## MINUTES OF THE 435TH MEETING OF THE OHIO TURNPIKE COMMISSION

December 15, 1997

Pursuant to the bylaws, the Ohio Turnpike Commission met in regular session in the Administration Building at 682 Prospect Street, Berea, Ohio at 10:15 a.m. on December 15, 1997, with members of the staff: G. Alan Plain, Executive Director; Gino Zomparelli, General Counsel and Deputy Executive Director-External Services; Robert Arlow, Deputy Executive Director-Operations; Anthony A. DiPietro, Deputy Executive Director-Administration; David Wright, CFO/Comptroller; David H. Ransbury, Chief Engineer; Daniel F. Castrigano, Maintenance Engineer; Sharon D. Isaac, Director of Toll Operations; John Mitchell, Director of Management Information Services; Robert P. Barnett, Director of Information and Research; and others in attendance.

Present:

Umberto P. Fedeli, Marilyn R. Baker, Earl W. Williams, Gary Joseph,

Senator M. Ben Gaeth, Representative Sally Perz

Absent:

Ruth Ann Leever, Jerry Wray

The Chairman said the minutes of the last Commission meeting of October 20, 1997, had been distributed to the Members for their comments and he would accept a motion to adopt them without reading.

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

Ayes:

Mr. Williams, 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 435th 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 and Jerry Wray could not attend the day's meeting, but Gary Joseph was authorized to represent and vote for Mr. Wray.

The Chairman said there were a number of guests at the meeting, and he would ask them to identify themselves as follows: Eric Erickson, Ohio Company; Tom Travis and Fred McFall, Host Marriott; Captain Paul Ash and Staff Lieutenant Tim Escola, Ohio State Highway Patrol; David Patch, The (Toledo) Blade; Steve Wood, Paine Webber; Heidi Jedel, Department Head Secretary, Information and Research; Angela Raglands, Ozanne Construction Company; Tom O'Leary, Ohio Rail Commission; Betty Blair, Lorain County Commissioners; Marc Chappo, Lake Shore Railway; Joe Mosbrook, The (Elyria) Chronicle-Telegram; Ken Marley, Hardee's Food Systems; Larry McQuillin, ARCI; Howard O'Malley, B & T Express; Eric Raney, ODOT; George Tomeck, HNTB; Ryan Conners, Conners & Co.; Vince Charucci, Business Consultant; John Conner, Huntington Capital; Paul Stubbins, Seasongood & Mayer; John Petty, National City Investments; Pat Brogan WTAM-AM News; Susan Harper, Cuyahoga County League of Women Voters; Carol Gibson, Cuyahoga County League of

Women Voters; Bobby Everhart, URS Greiner; Allan V. Johnson, retired from OTC; Jim McGrath, retired from OTC; Rob Fleischman, Assistant Chief Engineer; Debbie Moore, Human Resources Manager; David Miller, Chief Auditor; Cassaundra Thomas, MBE Coordinator; Jean Lewis and Stu Shear, The Ohio Rehabilitation Services Commission; Frank Lamb, Huntington Trust; Debra Janik, Key Bank; Richard Boylan, Boylan & Associates; Bill McDonald, National City Bank; Dennis Lamont, Lake Shore Railway; Alan Shaffstall, Lake Shore Railway; Joe Wagner, The (Lorain) Morning Journal; Mike McIntre, The (Cleveland) Plain Dealer; Ken Becker and Ray Kzjajic, Smith Barney; Anthony Palombo, Staff Counsel; Pat Patton, Government Liaison Officer; Barbara Lesko, Executive Director's secretary and Diane Pring, General Counsel's secretary.

The Chairman said he especially wanted to welcome Allan Johnson, who was the Commission's Executive Director for 25 years, and Jim McGrath, who was General Counsel and associated with the Commission for 37-1/2 years.

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 October 20, 1997:

- 1. Weekly Traffic Statistics.
- 2. Traffic Accident Summary for October 1997.
- 3. Traffic and Revenue Report for October and November 1997.
- 4. Financial Statement for October and November 1997.
- 5. Draft of Commission Meeting Minutes of October 20, 1997.
- 6. Investment Transactions for October and November 1997.
- 7. Budget and Expense Report for the first nine months of 1997.
- 8. Litigation Report for period ending September 30, 1997.
- 9. Turnpike Notes, October/November 1997.
- 10. Various news releases.

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

Mrs. Baker said she had a resolution entitled a "Resolution Adopting Proposed Budget for the Year 1998 and Providing for Deposits Required Under the 1994 Trust Agreement During Said Year." She said that on the second page the Members would see the proposed budget and she was going to call on David Wright to go over the budget with the Commission.

The Chairman said Mr. Wright was the Commission's new CFO/Comptroller. He said he had an extensive financial background. He said the Commission conducted a search for the position that lasted a number of months and the staff was assisted by an outside consultant. He said the Commission was very happy with the recommendation and selection of Mr. Wright. He said he already had done a great job in a very short period of time.

