

MINUTES OF THE 424th MEETING OF THE OHIO TURNPIKE COMMISSION

September 30, 1996

Pursuant to the bylaws, the Ohio Turnpike Commission met in regular session in the Administration Building at 682 Prospect Street, Berea, Ohio, at 10:05 a.m. on September 30, 1996, with members of the staff: Gino Zomparelli, General Counsel and Deputy Executive Director-External Services; Anthony A. DiPietro, Deputy Executive Director-Administration; Stephen G. Lorton, Director of Public Affairs & Marketing; Craig Rudolph, Comptroller; David H. Ransbury, Chief Engineer; Daniel F. Castrigano, Maintenance Engineer; Sharon Isaac, Director of Toll Operations; and others in attendance.

Present: Richard A. Hodges, Marilyn R. Baker, Gary Joseph,
Earl W. Williams (arrived later in the meeting),
Umberto P. Fedeli

Absent : M. Ben Gaeth, Ruth Ann Leever, Jerry Wray

The Chairman said that the minutes of the last Commission meeting of August 19, 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. Joseph, 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 424th 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 Senator Ben Gaeth, Ruth Ann Leever and Jerry Wray were unable to attend the day's meeting. He said Gary Joseph from ODOT was authorized to represent and vote for Mr. Wray.

The Chairman said Allan V. Johnson, retired Executive Director of the Commission, was attending the meeting. He said he thought it was very awkward to see him sitting along the wall and not at the conference table.

Mr. Johnson said he was enjoying his retirement, although he missed everyone at the building.

The Chairman said there were a number of guests at the meeting and he would ask them to identify themselves as follows: Bobby Everhart, URS; Rob Fleischman, Greiner Engineering; Ed Presley, Key Bank; David Patch, *The (Toledo) Blade*; Chris Hanson, Kokosing Construction; Carol Mueller, Paine Webber; Debra Moore, Human Resources Manager; Pat

Patton, Government Liaison Officer; Lt. Tom Derr, Ohio State Highway Patrol; Mike Kurey, Advanced Restaurant Concepts; Herb Gil, Gladieux Enterprises; Michelle Wintering, Toll Collection; Al Smith, UE; Pat Blanchard, Toll Collections; Eileen Hernandez, Toll Collections; Sheri Nelson, Toll Collections; Al Hart, UE; Cheryl Holliday, Toll Collections; Eric Erickson, The Ohio Company; Barbara Lesko, Executive Director's Secretary; Leah Fox, ODOT; Diane Pring, Legal Department; Bob Barnett, Public Affairs & Marketing; Donna Martin, Toll Collections; Cathy Herrlich, Toll Collections; Cleve Brooks, SBK Brooks; Alan Bauccho, A. G.. Edwards; and Pat Norris, Star Bank.

The Chairman said various reports would now be received and the Members 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 further questions, the Members would proceed with the report of the Secretary-Treasurer, Mrs. Baker.

Mrs. Baker said that the following items had been sent to the Members since the last regularly scheduled meeting which was held on August 19, 1996:

1. Weekly Traffic Statistics
2. Traffic Accident Summary for August 1996
3. Traffic and Revenue Report for August 1996
4. Financial Statement for August 1996
5. Draft of Commission Meeting Minutes August 19, 1996
6. Investment Transactions August 1996
7. Independent Auditor's Report June 30, 1996
8. News Releases:
 - #28 Turnpike Awards Construction Contracts
 - #29 Statement by Chairman Fedeli
 - #30 Dismantling and Reconstruction of Exit 12
 - #31 Traffic Backups Possible at Exit 15
 - #32 Turnpike Announces Fall Construction
 - #33 Turnpike Advises of Exit 15 Delays

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

The Chairman said the report on Audit/Legal would be received.

Mr. Rudolphy said his staff and he had been reviewing the five responses that they had received from the RFP for Treasury Management Software. He said two firms were requested to make a presentation demonstration on September 11th. He said he was gathering the final information and documentation and he would expect to make a recommendation to the Executive Director sometime later that week.

The Chairman asked Mr. Rudolphy what he expected the software to do.

Mr. Rudolphy said it would improve the Commission's daily handling of its cash position by automating the process of determining what cash was available on a day-to-day basis and assisting in investing the idle cash so that it wasn't sitting instead of invested in the bank.

The Chairman said he hoped the investments would be handled conservatively.

Mr. Rudolphy said they would.

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

Mr. DiPietro said he would like to introduce to the Commission Members the new Human Resources Manager, Debra Moore. He said Debra started with the Commission in August. He said she was a graduate of Kent State University with a Bachelor's Degree in Business Administration, majoring in Human Resources Management.

Mr. DiPietro said further that previously Debra worked for Columbia Gas for seven years. He said five years of that she was a District Human Resources Manager and two years she spent as a District Human Resources Administrator. He said that prior to that time, she worked for Public Television Station WVIZ for years as their Human Resources Manager. He said that Debra also had some experience with Cole National Corporation as their Benefits Administrator. He said he would like to welcome Debra Moore to the Commission's staff. He said she had been a tremendous asset so far.

The Chairman said he welcomed Debra aboard the Commission's staff. He asked Mr. DiPietro to give the Commission a little background on the process he went through to find Debra.

Mr. DiPietro said that earlier this year an advertisement had been placed in *The (Cleveland) Plain Dealer* for the position of Human Resources Manager. He said that over 130 applications had been received for the position. He said that a number of very qualified individuals applied for the job. He said they went to a screening process together with their consultant, Mr. James, to review those individuals that had been looked at. He said they whittled it down to a number of individuals with whom they had conducted initial interviews. He said that after the first set of interviews, a second set of interviews were held and Debra was the best candidate in that group.

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

The Executive Director, Mr. Plain, said he had a couple of resolutions to introduce and the General Counsel also would have a resolution later. He said he would then like to cover a number of items that were before the Commission involving the staff.

The Executive Director said further that the first resolution was a Resolution Awarding a Contract for the Purchase of Unleaded Gasoline and Diesel Fuel for a One-Year Period. He said that attached to the draft resolution in the Members' folders was a listing of the three bidders that responded to Invitation No. 3517. He said the invitation was separated into three groups. He said Group I was for the four western maintenance buildings for gasoline. He said Group II was for the four eastern maintenance buildings for gasoline. He said Group III was for the four western maintenance building for diesel fuel. He said Group IV was for the four eastern buildings for diesel fuel.

The Executive Director said he would like to read the Resolved as follows:

(Commission Member Earl Williams enters the meeting room and takes his place at the table at 10:14 a.m.)

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of the BP Oil Company of Cleveland, Ohio for Groups I through IV of Invitation No. 3517 is, and is by the Commission deemed to be the lowest responsive and responsible bid received and is accepted and the chairman and executive director, or either or them, is hereby authorized (1) to execute a contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid invitation; (2) to direct the return to the other bidders of their bid security at such time as BP Oil Company has entered into a contract and furnished a performance bond required thereby; and (3) to take any and all action necessary to properly carry out the terms of said contract."

