 98.95 feet left of Station 46+90.97;

Thence South 01 Degrees 02 Minutes 09 Seconds West along said property line a distance of 56.62 feet, 45.00 feet left of Station 46+72.39;

Thence along said right-of-way line and a curve to the right with a delta of 14 Degrees 06 Minutes 10 Seconds, a radius of 909.93 feet and a length of 223.97 feet to a point on the Grantor's westerly property line, 45.00 feet left of Station 44+37.34, place of beginning and containing 0.324 acres of land, more or less, as determined by Finkbeiner, Pettis and Strout, Inc. under the direction of James M. Loch, P.S. No. 6468 in 1995.

The basis of bearing for this description is based on the centerline of the Ohio Turnpike being North 89 Degrees 34 Minutes 16 Seconds East from Station 884+47.00 to Station 966+98.37.

**Exhibit "A"**



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

Ayes: Mr. Platt, Mrs. Baker, Mr. Williams, 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. 61-1996.

The Chairman said the report of General Counsel was accepted as offered.

The Chairman ascertained there would be no reports from the Trustee or General Consultant.

Mr. Zomparelli said the Commission needed to determine the date of the next meeting.

The Chairman asked if there were a lot of things coming up for action in September.

Mr. Castrigano said that within the next few weeks bids would be opened on the purchase of gasoline and diesel fuel for Commission vehicles. He said he believed the current contracts would expire before an October meeting.

The Chairman asked if it was a big purchase.

Mr. Castrigano said it would require Commission action.

The Chairman said he was just wondering if the Commission might skip a meeting in September if nothing was going on.

Mr. Zomparelli asked Mr. Castrigano when they expected to open bids.

Mr. Castrigano said he was not sure. He said they might be opened within the next three weeks.

The Chairman asked if the Commission met at the beginning of October it could approve a new contract before the old one expired.

Mr. Castrigano said he was not sure when the existing contract expired.

The Chairman asked Mr. Castrigano to inform the Commission of the contract expiration so that a decision on the date for the next meeting could be determined. He said that to have meetings just to have meetings was not productive.

Mr. Arlow said that Mr. Plain would call the Chairman when the information became available.

Mrs. Baker said that when it became time to set the date for the public hearing preceding the next toll increase she would prefer that it be done sometime in November. She said December was always such a busy month for most people.

Mr. Zomparelli said the staff was looking at dates in the middle of November.

The Chairman said he thought it would be a good idea to hold the first public hearing at a location away from the administration building. He said other ones could be spread around.

There being no further business before the Commission a motion was made by Mr. Platt, seconded by Mr. Williams that the meeting adjourn until the next meeting of the Commission.

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

Ayes: Mr. Platt, Mr. Williams, Mrs. Baker, Mr. Fedeli

Nays: None

The Chairman declared the meeting adjourned. The time of adjournment was 11:23 a.m.

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

  
Marilyn R. Baker, Secretary-Treasurer