Mr. Wright said that at the October 15th Commission meeting, the total Operations, Maintenance and Administration Preliminary Budget for 1998 was presented at \$75,923,384. He said that since then there had been various meetings with department heads and also Mr. Fedeli to take a closer look at those numbers. He said those numbers had been reduced by \$1.6 million. He said the budget presented to the Commission Members at the day's meeting was for \$74,299,086. He said it represented a 1.99% increase over last year's budget.

Mr. Wright said that basically the two categories that caused the \$1.6 million reduction were Total Administration & Insurance and Toll Operations. He said that actual information was looked at through October 1997 and by reviewing some actual trends the staff was able to reduce costs of health care insurance benefits. He said the same process was followed in Toll Operations.

The Chairman said he got together with the department heads for the sixth year in a row to go over their respective budgets. He said he did not invite all the other Commission Members because that would be breaking the Sunshine Law. He said every line item was gone over and, as Mr. Plain knew, he always said they were too high. He said they figured out how to go back and cut.

The Chairman said further that they started out with a proposed budget that was 3.5% over the 1997 budget and they got it down to 1.99%. He said that even with the increase in interchanges, the third lane addition and a lot of other increased activity the Commission's costs had actually decreased rather significantly. He said the Commission's buy-out program had worked. He said he appreciated everyone's help in achieving the reduced budget.

Mrs. Baker said she would read the RESOLVED of the resolution as follows:

"RESOLVED that the Commission hereby adopts the following as its Proposed Annual Budget for the Year 1998 and the executive director and comptroller are directed to transmit a copy of the budget to the appropriate officials set forth in Section 5537.17(F) and to The Huntington National Bank, trustee, under the Commission's Trust Agreement as provided in Section 5.01(a)(iii)."

A Resolution Adopting Proposed Budget for the Year 1998 and Providing for Deposits Required Under the 1994 Trust Agreement During Said Year was moved for adoption by Mr. Joseph, seconded by Mr. Williams as follows:

## **RESOLUTION NO. 56-1997**

"WHEREAS, the Commission by Resolution No. 51-1997 on October 20, 1997, adopted its Preliminary Budget for the Year 1998;

"WHEREAS, Section 5537.17(F), Revised Code of Ohio, requires the Commission to submit a copy of its Proposed Annual Budget to the Governor, the Presiding Officers of each House of the General Assembly, the Director of Budget & Management, and the Legislative Budget Office of the Legislative Service Commission, no later than the first day of the calendar or fiscal year;

"WHEREAS, the Master Trust Agreement between the Commission and The Huntington National Bank (Trust Agreement) provides that the Commission shall adopt an annual budget on or before the first day of each fiscal year and shall file same with the trustee;

"WHEREAS, the Commission in order to comply with the provisions of Section 5537.17(F) of the Revised Code of Ohio, and the provisions of the Trust Agreement, takes the following action;

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission hereby adopts the following as its Proposed Annual Budget for the Year 1998 and the executive director and comptroller are directed to transmit a copy of the budget to the appropriate officials set forth in Section 5537.17(F) and to The Huntington National Bank, trustee, under the Commission's Trust Agreement as is provided in Section 5.01(a)(iii).

1998
Proposed Budget of Revenues, Expenditures
and Deposits for Projects

	Pledged	Non- <u>Pledged</u>	<u>Total</u>
REVENUES	\$166,196,173	\$12,039,452	\$178,235,625
<b>EXPENDITURES</b> Administration & Insurance Total Administration & Insurance	\$ 18,862,927 \$ 18,862,927		
Maintenance of Roadway & Structures Services & Toll Operations Traffic Control, Safety & Patrol TOTAL OPERATIONS	\$ 21,210,132 \$ 23,748,696 <u>\$ 10,477,331</u> \$ 55,436,159		
TOTAL OPERATIONS, MAIN- TENANCE & ADMINISTRATION (OM&A)	\$ 74,299,086		
BOND INTEREST FUNDING	\$ 34,076,369		
BOND PRINCIPAL FUNDING	\$ 9,050,572		
RENEWAL & REPLACEMENT FUND REQUIREMENT	\$ 6,000,000		
TRANSFER TO SYSTEM PROJECTS FUND	\$ 42,770,146"		

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

Aves:

Mr. Joseph, 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. 56-1997.

The Chairman said the report on Budget & Finance was accepted as offered. He ascertained there would be no report on Service Plazas. He said the report on Employee Relations would be received.

Mr. DiPietro said that within the last couple of weeks they had met again with representatives of the union for the part-time toll collectors. He said the last meeting took place on Friday, December 12, 1997, relative to the collective bargaining agreement that had expired. He said some progress had been made and the union indicated that they would not be available until January 8, 1998. He said that a meeting had been tentatively scheduled for that date.