A Resolution Awarding a Contract for the Purchase of Unleaded Gasoline and Diesel Fuel for a One-Year Period was moved for adoption by Mrs. Baker, seconded by Mr. Joseph as follows:

RESOLUTION NO. 62-1996

"WHEREAS, the Commission has advertised for bids for Invitation No. 3517 for the furnishing to the Commission of unleaded gasoline and diesel fuel for a one-year period, and three bids were received in response to that invitation and have been reviewed by the Commission's staff;

"WHEREAS, it is anticipated that the expenditures of the Commission for unleaded gasoline and diesel fuel under Invitation No. 3517 shall exceed \$500,000 and in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for the award of such contract;

"WHEREAS, the three bids received in response to the invitation were reviewed by the maintenance engineer who has stated that the lowest responsive and responsible bid for Groups I through IV was submitted by B. P. Oil Company of Cleveland, Ohio, and that B. P. Oil Company proposes 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. 3517 is in accordance with Section 5537.07 of the Revised Code of Ohio, and that the bid of B. P. Oil Company is the lowest responsive and responsible bid received and that the Commission may legally enter into a contract with B. P. Oil Company to furnish unleaded gasoline and diesel fuel in accordance with Invitation No. 3517;

"WHEREAS, the executive director has reviewed the bids received and has recommended to the Commission that the contract be awarded to the lowest responsive and responsible bidder, B. P. Oil Company;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of B. P. Oil Company of Cleveland, Ohio for Groups I through IV of Invitation No. 3517 is, and is by the Commission deemed to be the lowest

responsive and responsible bid received and is accepted and the chairman and executive director, or either of them, is hereby authorized (1) to execute a contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid invitation; (2) to direct the return to the other bidders of their bid security at such time as B. P. Oil Company has entered into a contract and furnished a performance bond required thereby; 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. Joseph, 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. 62-1996.

The Executive Director said also that the next resolution was a Resolution Expressing Appreciation to Leah L. Fox. He said Ms. Fox had been doing the Commission's transcripts of minutes for a number of years and he thought that day was her last. He said she was retiring from the Ohio Department of Transportation. He said he would like to read the resolution as follows:

"WHEREAS, Leah L. Fox will retire from the Ohio Department of Transportation this date, after thirty-four years of dedicated service;

"WHEREAS, in April 1963, Governor James A. Rhodes created a Task Force to expedite the completion of Interstate 71 in Ohio and named James W. Shocknessy, who was Chairman of the Ohio Turnpike Commission, to serve as the unpaid Chairman of the Task Force, thereby enhancing an exchange of mutual cooperation between the Commission and the Ohio Department of Highways (which became the Department of Transportation);

"WHEREAS, Leah L. Fox rendered secretarial services to the Task Force and especially to Allan V. Johnson, who headed the staff of the Task Force from 1965 to 1970, and then became Executive Director of the Ohio Turnpike Commission;

"WHEREAS, as a continuation of the cooperation between the two agencies, Leah L. Fox has been attending Commission meetings for over twenty years and has transcribed the minutes of over 130 meetings;

"WHEREAS, Ms. Fox has been responsible for operating the recording equipment and preparing a verbatim transcript of the minutes of the Commission over the years;

"WHEREAS, Ms. Fox has achieved the respect of the Commission's members and staff as an indispensable professional secretary;

"WHEREAS, Ms. Fox has recently advised the Commission that she will be retiring from the Ohio Department of Transportation, effective September 30, 1996, and will no longer attend and transcribe the Commission minutes;

"NOW, THEREFORE, BE IT

"RESOLVED that the members and the staff of the Ohio Turnpike Commission hereby wish Leah L. Fox well on her retirement and extend to her their sincere appreciation for the diligent and conscientious manner in which she performed her duties; and

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

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

The Chairman said it was nice to see dedicated people like that.

A Resolution Expressing Appreciation to Leah L. Fox was moved for adoption by Mrs. Baker, seconded by Mr. Williams as follows:

RESOLUTION NO. 63-1996

"WHEREAS, Leah L. Fox, will retire from the Ohio Department of Transportation this date, after thirty-four years of dedicated service;

"WHEREAS, in April 1963, Governor James A. Rhodes created a Task Force to expedite the completion of Interstate 71 in Ohio and named James W. Shocknessy, who was Chairman of the Ohio Turnpike Commission, to serve as the unpaid Chairman of the Task Force, thereby enhancing an exchange of mutual cooperation between the Commission and the Ohio Department of Highways (which became the Department of Transportation);

"WHEREAS, Leah L. Fox rendered secretarial services to the Task Force and especially to Allan V. Johnson, who headed the staff of the Task Force from 1965 to 1970, and then became Executive Director of the Ohio Turnpike Commission;

"WHEREAS, as a continuation of the cooperation between the two agencies, Leah L. Fox, has been attending Commission meetings for over twenty years and has transcribed the minutes of over 130 meetings;

"WHEREAS, Ms. Fox, has been responsible for operating the recording equipment and preparing a verbatim transcript of the minutes of the Commission over the years;

"WHEREAS, Ms. Fox has achieved the respect of the Commission's members and staff as an indispensable professional secretary;

"WHEREAS, Ms. Fox has recently advised the Commission that she will be retiring from the Ohio Department of Transportation, effective September 30, 1996, and will no longer attend and transcribe the Commission minutes;

"NOW, THEREFORE, BE IT

"RESOLVED that the members and staff of the Ohio Turnpike Commission hereby wish Leah L. Fox well on her retirement and extend to her their sincere appreciation for the diligent and conscientious manner in which she performed her duties; and

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

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. Joseph, 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. 63-1996.

The Executive Director said he had several other reports he would like to make at that time concerning a number of things including construction activities and other activities that the staff has been engaged in since the last Commission meeting.

The Executive Director said further that first there was the Service Plazas project report. He said that ten architectural firms responded to a letter of interest for the design of the sixteen service plaza buildings and site areas. He said a service plaza review group consisting of Bob Arlow, Gino Zomparelli, Dan Castrigano, David Ransbury and himself reviewed the responses and selected the firms to be interviewed in the first phase.

The Executive Director said further that interviews were set up with Gilberti Spittler International of Cleveland, Collins Rime Gordon of Cleveland, and Madden NBA, Inc. of Columbus on September 3, 1996, and the other two, Wolfgang Doerschlag Architects from Columbus and FRCH Design Worldwide of Cincinnati, on September 4, 1996.

The Executive Director said further that the staff had invited the Vice Chairperson, Ruth Ann Leever, to participate in the review process. He said that because of the situation with her mother, who was very ill at the time, she was unable to attend the September 3rd meeting, but did join the staff for the September 4th meeting.

The Executive Director said further that upon completion of the interview process the staff selected the following three firms: Gilberti Spittler International of Cleveland, Wolfgang Doerschlag Architects, Columbus, and FRCH Design Worldwide of Cincinnati.

The Executive Director said further that the review group met with the three firms on September 19th to discuss the forum for a competitive design processing. He said it involved two sites so that everybody would have the same opportunity. He said apples would be compared with apples. He said the first site was the busiest service plaza, Middle Ridge. He said the other site was the lowest volume plaza, Tiffin River.

The Executive Director said further that each firm would prepare a conceptual site plan, renderings, elevation views and a conceptual building plan showing the layouts in there. He

said the Commission would contribute \$20,000 to each firm to help defray the cost of the competition.