The Chairman said that when Mr. DiPietro hears him talk about the Commission's goals for 1998 they were going to continue to take management out in the field to meet with employees in Maintenance and Toll Operations. He said he felt the staff got a lot of good input and recommendations and the employees felt like they were part of the process. He said to remember that the toll collectors were to become the Turnpike's customer service representatives.

Mr. DiPietro said they were continuing the meetings.

The Chairman said the report on Employee Relations was accepted as offered. He ascertained there would be no reports from the trustee or Captain Ash. He said the report of the general consultant would be received.

Mr. Everhart said he did not have a formal report, but he would like to mention that for the second straight month the revenues had been ahead of forecast and with that trend it made up for the ground lost in August and September.

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

Mr. Zomparelli said he had two resolutions to present to the Commission. He said the first resolution was entitled "Resolution to Authorize and Issue a Declaration of Official Intent with Respect to Reimbursement of Temporary Advances Made from Capital Expenditures to be Made from Subsequent Borrowings." He said the Members had a two-page draft resolution in their folders.

The Chairman asked Mr. Zomparelli to explain the necessity of the reimbursement.

Mr. Zomparelli said the reimbursement was for any advances made for capital expenditures that the Commission may have spent. He said the capital improvement projects included the third lane projects, and bridge projects that the Commission has or will award prior

to the bond issuance. He said the resolution would give the Commission the opportunity to essentially reimburse itself for expenditures made.

The Chairman asked if the reimbursement was called for in the Commission's Master Trust Agreement.

Mr. Zomparelli said it was being done pursuant to the Commission's Master Trust Agreement and had been reviewed by the Commission's bond counsel, Eric Erickson of the Ohio Company, and David Wright, the Commission's CFO/Comptroller, also had a chance to review it. He said that if the Members looked at Section 2, Declaration of Official Intent, Paragraph (a), the maximum principal amount that the Declaration of Intent would allow was \$71 million.

The Chairman asked if there was some kind of summary or a schedule of what was included in the declaration.

Mr. Zomparelli said that Paragraph (b) on the second page of Section 2 describes what the Declaration of Official Intent would be. He said he would read that section as follows:

"The Capital Expenditures to be reimbursed are to be used for construction, reconstruction, land acquisition and related costs incurred in improving the System (as defined in Article 1 of the Master Trust Agreement dated as of February 15, 1994, between the Ohio Turnpike Commission and The Huntington National Bank, as supplemented, the "System") and all facilities integral to the System."

Mr. Zomparelli said that the staff had worked with Mr. Wright to determine how that amount was arrived at.

The Chairman said he would like to see a schedule of the projects being reimbursed.

Mr. Wright said that approximately \$63 million was for the third lane projects.

The Chairman asked what projects were paid for with the other \$8 million.

Mr. Wright said he would have to check his file, but he could give that to the Chairman.

The Chairman said he thought the Commission should see a schedule of those projects. He asked if there was a time concern involved.

Mr. Zomparelli said that in the WHEREAS clause it read, "The Declaration of Official Intent must be made no later than 60 days after payment of Capital Expenditures." He said that last November the Commission did award some major projects, namely, reconstruction of the Tinkers Creek and Maumee River bridges. He said that those were the projects essentially identified for reimbursement.

The Chairman asked if the Members saw something in the schedule that they felt should not be included, then the resolution could be amended.

Mr. Zomparelli said it could be supplemented. He said that the draft of the resolution had been prepared by the Commission's bond counsel, Peck Shaffer from Cincinnati.

The Chairman asked if there was someone from Peck Shaffer at the day's meeting.

- Mr. Zomparelli said there was not, but he did talk to Carol Olson on Thursday, December 11, and again on December 15. He said she reviewed the resolution and was comfortable with it.
- Mr. Williams asked if the information requested by the Chairman would be forthcoming before the next meeting.
- Mr. Zomparelli said it would be mailed after the day's meeting to the Commission Members.
- Mr. Zomparelli said he recommended that the Commission move to adopt the resolution taking into consideration that the Resolved paragraphs in Section 1, dealing with the definition as to what is a capital expenditure and the allocation of the Declaration of Official Intent for reimbursement, and Section 2, "Declaration of Official Intent," that specifies \$71 million would be the maximum principal amount that would reimbursed for capital expenditures.
- Mr. Zomparelli said further that Section 3 states that, "The Ohio Turnpike Commission does not expect any other funds (including money advanced to make the capital expenditures that were to be reimbursed) to be reserved, allocated on a long-term basis or otherwise set aside by the Ohio Turnpike Commission or any other entity, with respect to the Capital Expenditures for the purposes described in Section 2(b)."
- Mr. Zomparelli said further that section 4 of the RESOLVED concerned Open Meetings and read: "It is found and determined that all formal actions of the Ohio Turnpike Commission concerning and relating to the adoption of this resolution were adopted in an open meeting of the Ohio Turnpike Commission and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121.22 of the Revised Code."
- Mr. Zomparelli said he would recommend that the Commission move for adoption of the resolution.

A Resolution to Authorize and Issue a Declaration of Official Intent with Respect to Reimbursement of Temporary Advances Made for Capital Expenditures to be Made from Subsequent Borrowings was moved for adoption by Mrs. Baker, seconded by Mr. Joseph as follows:

## **RESOLUTION NO. 57-1997**

"WHEREAS, Treasury Regulation §1.150-2 (the "Reimbursement Regulations"), issued pursuant to Section 150 of the Internal Revenue Code of 1986, as amended, (the "Code") prescribes certain requirements by which proceeds of tax-exempt bonds, notes, certificates or other obligations included in the meaning of "bonds" under Section 150 of the Code ("Obligations") used to reimburse advances made for Capital Expenditures (as hereinafter defined) paid before the issuance of such Obligations may be deemed "spent" for purposes of Sections 103 and 141 to 150 of the Code and therefore, not further subject to any other requirements or restrictions under those sections of the Code; and

"WHEREAS, such Reimbursement Regulations require that the Ohio Turnpike Commission, as Issuer (as hereinafter defined) make a Declaration of Official Intent (as hereinafter defined) to reimburse any Capital Expenditure paid prior to the issuance of the Obligations intended to fund such Capital Expenditure and require that such Declaration of

Official Intent be made no later than sixty (60) days after payment of the Capital Expenditure and further require that any Reimbursement Allocation (as hereinafter defined) of the proceeds of such Obligations to reimburse such Capital Expenditures occur no later than eighteen (18) months after the later of the date the Capital Expenditure was paid or the date the property acquired with the Capital Expenditure was placed in service, except that any such Reimbursement Allocation must be made no later than three years after such Capital Expenditure was paid; and

"WHEREAS, the Ohio Turnpike Commission wishes to ensure compliance with the Reimbursement Regulations;

"NOW, THEREFORE, BE IT

"RESOLVED by the members of the Ohio Turnpike Commission that:

"Section 1. Definitions. The following definitions apply to the terms used herein:

"Allocation" means written evidence that proceeds of Obligations issued subsequent to the payment of a Capital Expenditure are to reimburse the Ohio Turnpike Commission for such payments. "To allocate" means to make such an allocation.

"Capital Expenditure" means any expense for an item that is properly depreciable or amortizable or is otherwise treated as a capital expenditure for purposes of the Code, as well as any costs of issuing Reimbursement Bonds.

"Declaration of Official Intent" means a written declaration that the Ohio Turnpike Commission intends to fund Capital Expenditures with an issue of Reimbursement Bonds and reasonably expects to be reimbursed from the proceeds of such an issue.

"Issuer" means either a governmental unit that is reasonably expected to issue Obligations, or any governmental entity or 501(c)(3) organization that is reasonably expected to borrow funds from the actual issuer of the Obligations.

"Reimbursement" means the restoration to the Ohio Turnpike Commission of money temporarily advanced from other funds, including moneys borrowed from other sources, of the Ohio Turnpike Commission to pay for Capital Expenditures made before the issuance of Obligations intended to fund such Capital Expenditures. "To reimburse" means to make such a restoration.

"Reimbursement Bonds" means Obligations that are issued to reimburse the Ohio Turnpike Commission for Capital Expenditures, and for certain other expenses permitted by the Reimbursement Regulations, previously paid by or for the Ohio Turnpike Commission.

"Reimbursement Regulations" means Treasury Regulations § 150-2 and any amendments thereto or superseding regulations, whether in proposed, temporary or final form, as applicable, prescribing conditions under which the proceeds of Obligations may be allocated to reimburse the Ohio Turnpike Commission for Capital Expenditures and certain other expenses paid prior to the issuance of the Obligations such that the proceeds of such Obligations will be treated as "spent" for purposes of Section 103 and 141 to 150 of the Code.

## "Section 2. Declaration of Official Intent.

- "(a) The Ohio Turnpike Commission declares that it reasonably expects that the Capital Expenditures described in Section (b), which were paid no earlier than sixty (60) days prior to the date hereof, or which will be paid prior to the issuance of any Obligations intended to fund such Capital Expenditures, will be reimbursed with the proceeds of Obligations, representing a borrowing by the Ohio Turnpike Commission in the maximum principal amount, for such Reimbursements, of \$71,000,000.00; and
- "(b) The Capital Expenditures to be reimbursed are to be used for construction, reconstruction, land acquisition and related costs incurred in improving the System (as defined in Article I of the Master Trust Agreement dated as of February 15, 1994, between the Ohio Turnpike Commission and The Huntington National Bank, as supplemented, the "System") and all facilities integral to the System.