The Executive Director said he expected everything to be submitted to the review group by November 7, 1996. He said that at the next Commission meeting the staff would present to the Commission the elevations and drawings. He said the individual representatives of the firms would probably be asked to give perhaps a five-minute presentation on each particular thing that they presented. He said it would give all the Commission Members the opportunity to see what was involved. He said that after all the discussions were completed a decision and recommendation would be made at a subsequent Commission meeting.

Mr. Williams asked how the \$20,000 amount was arrived at.

Mr. Plain said it was established by the staff and it also was based on input from all five firms with which the review group met. He said it was going to cost more than the \$20,000 to make all of the preparations that they're going to do, but the review group wanted to defray part of those costs.

Mrs. Baker asked if defraying some of the costs was standard.

Mr. Plain said that oftentimes it was, and the review group wanted to make sure that they got a good presentation. He said the work was going to be done in a very short time with everything to be finished by November 7th. He said the firms were given about seven weeks to prepare all the information, so they were going to be working very, very hard.

Mr. Plain said further the review group provided information based on comments generated from interviews with Turnpike customers. He said also provided were available traffic and revenue statistics and the history of those locations.

Mr. Plain said further the firms' representatives would be going out to visit the two service plaza sites. He said there would be staff members at the plazas to meet with them and walk them through the buildings. He said the staff was looking forward to some very, very good proposals.

Mr. Plain said further that the people the group met with were very impressive. He said the Members probably recognized some of the names of the firms from some of the things that they've been involved with all over the state. He said they were used to working on major buildings. He said they also had experience in food concepts. He said the review group was very impressed in the meetings with each of the firms. He said he was looking forward to the next step in seeing what they had to present. He said he thought the Members would be excited with what the firms had to offer.

Mr. Plain said further that after the presentations had been made the staff would ask the Commission's input on whether to award a single contract or more contracts. He said a decision would have to be made about whether there would be one, two or three firms involved. He said that after the Members had reviewed everything with the staff a decision could be made about going on to the next step of obtaining construction drawings and determining how the work would be done.

Mr. Plain said further that the service plazas could be renovated or demolished and rebuilt all at once while remaining partially open to serve our customers or some could be closed down completely.

Mr. Plain said further all options would be considered by the staff in deciding how best to build all the new facilities and still provide service to our customers with as little interruption as possible. He said the staff knew there would be some interruption because the work would be done in conjunction with the rest of the Turnpike's major construction program. He said the Commission did want to have the service plaza buildings and surrounding areas redone as soon as possible so that new facilities would be in place to meet the challenges of the 21st century.

Mrs. Baker said everyone agreed that the new service plazas were needed soon so she was glad to see the project was getting started.

Mr. Zomparelli said the important thing to note to the Commission was the separation of the service plaza operator from the firms submitting the architectural design so there was not going to be a conflict. He said the plaza operator would not be recommending the design to maybe fit their operations and not fit the operations of the Turnpike. He said there was an independence now that those architectural design firms could submit their proposals directly to the Commission.

Mr. Plain said the key to the whole operation was flexibility. He said the staff wanted the flexibility to provide added things for our customers and also the flexibility on food concepts so that if they didn't work the plaza would not have to be completely rearranged.

Mr. Plain said further that once new restaurant contracts are awarded through competitive bidding the operators would have to sit down with the architects and the Commission's staff to select from various proposed concepts. He said it was going to be a very complicated process and he was glad some progress had been accomplished.

Mr. Williams asked when the present restaurant contracts expired.

The Chairman said they had already expired.

Mr. Zomparelli said the contracts had been extended and those extensions would expire on January 1st of next year. He said the contracts provided for two-month extensions and the Commission had to give the operators sixty days notice if they did not plan to renew those extensions. He said that the Commission had a four-month period to work with on each contract.

Mr. Plain said the staff would work that out with the existing concessionaires to keep extending the contracts so service would be continued.

Mr. Plain said also the next thing was the water line in the City of Toledo. He said the city wanted to construct a 42-inch water line to the new steel plants in Fulton County and to correct water pressure problems in the southeast portion of Toledo.

Mr. Plain said further that the staff had been working and meeting with officials from the Department of Utilities to try to find a way to accommodate the water line.

Mr. Plain said further that the staff and he had found that the Commission purchased an additional hundred foot of right-of-way on the north side of the Turnpike between Eastgate Avenue and Stengel Avenue. He said he had brought in a map provided by the City of Toledo with colored lines showing various routes. He said there was a yellow line which the city had proposed originally. He said the Commission couldn't accommodate that particular line. He said they then came up with the red line which kind of decimated the local areas and neighborhoods in that vicinity.

Mr. Plain said further that the staff and city officials met again and discussed the possible use of the additional right-of-way north of the Turnpike. He said special joints would be used to prevent breaks in the pipeline.

Mr. Plain said further he had asked the Commission's general engineering consultant, J. E. Greiner Co.- Ohio, to look at it and give their opinion whether the Commission could accommodate it and what stationing would be required.

Mr. Plain said further that the staff had asked the City of Toledo to do the required survey work or the Commission would have it done and they would reimburse the cost. He said the city would pay for the additional costs of the joints and, in turn, the Commission would cooperate with the city by providing a permit. He said the Commission would not be giving up any interest in the property it acquired originally.

Mr. Plain said further the staff also would remove the Turnpike's right-of-way fence on a temporary basis to give the city an opportunity to come in during construction so they didn't have to buy additional construction easements.

Mr. Plain said further that this was not a precedent-setting thing. He said it was something the staff looked at and the expanded right-of-way could be used for the pipeline installation. He said formal Commission approval was not required since there was no transfer of right-of-way. He said that if the Commission had no objections the staff would go ahead with the installation on a revocable permit basis. He said the city understood that the Commission worked with a number of utilities that had lateral crossings up and down the Turnpike.

Mr. Plain said further that the green line on the map took the water line out of some neighborhoods, put it through a park, then over into a golf course and down a road to the Turnpike. He said the route next went into the Masonic areas over to Cass Street where it goes north to a pumping station.

Mr. Plain said further that the Turnpike's normal right-of-way would not accommodate something of that nature. He said that was particularly true with regard to building the third lane which required boring pits to go under the road. He said the pipeline would interfere with the boring operation.

Mr. Plain said further that the additional hundred foot right-of-way on the north side of the Turnpike was needed in order to flatten a 2:1 slope and carry it out to the end. He said a ditch was put in for drainage and there was another thirty to forty feet from the backslope of that ditch to the Turnpike's right-of-way fence.

Mr. Plain said further that the property was well beyond the Turnpike's normal right-of-way and the staff thought the pipeline could be accommodated in a portion of it. He said it

would not cause any problems with the stability of that side slope. He said it was well away from the Turnpike, and in discussions with Toledo officials they said they had special joints that were available for waterlines to help prevent them from breaking. He said those joints would be required to avoid washing out the slope.

Mrs. Baker asked if installing the water line would cause problems for third lane construction.

Mr. Plain said the third lane was going in the median so there would be no extensions out beyond the existing slopes. He said that if the water line were put in some other areas it would interfere with the boring pits.

Mr. Hodges said he spoke with Mr. Plain nine months ago regarding the water line placement in Turnpike right-of-way and Mr. Plain made a very persuasive argument that there was nothing that the Commission could do to help out Toledo. He asked if he could have an explanation on how the extra hundred feet of right-of-way was found.

Mr. Plain said that initially the staff didn't know it had the extra right-of-way. He said a review of aerial photographs showed a strip of unoccupied land they thought the City of Toledo owned. He said the staff did a title search and found that, in fact, the Commission was the property owner.

Mr. Hodges asked that if the City of Toledo thought they owned the land why didn't they just run the water line in that area.

Mr. Plain said he could not speak for the City of Toledo. He said the staff had received a lot of conflicting information from the city and from newspapers. He said that if people would have gotten together and talked with one another before they proceeded a lot of difficulty could have been avoided.

Mr. Hodges asked when did the idea of the special joints for the water line come up in the conversation and why was it not brought up nine months ago.

Mr. Plain said the staff did not have a plan nine months ago.

Mr. Zomparelli said the staff just received it.

Mr. Plain said the staff just received the plan, but there was no survey data. He said that when a preliminary meeting was held city officials didn't even know if the Commission would give them permission to use the right-of-way for the water line. He said that without the information just received the staff could not very well comment on something it had not seen.

Mr. Hodges said that the City of Toledo essentially made a commitment to supply water to a half a billion dollar factory in his district, soon to employ 400 people, not knowing if they owned the land, not approaching the Commission with any information whatsoever and expecting the Commission to bail them out.

Mr. Plain said Mr. Hodges could say that.

The Chairman said there was a meeting with Toledo Mayor Craty Finkbeiner and other officials a couple of months ago and he talked with the Mayor two weeks ago and again last week. He said the Mayor was very grateful for the Commission's assistance. He said the Commission was committed to economic development in northwest Ohio.

The Chairman said further that he had looked at the situation and said the Commission was willing to help as long as it would not hurt the Turnpike. He said installing the water line could not affect the third lane construction. He said he thought the staff did a nice job of really bending over backwards to assist Toledo.

Mr. Hodges said he would say that they had absolutely done that and should be commended. He said that he had been confused by the newspaper articles he had read over the last several months.

Mr. Plain said the Commission and staff liked to sit down face to face and work out some of those problems and not resolve them in the newspapers. He said that, unfortunately, it became a political issue. He said they also met with some Toledo Councilmen and he had talked with the President of Council trying to work out the situation. He said he told the Governor's office and everyone else that the property had been bought for highway purposes over forty years ago and the Commission was not going to do anything to give up its rights to the land to accommodate somebody's problems.

Mr. Plain said further that where there was a unique situation such as this one it behooved the Commission to cooperate with its neighbors.

Mr. Hodges said he thought the staff should be congratulated for going the extra mile despite the newspaper articles that appeared in the interim criticizing the Commission for not cooperating. He said that the Commission should be praised for all that it had done.

Mr. Plain said that he thought there would be a change in the reporting in *The (Toledo) Blade*. He said the original story that came out criticized the Commission without any reporters talking with the Members or staff.

The Chairman said that northwest Ohio knew that the Turnpike interchange at Delta was why that steel company was investing a half a billion dollars in Ohio. He said there were twelve states they were looking at and the Turnpike interchange became the key factor in the selection of Ohio as the plant site.

The Chairman said further that he had personally called every Member and told them of the need for the interchange since a Commission meeting was not coming up. He said he thought it was important for the State of Ohio. He said it represented \$20 million in taxes to the state. He said that the half a billion dollar investment in the plant meant roughly seven times that amount into the state's economy.

The Chairman said further that the Commission had no intentions of leaving the City of Toledo hanging out to dry on the water line installation when the Commission made sure that the steel minimill came to Ohio.

The Chairman said further that on the other hand the Turnpike went through seventy-some communities and if water lines and electricity lines were running everywhere traffic could

not run along the road. He said he thought the Commission did the best it could and the Mayor of Toledo was very grateful. He said the Mayor thanked Mr. Plain and Mr. Zomparelli and everybody at the Turnpike.

Mr. Zomparelli said that in meetings with different officials there seemed to be a lack of communication amongst the Mayor, the Department of Utilities and the Council in the City of Toledo. He said Mr. Plain finally said that there was going to be a meeting on September 13th and all the various Toledo officials should be there so that nothing was lost in translation.

Mr. Zomparelli said further that the first time the staff had heard about the control joints was when Mr. Plain met with City of Toledo officials on September 13th.

Mr. Zomparelli asked Mr. Fleischman how long he had the plans for the waterline.

Mr. Fleischman said he had them for a little less than a week.

Mr. Zomparelli said that from the very beginning the Toledo officials were told that the first proposed route along the Turnpike's right-of-way was an option, but the Commission could not make a decision until they had seen the plans. He said that Mr. Plain also had said that a survey had not been done and the Commission would give them access to survey the land to see if it was even feasible before making a yes or no decision. He said he didn't think it had been completely done to that date.

Mr. Plain said that in today's climate a lot of issues came up and newspaper reporters would write a story before they checked both sides. He said that in this instance they checked with the City of Toledo, but did not check with the Commission before the story came out. He said they subsequently checked with the Commission and found out some information that would have lead to a different story.

Mr. Plain said that he imagined that was what happened with state legislators. He said they often got a different impression of what the Commission was trying to do and what the Commission was all about from reading headlines of stories written by somebody trying to make a name for themselves. He said that had been the case when reporters failed to check both sides of an issue.

Mr. Zomparelli said that the last thing he wanted to point out was that besides supplying water to the steel minimill at Delta, the water line would benefit residents of South Toledo by increasing their low water pressure.

Mr. Plain said he wanted everyone to know that the staff had been working with the City of Toledo on the water line. He said, however, that the Commission was not going to be drawn into local political issues or give up its rights to property that was acquired when the Turnpike was built.

Mrs. Baker said that for the record, the Commission had no objection to Mr. Plain going forward to issue a permit to assist the City of Toledo.

The Chairman said the Commission was committed in northwest Ohio to help out any way it could.

Mr. Plain said also that on Thursday, September 26, several staff members and he met with officials from North Star Steel and Worthington Steel to coordinate the new Class 12 toll classification, which was passed by resolution, involving Michigan loads between Exit 3B (State Route 109) and Exit 4A (Interstate 75). He said the state had given permission for those loads to travel on State Route 109 between Michigan and the steel plants. He said the Commission had passed a resolution to operate those loads between Exit 3B and Exit 4A.

He said that during the discussions representatives of both companies asked if the Commission could increase the total gross weight to 154,000 from the 150,000 they had originally requested. He said that ODOT had already agreed to permit 154,000 pounds on state routes in the area. He said the Greiner Company had been checking the Turnpike bridges to find that the configurations for 154,000 pounds were probably even better than what they were on the different configurations for the 150,000 pounds. He said that he didn't think that it would be a problem.

Mr. Plain said further that provided no problems were discovered an amended resolution would be prepared for the Members consideration at the next Commission meeting to increase the truck loads. He said that the staff was going to make sure that the proper configuration was achieved and there was no strain on some of those bridges.

The Chairman asked how high the truck weights could go before there were problems with the bridges.