"Section 3. Reasonable Expectations. The Ohio Turnpike Commission does not expect any other funds (including the money advanced to make the Capital Expenditures that are to be reimbursed) to be reserved, allocated on a long-term basis, or otherwise set aside by the Ohio Turnpike Commission or any other entity, with respect to the Capital Expenditures for the purposes described in Section 2(b).

"Section 4. Open Meeting. It is found and determined that all formal actions of the Ohio Turnpike Commission concerning and relating to the adoption of this resolution were adopted in an open meeting of the Oho Turnpike Commission; and that all deliberations of the Ohio Turnpike Commission and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code."

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. 57-1997.

Mr. Zomparelli said the second resolution he drafted for the Members' review was a resolution entitled "Resolution Authorizing the Renovation or Replacement, Construction of the Commission's Service Plaza Facilities." He said the resolution was drafted in relation to the ongoing service plaza project. He said Commission Members, the Executive Director, Chief Engineer, Maintenance Engineer, other engineers and himself had met with the Commission's architect of the new travel centers, GSI Architects, Inc., and plans had moved forward in such a manner that they were about 90-95% complete. He said that since the plans were almost complete the staff desired that the Commission give the Executive Director authority to issue RFPs for Construction Management services. He said he would read the RESOLVEDS of the resolution as follows:

"RESOLVED that the executive director and general counsel hereby are authorized and directed to take any and all action necessary to advertise for bids for the renovation and replacement, construction of any or all the Commission's service plaza facilities with no more than two (2) pairs under construction during the next twelve months, and thereafter not more than four (4) pairs shall be under construction at any one time;

"FURTHER RESOLVED that while a service plaza facility is under reconstruction, it shall be closed; and

"FURTHER RESOLVED that the executive director and general counsel are authorized to issue a Request for Proposals for Construction Management Services to assist the Commission and the service plaza review group from this point forward in the process of obtaining bids and awarding contracts for the renovation, replacement and/or construction and operation of the service plaza facilities."

Mr. Zomparelli said that the first RESOLVED talked about limiting the number of plazas to be under construction at one time. He said that after conversations with the Executive Director and staff and the architects they determined that during the next twelve months reconstruction or replacement of at least two pairs of service plazas should commence. He said that given the number of third lane projects that were underway and other Ohio Department of Transportation projects throughout the state the staff didn't want to create too much of a disruption to services for Ohio travelers.

Mr. Zomparelli said further that, since none of the Turnpike's service plazas had been replaced before, the staff thought it would be best to limit the service plaza replacement or reconstruction to only two pairs. He said the Commission was pretty secure in one pair that it would like to proceed with and that would be the Great Lakes/Towpath facilities. He said the staff would like to work with the architects and the as yet unnamed construction manager to determine which should be the second pair.

Mr. Zomparelli said further the staff also understood that it was important to have the service plazas renovated, replaced and reconstructed within a timely manner. He said they didn't see any more than four under construction at any one time. He said that was why the second part of the resolution read to that effect.

Mr. Zomparelli said that, for Representative Perz, the Turnpike had 16 service plazas or eight pairs over the 241-mile road. He said they didn't want to create a situation where there would be two sequential pairs closed or under construction at the same time.

Mr. Plain said that, in addition, he might add that they didn't have the extended parking facilities at the existing plazas and if they didn't limit shutdowns for construction to two pairs of plazas it might put a strain on the rest of those plazas. He said they wanted to first build two pairs of new travel centers with expanded parking availability so that when they got into a more aggressive program there would be additional space for the public to park.

Mr. Williams asked if that meant that while construction was going on that Turnpike customers would not be able to get gas because the entire plaza was closed.

Mr. Zomparelli said that seemed to be the overwhelming information that they received as a staff. He said that a plaza open during construction with all the utility lines, fuel tanks, excavations and demolitions would be a very unsafe environment.

Mr. Zomparelli said further that the number of interchanges had been increased along the Turnpike and if there was a problem with fueling the nearest interchange was not that far away. He said if there was advance notice to patrons, they could plan their trips accordingly and stop at either the service plaza before or after.

Mr. Zomparelli said further that he would like to make sure that the Commission Members had considered and given their consent to closing the facilities and that it was not a surprise during construction. He said he hoped that the Commission Members were in the same agreement.

The Chairman said that one of the things that the Commission had done in the past year was improve communications to the customers. He said he thought it was crucial that customers picking up their tickets or paying their tolls be given a slip of paper explaining travel center construction to insure they knew that the upcoming service plaza would not have fuel. He said he thought it was important and, if anything, over communicate.

Mr. Plain said the staff also would have the electronic message boards on the Turnpike to inform customers of construction at the service plazas.

The Chairman asked how the staff was doing with that brochure that had been designed which highlighted sites to see along the Turnpike. He said it basically went from one side of the state to the other where all the attractions off the Turnpike were highlighted. He said the Commission was trying to promote that. He asked if they had stopped doing that. He asked that it be checked into by the next meeting. He said he thought it was a good tool just to promote the various sites.