Mr. Fleischman said that, actually on all the bridges between State Route 109 and I-75 there were three that had some minor over-stress and he recommended some modifications to those bridges. He said the axle spacing that was given for 154,000 pounds would not have created those over-stresses. He said it depended on the type of trucks used. He said he thought it was important that North Star and Worthington both knew which axle spacing was to be used on the trucks and they were well policed.

Mr. Plain said that was discussed with the steel companies. He said another meeting would be held at which time the people actually driving the trucks would be on hand, as well as Ohio State Highway Patrol personnel. He said the staff would look at their equipment to make sure that it would operate on the Turnpike below the minimum speeds. He said that could cause some problems. He said they would make sure that all of the hitches and connecting devices were safe. He said there would be safety checks on the vehicles and the configurations would be checked until the staff was satisfied that it was going to be a safe operation. He said that otherwise the trucks would not be permitted on the Turnpike.

Mr. Fleischman said that on one of the bridges they analyzed the trucks used had gross weights of 160,000 pounds and no over-stress resulted from those tests.

The Chairman said he wanted to make sure that there was going to be enough room on the road for those heavier vehicles.

Mr. Plain said that only one vehicle would be in a lane at a time or one vehicle on a bridge at a time. He said that was why the staff wanted everything coordinated with all those involved in the operation. He said the trucks would be monitored to make sure that the loads were staggered. He said deliveries to the two companies would be coordinated so that the trucks would not end up running side by side on the road or two on a bridge.

Mr. Plain said ODOT would have the same problem on their roads so that situation also would have to be monitored.

The Chairman asked Mr. Fleischman if he was looking very carefully at those bridges where over-stresses had been found.

Mr. Fleischman said that there were three pairs of bridges between State Route 109 and Interstate 75 and plans were given to the staff for strengthening those bridges.

Mr. Ransbury said they were in the process now of advertising for bids on strengthening those bridges.

Mr. Plain said also that on that Thursday afternoon several staff members and he met with the top thirteen LCV trucking firms in terms of Turnpike usage. He said that LCV was the Large Combination Vehicles, the long doubles and triple trailer operations. He said he had invited them to discuss the Turnpike's major construction program. He said he outlined for them the work and would continue to develop a dialogue with those important customers. He said that the major concerns that they expressed were parking at the service plazas and expansion of the Turnpike's makeup-breakup areas where double and triple trailers were reduced to single units for off-Turnpike travel.

Mr. Plain said further that the staff would be meeting with representatives from other trucking firms not involved in the LCV program.

The Chairman said that it was important that the Commission communicated.

Mr. Plain said that he would like to recommend that the Commission establish an advisory panel made up of its customers to further communications.

Mr. Plain said a list of potential panel members would be put together for selection. He said those chosen would have valuable input concerning the needs of our customers. He said that at a future Commission meeting he expected to make that recommendation after the staff had a chance to talk to some of the firms and some of the people that were dealt with on a regular basis.

The Chairman said he didn't know if Mr. Plain had read the book, "In Search of Excellence" by Tom Peters.

Mr. Plain said that he had heard it quoted a little bit , but had not read it.

The Chairman said the author talked about a grocery store up in Connecticut that had a board of advisors and they happened to be mostly female shoppers. He said that they were the ones that told the store owner not to put the bad strawberries in the bottom of the container. He said the store had baby-sitting services and was one of the highest volume grocery-selling establishments in the country.

Mr. Williams said he thought that having an advisory board was an excellent idea.

Mr. Plain said he had a couple of other things to mention. He said there was to be a public meeting on November 13, 1996, at Owens Community College in the Toledo area beginning at 6:00 p.m. concerning the toll increase that will be implemented January 1, 1997.

Mr. Hodges asked if it would be a full Commission meeting.

Mr. Plain said that no, it was a public meeting to discuss the Commission's major construction program. He said that after the presentation public comments would be received either orally or in written form.

Mr. Plain said also that Mr. Arlow was not at the meeting so he would give his update on construction. He said that the Ohio EPA had re-issued the 401 Water Quality Certification for the Turnpike interchange at State Route 66 and County Road 24 in Fulton County near the Sauder Woodworking Company. He said that the permit would be sent to the Corps of Engineers and they, in turn, will issue their permit for wetlands mitigation to the Commission. He said the only other hurdle would be acquiring the necessary property in that area that was required to build the interchange. He said those acquisitions were proceeding. He said the staff was working as quickly as possible on the interchange, but it was difficult because there were other agencies involved in the process.

Mr. Plain said construction of the third lane continued, although there were some delays due to the wet spring weather and delivery of steel for the mainline and overhead bridges involved in the widening.

Mr. Plain said further that there were only two fabricators supplying that steel and one was closed this year with a maintenance problem. He said there was only one supplier available for all of the projects in the state. He said ODOT was going through some similar problems on some of their projects because they couldn't get the deliveries of steel.

Mr. Plain said further that the contractors had been asked to put on additional labor to get back on schedule. He said some of the work at the interchanges also was slightly behind schedule, but they would open this year.

Mr. Plain said also that the staff had developed additional plans for the new Turnpike interchange at State Route 58 in Lorain County to try to accommodate the railroad that the county has been so desperately saying was needed. He said the county had done a study to see whether they could sell some bonds for railroad preservation. He said Claire Rosacco of the Governor's Cleveland office was involved and had asked the Commission to hold off on building the interchange until the situation was resolved. He said that he told her that the Commission would like to have information back by September 15th on the status of the bond sale. He said he had yet to hear from her.

Mr. Plain said further that he had learned that Claire had recently left the Governor's Cleveland office so the staff would be getting together with the new people. He said the staff was prepared to go out for bids as soon as possible. He said they did need to know if the county had developed the funding process.

Mr. Plain said further that he didn't know what else to say except that the staff was continuing to discuss the situation and trying to push so that the interchange could get under construction by next year.

Mr. Zomparelli said the staff was not holding up construction of the interchange.

Mr. Plain said they certainly were not and had been ready to go for some time.

Mr. Zomparelli said he had a resolution to introduce entitled a Resolution Declaring the Necessity of Appropriating Property and Directing that Proceedings to Effect Such Appropriation be Begun and Prosecuted.

Mr. Zomparelli said further that it was a draft resolution that he prepared in connection with the construction of the interchange at State Route 109 and the Turnpike. He said he had a tentative agreement with the property owner's attorney at that time. He said they were reviewing the Commission's proposal and had given the Commission permission to demolish the building on the owner's land and to go ahead with construction. He said that just in case there was a problem before the final papers were signed, he had prepared the draft resolution. He said he would read the Resolved as follows:

"BE IT RESOLVED that the proceedings be begun and prosecuted to effect the appropriation of the fee title and necessary easements on the following described property from the owner and persons having an interest therein, to-wit:"

Mr. Zomparelli said further that the owners were listed as Edna M. McQuillin, Trustee under the Herbert H. McQuillin Trust Agreement, and then were listed the Auditor and the Treasurer of Fulton County.

Mr. Zomparelli read the Resolved further as follows:

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

Mr. Zomparelli said the parcels are listed on the Resolution and the legal descriptions are attached as A, B, C, D, E and F.

Mr. Zomparelli read the last of the Resolved as follows:

"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 may be commenced."