Mr. Arlow said they still handed them out at the Turnpike's Travel Centers.

A Resolution Authorizing the Renovation or Replacement, Construction of the Commission's Service Plaza Facilities was moved for adoption by Mr. Williams, seconded by Mrs. Baker as follows:

### **RESOLUTION NO. 58-1997**

"WHEREAS, the Commission desires to continually provide for the transportation needs of Ohio travelers and to effectively operate and maintain the Ohio Turnpike and its service plaza facilities;

"WHEREAS, each of the Commission's service plaza facilities including, but not limited to, the buildings, parking areas, fueling areas, water utilities, sewer utilities, other utilities, ingress and egress ramps require major replacement, renovation and/or reconstruction;

"WHEREAS, the Commission desires to receive various bid invitations for the replacement, renovation and/or construction for any or all the service plaza facilities;

"WHEREAS, the Commission authorizes the executive director to issue a Request for Proposals for construction management services to assist the Commission's staff in the renovation, replacement and/or construction of the service plaza facilities;

"WHEREAS, although the Commission recognizes that all sixteen service plaza facilities are in need of renovation or replacement, re-construction; the Commission directs the commencement of construction of only one or two pairs of service plaza facilities during the next twelve months;

"WHEREAS, while the Commission recognizes the need to timely renovate, replace and construct all service plaza facilities, the Commission directs that no more than four (4) pairs of service plaza facilities shall be under construction in any twelve-month period subsequent to the initial twelve-month period mentioned above;

"WHEREAS, the Commission desires to limit the risks associated with construction projects, and it directs that a service plaza facility shall be closed during the renovation or replacement construction period;

"WHEREAS, the Commission recognizes the scope and magnitude of the service plaza facilities, and it instructs the executive director to form a service plaza review group to review the responses to the Request for Proposals for Construction Management Services and make a recommendation to the Commission on the selection of a construction manager;

"NOW, THEREFORE, BE IT

"RESOLVED that the executive director and general counsel hereby are authorized and directed to take any and all action necessary to advertise for bids for the renovation or replacement, construction of any or all the Commission's service plaza facilities with no more than two (2) pairs under construction during the next twelve months, and thereafter no more than four (4) pairs shall be under construction at any one time;

"FURTHER RESOLVED that while a service plaza facility is under re-construction, it shall be closed; and

"FURTHER RESOLVED that the executive director and general counsel are authorized to issue a Request for Proposals for Construction Management Services to assist the Commission and the service plaza review group from this point forward in the process of obtaining bids and awarding contracts for the renovation, replacement and/or construction and operation of the service plaza facilities."

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 Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 58-1997.

Mr. Zomparelli said that the only other item he would like to report to the Commission Members related to the appropriation case which he reported on at the last meeting. He said it was Ohio Turnpike Commission v. Louise McDonnall, et al. He said the Commission was able

to settle that case without going to trial. He said he just wanted to provide an update on that case because he advised at the last meeting that he was getting ready for trial.

The Chairman said the report of General Counsel was accepted as offered. He said the report of Bob Arlow, Deputy Executive Director-Operations, would be received.

Mr. Arlow said he was pleased to report that 26 miles of third lane projects and 17 overhead bridge projects were completed on time. He said they were supposed to be completed by November 21 and they were all completed and opened on that date.

Mr. Arlow said further that presently there where 18 miles of third lane under construction and, since El Niño was helping out the weather situation here, they would continue as long as those conditions prevailed. He said most of the work was being done underneath the bridges on the substructures so they were not interfering with the traffic on the Turnpike. He said that from time to time there will be some zones on the Turnpike, weather permitting.

Mr. Arlow said further that work continued on a new interchange, Exit 2A, in Fulton County and it would be completed in 1998. He said the tie-in of Mahoning County Road 18 to the Niles-Youngstown (No. 15) Interchange was under construction and it also would be done in 1998. He said there was another project planned at State Route 58, which the Executive Director would report on a little later in the meeting. He said there were some overhead bridges planned for reconstruction in 1998.

Senator Gaeth asked if Mr. Arlow said the new interchange at Fulton County Road 24 would be finished in 1998. He asked if all the land had been acquired and the legal problems resolved.

Mr. Zomparelli said the Commission had one pending matter involving the interchange and that had to do with property owned by the Stahls. He said the Commission had filed a Petition for Appropriation and it was just a question of when the court would set a trial date.

The Chairman said the report of the Deputy Executive Director-Operations was accepted as offered. He said the report of the Executive Director would be received.

Mr. Plain said that the first resolution he had was a Resolution Awarding a Contract under Invitation No. 3580-C for 32 solar-powered, trailer-mounted message boards with remote base station. He said that attached to the resolution was a tabulation of bids. He said there were seven bidders on that particular contract. He said there also were letters from the Chief Engineer and the Traffic and Field Engineer recommending an award to the low bidder.