Mr. Zomparelli said he was not anticipating filing in this action if things went on as tentatively agreed upon. He said that, just in case, he recommended that the Commission adopt the resolution.

A Resolution Declaring the Necessity of Appropriating Property and Directing that Proceedings to Effect Such Appropriation be Begun and Prosecuted was moved for adoption by Mr. Williams, seconded by Mr. Joseph as follows:

RESOLUTION NO. 64-1996

"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 section 163.04 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;

"BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the fee title and necessary easements on the following described property from the owner and persons having an interest therein, to-wit:

<u>Owners</u>	<u>Place of Residence</u>
Edna M. McQuillin, Trustee, under Herbert H. McQuillin Trust Agree- ment dated May 7, 1992	c/o 9111 Co. Rd. H 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-5WL - Fee Simple
Parcel No. 3B-5WD - Fee Simple
Parcel No. 3B-5WD-1 - Fee Simple
Parcel No. 3B-5U - Utility Easement
Parcel No. 3B-5T - Temporary Easement
Parcel No. 3B-5T-1 - Temporary Easement

Legal descriptions are attached as Exhibits "A", "B", "C", "D", "E" and "F";

"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 may be commenced."

Parcel No. 3B- 5WL

Being a parcel of land situated in Fulton County, Ohio, Pike Township, Sections 2 and 3, Town 7N, Range 7E, and lying on both sides 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 150.05 feet continuing along said centerline to a point designated as Station 68+32.85, also being the true place of beginning;

Thence North 01 Degrees 03 Minutes 09 Seconds East a distance of 1095.81 feet continuing along said centerline to a point at the intersection of Township Road HJ, designated as Station 79+28.66, also being the point of intersection of a proposed curve on the centerline of State Route 109;

Thence North 89 Degrees 50 Minutes 44 Seconds West a distance of 80.01 feet along the centerline of Township Road HJ to a point on the proposed westerly right-of-way line of State Route 109, 81.25 feet left of Station 79+25.73;

Thence North 06 Degrees 39 Minutes 20 Seconds East a distance of 185.84 feet along said right-of way line to a point, 69.60 feet left of Station 81+09.53;

Thence South 85 Degrees 51 Minutes 15 Seconds East a distance of 185.57 feet to a point on the proposed easterly right-of-way line of State Route 109, 115.96 feet right of Station 81+07.40;

Thence South 12 Degrees 11 Minutes 47 Seconds West a distance of 68.27 feet along said right-of-way line to a point of curvature, 105.61 feet right of Station 80+39.72;

Thence continuing along said right-of-way line and a curve to the right with a delta of 12 Degrees 53 Minutes 06 Seconds, a radius of 70.00 feet and a length of 15.74 feet to a point of tangency, 98.33 feet right of Station 80+25.55;

Thence South 25 Degrees 21 Minutes 09 Seconds West a distance of 96.31 feet continuing along said right-of-way line to a point of curvature, 61.38 feet right of Station 79+35.35;

Thence continuing along said right-of-way line and a curve to the left with a delta of 24 Degrees 01 Minutes 43 Seconds, a radius of 90.00 feet and a length of 37.74 feet to a point of tangency, 54.28 feet right of Station 78+98.18;

Parcel No. 3B-5WL (Con'd.)

Thence South 01 Degrees 03 Minutes 09 Seconds West a distance of 1063.04 feet continuing along said right-of-way line to a point on the existing northerly right-of-way line of the Ohio Turnpike, 55.00 feet right of Station 68+34.27;

Thence South 89 Degrees 34 Minutes 16 Seconds West a distance of 55.02 feet along said right-of-way line to the true place of beginning and containing 2.078 acres of land, more or less, including the present road which occupies 1.065 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 above described area and the area described in Parcel 5-WD (4.201 acres) is to be deleted from the Auditor's Tax Duplicate No. 20-41036-00 of the Fulton County Record of Deeds and carried as 17.990 acres, No. 20-41084-00 and carried as 11.797 acres, No. 20-41092-00 and carried as 41.3770 acres and No. 20-41104-00 and carried as 35.017 acres in the Tax Map Department.

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.

Grantor claims title by instrument(s) of record in Book 264 Page 975 County Recorder's Office.

Exhibit "A"

Parcel No. 3B-5WD

Being a parcel of land situated in Fulton County, Ohio, Pike Township, Sections 2 and 3, Town 7N, Range 7E, and lying on both sides 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 79+28.66, also being the point of intersection for a proposed curve on State Route 109;

Thence North 03 Degrees 29 Minutes 09 Seconds East a distance of 179.04 feet continuing along said centerline to a point, designated as Station 81+07.70;

Thence North 86 Degrees 30 Minutes 51 Seconds West a distance of 90.73 feet to a point on a curve on the proposed southerly right-of-way line of Relocated Township Road HJ, 90.73 feet left of Station 81+07.70 and 50.00 feet right of Station 52+25.71 on the centerline of Relocated Township Road HJ, also being the true place of beginning;

Thence along said right-of-way line and a curve to the left with a delta of 26 Degrees 06 Minutes 38 Seconds, a radius of 408.37 feet and a length of 186.10 feet to a point, 50.00 feet right of Station 50+40.64;

Thence South 63 Degrees 54 Minutes 42 Seconds West a distance of 201.23 feet along said right-of-way line to a point of curvature, 50.00 feet right of Station 48+39.41;

Thence along said right-of-way line and a curve to the right with a delta of 08 Degrees 05 Minutes 35 Seconds, a radius of 1004.93 feet and a length of 141.95 feet to a point on the centerline of Township Road HJ, 50.00 feet right of Station 47+04.53 on the centerline of Relocated Township Road HJ;

Thence North 89 Degrees 50 Minutes 44 Seconds West a distance of 60.10 feet along said centerline to a point on the easterly property line of land currently owned by Patrick R. and Tammy L. Kennedy, 32.93 feet right of Station 46+49.29;

Thence North 01 Degrees 02 Minutes 09 Seconds East a distance of 81.23 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 46+72.39;

Thence along said right-of-way line and a curve to the left with a delta of 10 Degrees 01 Minutes 17 Seconds, a radius of 909.93 feet and a length of 159.15 feet to a point, 45.00 feet left of Station 48+39.41;

Parcel No. 3B-5WD (Con'd.)

Thence North 26 Degrees 05 Minutes 18 Seconds West a distance of 5.00 feet along said right-of-way line to a point, 50.00 feet left of Station 48+39.41;

Thence North 63 Degrees 54 Minutes 42 Seconds East a distance of 201.23 feet along said right-of-way line to a point of curvature, 50.00 feet left of Station 50+40.64;

Thence along said right-of-way line and a curve to the right with a delta of 13 Degrees 22 Minutes 56 Seconds, a radius of 508.37 feet and a length of 118.74 feet to a point, 50.00 feet left of Station 51+47.70;

Thence North 12 Degrees 42 Minutes 22 Seconds West a distance of 5.00 feet along said right-of-way line to a point of curvature, 55.00 feet left of Station 51+47.70;

Thence along said right-of-way line and a curve to the right with a delta of 13 Degrees 23 Minutes 33 Seconds, a radius of 513.37 feet and a length of 120.00 feet to a point on the proposed westerly right-of-way line of State Route 109, 70.00 feet left of Station 82+14.69 on the centerline of State Route 109;

Thence North 03 Degrees 29 Minutes 09 Seconds East a distance of 95.33 feet along said right-of-way line to a point, 70.00 feet left of Station 83+10.00;

Thence South 86 Degrees 30 Minutes 51 Seconds East a distance of 140.00 feet to a point on the proposed easterly right-of-way line of State Route 109, 70.00 feet right of Station 83+10.00;

Thence South 03 Degrees 29 Minutes 09 Seconds West a distance of 98.63 feet along said right-of-way line to a point on a curve on the proposed northerly right-of-way line of Relocated Township Road HJ, 50.00 feet left of Station 53+91.00 on the centerline of Relocated Township Road HJ;

Thence along said right-of-way line and a curve to the right with a delta of 21 Degrees 25 Minutes 40 Seconds, a radius of 508.37 feet and a length of 190.12 feet to a point, 50.00 feet left of Station 55+62.43;

Thence South 63 Degrees 45 Minutes 00 Seconds East a distance of 37.57 feet along said right-of-way line to a point, 50.00 feet left of Station 56+00.00;

Thence South 26 Degrees 15 Minutes 00 Seconds West a distance of 5.00 feet along said right-of-way line to a point, 45.00 feet left of Station 56+00.00;

Thence South 63 Degrees 45 Minutes 00 Seconds East a distance of 173.17 feet along said right-of-way line to a point of curvature, 45.00 feet left of Station 57+73.17;

Thence along said right-of-way line and a curve to the left with a delta of 25 Degrees 38 Minutes 01 Seconds, a radius of 909.93 feet and a length of 407.09 feet to a point of tangency, 45.00 feet left of Station 62+00.40;

Parcel No. 3B-5WD (Con'd.)

Thence South 89 Degrees 23 Minutes 01 Seconds East a distance of 237.02 feet along said right-of-way line to a point on the Grantor's easterly property line, 45.00 feet left of Station 64+37.43;

Thence South 01 Degrees 05 Minutes 05 Seconds West a distance of 90.00 feet along the Grantor's easterly property line to a point on the southerly right-of-way line of Relocated Township Road HJ, 45.00 feet right of Station 64+36.69;

Thence North 89 Degrees 23 Minutes 01 Seconds West a distance of 236.29 feet along said right-of-way line to a point of curvature, 45.00 feet right of Station 62+00.40;

Thence along said right-of-way line and a curve to the right with a delta of 25 Degrees 38 Minutes 01 Seconds, a radius of 999.93 feet and a length of 447.36 feet to a point of tangency, 45.00 feet right of Station 57+73.17;

Thence North 63 Degrees 45 Minutes 00 Seconds West a distance of 173.17 feet along said right-of-way line to a point, 45.00 feet right of Station 56+00.00;

Thence South 26 Degrees 15 Minutes 00 Seconds West a distance 5.00 feet along said right-of-way line to a point, 50.00 feet right of Station 56+00.00;

Thence North 63 Degrees 45 Minutes 00 Seconds West a distance of 37.57 feet along said right-of-way line to a point of curvature, 50.00 feet right of Station 55+62.43;

Thence along said right-of-way line and a curve to the left with a delta of 14 Degrees 37 Minutes 32 Seconds, a radius of 408.37 feet and a length of 104.24 feet to a point on the proposed easterly right-of-way line of State Route 109, 50.00 feet right of Station 54+45.42 on the centerline of Relocated Township Road HJ and 115.96 feet right of Station 81+07.40 on the centerline of State Route 109;

Thence North 85 Degrees 51 Minutes 15 Seconds West a distance of 185.57 feet to the true place of beginning and containing 4.201 acres of land, more or less, including the present road which occupies 0.819 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 above described area and the area described in Parcel 5-WL (2.078 acres) is to be deleted from the Auditor's Tax Duplicate No. 20-41036-00 of the Fulton County Record of Deeds and carried as 17.990 acres, No. 20-41092-00 and carried as 41.377 acres and No. 20-41104-00 and carried as 35.017 acres in the Tax Map Department.

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.

Grantor claims title by instrument(s) of record in Book 264 Page 975 County Recorder's Office.

Exhibit "B"

Parcel 3B-5WD-1

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 1175.47 feet along the centerline of Township Road HJ to a point, designated as Station 40+90.00 on the centerline of Relocated Township Road HJ, also being the true place of beginning;

Thence North 00 Degrees 09 Minutes 16 Seconds East a distance of 40.00 feet to a point on the northerly right-of-way line of Relocated Township Road HJ, 40.00 feet left of Station 40+90.00;

Thence South 89 Degrees 50 Minutes 44 Seconds East a distance of 312.03 feet along said right-of-way line to a point, 40.00 feet left of Station 44+02.03;

Thence North 00 Degrees 09 Minutes 16 Seconds East a distance of 5.00 feet continuing along said right-of-way line to a point of curvature, 45.00 feet left of Station 44+02.03;

Thence continuing along said right-of-way line and a curve to the left with a delta of 02 Degrees 07 Minutes 08 Seconds, a radius of 909.93 feet and a length of 33.65 feet to a point on the westerly property line of land currently owned by Patrick R. and Tammy L. Kennedy, 45.00 feet left of Station 44+37.34;

Thence South 01 Degrees 02 Minutes 09 Seconds West a distance of 45.63 feet along said property line to a point on the centerline of Township Road HJ, 0.57 feet right of Station 44+34.96 on the centerline of Relocated Township Road HJ;

Thence North 89 Degrees 50 Minutes 44 Seconds West a distance of 344.97 feet along the centerline of Township Road HJ to the true place of beginning and containing 0.321 acres of land, more or less, including the present road which occupies 0.129 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.

Parcel No. 3B-5WD-1 (Con'd.)

The above described area is to be deleted from the Auditor's Tax Duplicate No. 20-41144-00 of the Fulton County Record of Deeds and carried as 40.679 acres in the Tax Map Department.

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.

Grantor claims title by instrument(s) of record in Book 264 Page 975 County Recorder's Office.

Exhibit "C"

Parcel 3B-5-U

Being a parcel of land situated in Fulton County, Ohio, Pike Township, Section 2, Town 7N, Range 7E, and lying on the right 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 251.39 feet continuing along said centerline to a point, designated as Station 69+34.19;

Thence South 88 Degrees 56 Minutes 51 Seconds East a distance of 55.00 feet to a point on the proposed easterly right-of-way line of State Route 109, 55.00 feet right of Station 69+34.19, also being the true place of beginning;

Thence North 01 Degrees 03 Minutes 09 Seconds East a distance of 963.13 feet along said right-of-way line to a point of curvature, 54.28 feet right of Station 78+98.18;

Thence continuing along said right-of-way line and a curve to the right with a delta of 24 Degrees 01 Minutes 43 Seconds, a radius of 90.00 feet and a length of 37.74 feet to a point of tangency, 61.38 feet right of Station 79+35.35;

Thence North 25 Degrees 21 Minutes 09 Seconds East a distance of 96.31 feet continuing along said right-of-way line to a point of curvature, 98.33 feet right of Station 80+25.55;

Thence continuing along said right-of-way line and a curve to the left with a delta of 12 Degrees 53 Minutes 06 Seconds, a radius of 70.00 feet and a length of 15.74 feet to a point of tangency, 105.61 feet right of Station 80+39.72;

Thence North 12 Degrees 11 Minutes 47 Seconds East a distance of 68.27 feet continuing along said right-of-way line to a point on a curve on the proposed southerly right-of-way line of Relocated Township Road HJ, 115.96 feet right of Station 81+07.40;

Thence along said right-of-way line and a curve to the right with a delta of 02 Degrees 44 Minutes 34 Seconds, a radius of 408.37 feet and a length of 19.55 feet to a point, 135.23 feet right of Station 81+04.17;

Thence South 12 Degrees 11 Minutes 47 Seconds West a distance of 72.24 feet to a point of curvature, 124.27 feet right of Station 80+32.37;

Thence along a curve to the right with a delta of 12 Degrees 53 Minutes 06 Seconds, a radius of 90.00 feet and a length of 20.24 feet to a point of tangency, 114.88 feet right of Station 80+14.10;

Parcel 3B-5-U (Con'd.)