Mr. Plain said those boards would be used in the Maintenance Department and for Turnpike construction projects as those continued to increase in number. He said they would serve as early warning devises for Turnpike customers in the event of traffic backups, emergencies or accidents.

The Chairman said that on the bid tabulation it looked like ADDCO was slightly less.

Mr. Plain said there was a 5% term discount offered by Signalisation, which made their bid the low bid. He said Signalisation Ver-Mac of Quebec, Canada had bid at \$690,600 and offered a 5% term discount. He said their bid was thus reduced to \$579,120. He said he would read the RESOLVED of the resolution as follows:

"RESOLVED that the bid of Signalisation Ver-Mac, Inc. of Ste-Foy (Quebec), Canada in the net amount \$579,120.00 [\$609,600.00 less the 5% term discount] for Invitation No. 3580-C is, and is by the Commission deemed to be the lowest responsive and responsible bid received and is accepted and the chairperson 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 Signalization Ver-Mac, Inc. 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 under Invitation No. 3580-C was moved for adoption by Mrs. Baker, seconded by Mr. Joseph as follows:

### **RESOLUTION NO. 59-1997**

"WHEREAS, the Commission has advertised for bids for Invitation No. 3580-C for the furnishing to the Commission of (32) solar-powered, trailer-mounted message boards with remote base station, and seven 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 solar-powered, trailer-mounted message boards with remote base station under Invitation No. 3580-C 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 seven bids received in response to the invitation were reviewed by the chief engineer and traffic and field engineer who have stated that the lowest responsive and responsible bid was submitted by Signalisation Ver-Mac, Inc. of Ste-Foy (Quebec), Canada in the net amount of \$579,120.00 [\$609,600.00 less the 5% term discount] and that Signalisation Ver-Mac, Inc. proposes to furnish materials and services in accordance with the Commission's specifications;

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

"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. 3580-C is in accordance with Section 5537.07 of the Revised Code of Ohio, and that the bid of Signalisation Ver-Mac, Inc. is the lowest responsive and responsible bid received and that the Commission may legally enter into a contract with Signalisation Ver-Mac, Inc. to furnish solar-powered, trailer-mounted message boards with remote base station in accordance with Invitation No. 3580-C;

"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, Signalisation Ver-Mac, Inc.;

## "NOW, THEREFORE, BE IT

"RESOLVED that the bid of Signalisation Ver-Mac, Inc. of Ste-Foy (Quebec), Canada in the net amount of \$579,120.00 [\$609,600.00 less the 5% term discount] for Invitation No. 3580-C is, and is by the Commission deemed to be the lowest responsive and responsible bid received and is accepted and the chairperson 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 Signalisation Ver-Mac, Inc. 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:

Aves:

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. 59-1997.

Mr. Plain said that, as discussed at the last Commission meeting, the staff had long considered a change in the interchange numbering system to a milepost designation to be consistent with the rest of the state and the rest of the Interstate Highway System. He said the staff held off because there were proposals of going to kilometers of the metric system and they didn't want to make two changes.

Mr. Plain said further that he had not heard anything more of the United States converting to the metric system and he thought most of the public was opposed to that type of thing. He said they were used to the mile system. He said that because there appeared to be a difference of opinion with the Commission Members he instructed the Traffic and Safety and Toll Operations Departments to conduct a survey to sample customer preferences.

Mr. Plain said further that the survey began on November 20, 1997, at 7:00 a.m. and was conducted until Sunday, November 23, 1997, at 11:00 p.m. He said a total of 343,821 survey sheets were distributed and of those 83,054 were returned. He said it broke down pretty consistent on the type of vehicle whose drivers responded. He said they had 23% of the truckers and 77% of passenger car drivers, which kind of matched the traffic on the Turnpike.

Mr. Plain said further that, regarding the purposes of the trips, 49% were for business and 51% were personal. He said those responding to the exit numbering system tabulated at 66% favoring the Federal Highway Administration System of milepost numbering and 34% keeping the current numbering system.

Mr. Plain said further that because of the A's and B's on some interchange numbers, east or west, it was getting confusing and he thought the staff felt the milepost numbering would be the simplest to install.

Mr. Plain said further that of the 83,054 survey sheets returned there also were 26,680 comments about the Commission. He said they broke down to 19% plus or minus requested lower tolls, 17.7% said raise the speed limits, 28.8% (the highest) had positive comments, 17.6% were negative comments and 17.8% were inappropriate comments that he would not dare read.

Mr. Plain said further that based on the results of the survey, and discussions with the staff, he recommended the Commission initiate a change to a milepost numbering system. He said that both the current and the milepost designations would be in place for about six months to a year period and the current numbering system would be dropped. He said that would allow the public to make the adjustment and provide sufficient time for the staff and other organizations to change maps and printed materials.