Thence South 25 Degrees 04 Minutes 53 Seconds West a distance of 92.07 feet to a point of curvature, 79.81 feet right of Station 79+27.51;

Thence along a curve to the left with a delta of 24 Degrees 01 Minutes 43 Seconds, a radius of 70.00 feet and a length of 29.36 feet to a point of tangency, 74.28 feet right of Station 78+98.51;

Thence South 01 Degrees 03 Minutes 09 Seconds West a distance of 963.13 feet to a point on the existing northerly line of a Cellular One easement, 75.00 feet right of Station 69+34.19;

Thence North 88 Degrees 56 Minutes 51 Seconds West a distance of 20.00 feet along said easement line to the true place of beginning and containing 0.540 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 "D"

Parcel No. 3B-5T

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 the 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 79+28.66, also being the point of intersection of a proposed curve on the centerline of State Route 109;

Thence North 03 Degrees 29 Minutes 09 Seconds East a distance of 16.86 feet continuing along said centerline to a point designated as Station 79+45.52;

Thence North 86 Degrees 30 Minutes 51 Seconds West a distance of 79.73 feet to a point on the proposed westerly right-of-way line of State Route 109 and the existing northerly right-of-way line of Township Road HJ, 79.73 feet left of Station 79+45.52, also being the true place of beginning;

Thence North 89 Degrees 50 Minutes 44 Seconds West a distance of 21.14 feet along said existing right-of-way line of Township Road HJ to a point, 100.85 feet left of Station 79+44.70;

Thence North 06 Degrees 39 Minutes 20 Seconds East a distance of 165.11 feet to a point on a curve on the proposed southerly right-of-way line of Relocated Township Road HJ, 90.73 feet left of Station 81+07.70;

Thence along said right-of-way line and a curve to the right with a delta of 02 Degrees 58 Minutes 36 Seconds, a radius of 408.37 feet and a length of 21.22 feet to a point on the proposed westerly right-of-way line of State Route 109, 69.60 feet left of Station 81+09.53;

Thence South 06 Degrees 39 Minutes 20 Seconds West a distance of 185.84 feet along said right-of-way line to the true place of beginning and containing 0.080 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 "E"

Parcel No. 3B- 5T-1

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 Ohio Turnpike;

Thence North 01 Degrees 03 Minutes 09 Seconds East a distance 1245.86 feet continuing along said centerline to a point at the intersection of Township Road HJ, designated as Station 79+28.66, also being the point of intersection of a proposed curve on the centerline of State Route 109;

Thence North 03 Degrees 29 Minutes 09 Seconds East a distance of 351.34 feet continuing along said centerline to a point, designated as Station 82+80.00;

Thence North 86 Degrees 30 Minutes 51 Seconds West a distance of 70.00 feet to a point on the proposed westerly right-of-way line of State Route 109, 70.00 feet left of Station 82+80.00, also being the true place of beginning;

Thence North 86 Degrees 30 Minutes 51 Seconds West a distance of 110.00 feet to a point, 180.00 feet left of Station 82+80.00;

Thence North 03 Degrees 29 Minutes 09 Seconds East a distance of 125.00 feet to a point, 180.00 feet left of Station 84+05.00;

Thence South 86 Degrees 30 Minutes 51 Seconds East a distance of 147.00 feet to a point on the existing westerly right-of-way line, 33.00 feet left of Station 84+05.00;

Thence South 03 Degrees 29 Minutes 09 Seconds West a distance of 95.00 feet along said right-of-way line to a point on the proposed westerly right-of-way line, 33.00 feet left of Station 83+10.00;

Thence North 86 Degrees 30 Minutes 51 Seconds West a distance of 37.00 feet along said right-of-way line to a point, 70.00 feet left of Station 83+10.00;

Thence South 03 Degrees 29 Minutes 09 Seconds West a distance of 30.00 feet along said right-of-way line to the true place of beginning and containing 0.396 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 "F"

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

Ayes: Mr. Williams, Mr. Joseph, 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. 64-1996.

Mr. Zomparelli said the only other thing he wished to report to the Commission was that he, the Chief Engineer, the Purchasing Agent and the Executive Director met with David Freel and Paul Nick of the Ohio Ethics Commission and he had enclosed a letter in all the Members' folders dated September 11th listing all the documents he had given Mr. Freel in connection with his request. He said he had listed those as the vendors list from 1991 to what the staff had up to date in 1996, along with a list of Commission contractors, sample engineering agreements, and a certificate of insurance for use on the Turnpike. He said he hadn't heard anything since that meeting. He said he understood that they were reviewing all that information.

The Chairman said the report of General Counsel was accepted as offered. He ascertained there would be no reports from the Trustee or the Ohio State Highway Patrol. He said the report of the consulting engineers would be received.

Mr. Fleischman said he just wanted to report that the consulting engineers' formal annual report to the Commission would be delivered the next day as required by the trust agreement. He said it would be delivered to Mr. Plain's office.

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

Mr. Williams said he moved that the Commission adjourn the meeting to go into Executive Session in order to discuss negotiations with the Commission's employees concerning their compensation. He said that at the end of the Executive Session the Commission meeting could reconvene. The motion was seconded by Mrs. Baker.

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

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

Nays: None

(The Commission meeting adjourned at 11:08 a.m. and reconvened at 11:37 a.m.)

Mr. Plain said the next Commission meeting date needed to be established. He said that because of the timing he didn't think there was anything in October that needed to be addressed. He said the information from the architects working on designs for the service plazas would be received on November 7th. He said that information would have to be reviewed before setting up a presentation for the next Commission meeting.

Mr. Plain said further that the second Monday in November would be the 11th, which was a holiday, so it would have to be on Tuesday the 12th, or Wednesday the 13th.

The Chairman said it appeared that Tuesday the 12th was the best date for the next meeting.

There being no further business before the Commission a motion was made by Mr. Williams, seconded by Mr. Joseph that the meeting adjourn until the next Commission meeting on November 12.

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. Joseph, Mrs. Baker, Mr. Fedeli

Nays: None

The Chairman declared the meeting adjourned. The time of adjournment was 11:39 a.m.

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


Marilyn R. Baker, Secretary-Treasurer