Mrs. Baker said she was glad to hear Mr. Plain say that both designations would be carried for a year because the people who were not polled were people living alongside the Turnpike and they were accustomed to calling Exit number such and such. She said it would be good to have a year to get used to a new name.

Mr. Plain said that, even if they got rid of the A's and B's, all the numbers would change anyway. He said the staff thought that if there was going to be a change it should be to the milepost numbers. He said the route designations at each interchange would remain on the guide signs.

Mr. Plain said further that the people who traveled the Turnpike from out of state were accustomed to seeing the milepost numbers for exits on the rest of the Interstate Highway System. He said he thought it was time the Turnpike carried the milepost designations. He said a resolution had been prepared and he would read the RESOLVED as follows:

"RESOLVED that the Commission hereby accepts Exhibit "A" which summarizes the Commission's numerical interchange designations and accepts the Commission's numerical interchange designations and accepts the Commission's executive director's recommendation that on or about January 1, 1998, said numerical interchange designations be converted to a number which coincides with its Ohio Turnpike Milepost designation."

Mr. Plain said the January 1, 1998, date was to start the program. He said it will take the staff probably a couple of months to make sure they got all the signs printed up at the Sign Shop and then they would do the installations and see how the public reacted to the changes.

Mr. Plain said further that attached to the resolution was the list of all the interchanges with their respective names. He said the names will remain on the guide signs. He said the names of the interchanges were usually the major cities or townships or communities north and south of the Turnpike. He said that was how the interchanges had been traditionally done over the years.

Mrs. Baker asked if Mr. Plain had any idea how expensive that change would be.

Mr. Plain said it was going to run probably a little bit over \$200,000 for the signs and other materials.

Mrs. Baker said that as far as the toll tickets, they would be re-printed anyway.

Mr. Plain said the toll tickets would be re-printed anyway. He said it was going to take some time to implement the change and as long as the old and new designations were on the guide signs it shouldn't be too confusing. He said that once it was switched to one then the new toll tickets would show just the milepost designation.

The Chairman said he thought the Commission should evaluate next year, if one year was long enough, to see if they needed to keep the dual designations for another year.

Mr. Plain said he expected a lot of input on the change from Turnpike customers, including AAA members and truckers.

Senator Gaeth said that he had a lady he hadn't seen in ten years, a former neighbor, call him from Florida, to ask when the Turnpike was going to get updated on the way exits were designated. He said she said every other place did it according to mile markers, but not the Ohio Turnpike. He said he told her it had been discussed at the last Commission meeting and he was sure the Commission was working on that changeover.

A Resolution Adopting "New" Numerical Designations for Ohio Turnpike Interchanges was moved for adoption by Mr. Williams, seconded by Mr. Joseph as follows:

#### **RESOLUTION NO. 60-1997**

"WHEREAS, the Commission has previously named and numbered all existing interchanges on the Ohio Turnpike; and

"WHEREAS, the executive director and his staff have recommended that on or about January 1, 1998, the Commission's interchange numerical designations be converted to a number which coincides with its Ohio Turnpike Milepost designation; and the Commission concurs in said recommendation;

"WHEREAS, attached hereto is a table identified as Exhibit "A", which is entitled, "Ohio Turnpike Commission, Interchange Number Conversion" which lists each of the Commission's current interchange names, exit number and the proposed "New Exit Number" as well as the Turnpike Milepost numerical designation and the county location of each interchange;

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission hereby accepts Exhibit "A" which summarizes the Commission's numerical interchange designations and accepts the Commission's executive director's recommendation that on or about **January 1, 1998**, said numerical interchange designations be converted to a number which coincides with its Ohio Turnpike Milepost designation."

# OHIO TURNPIKE COMMISSION

# INTERCHANGE NUMBER CONVERSION

INTERCHANGE NAME	CURRENT EXIT NUMBER	NEW EXIT NUMBER	TURNPIKE MILEPOST	COUNTY
WESTGATE	1	2	2.7	WILLIAMS
BRYAN-MONTPELIER	2	13	13.5	WILLIAMS
ARCHBOLD-FAYETTE	2A	25	25.6	FULTON
WAUSEON	3	34	34.9	FULTON
DELTA-LYONS	38	39	39.8	FULTON
TOLEDO AIRPORT-SWANTON	ЗА	52	52.6	LUCAS
MAUMEE-TOLEDO	4	59	59.5	LUCAS
PERRYSBURG-TOLEDO	4A	64	64.9	WOOD
STONY RIDGE-TOLEDO	5	71	71.7	WOOD
ELMORE-WOODVILLE-GIBSONBURG	5A	81	81.8	OTTAWA
FREMONT-PORT CLINTON	6	91	91.6	SANDUSKY
SANDUSKY-BELLEVUE	6A	110	110,2	ERIE
SANDUSKY-NORWALK	7	118	118.5	ERIE
VERMILION-BAUMHART ROAD	7A	135	135.9	LORAIN
FUTURE	7B	140	140.6	LORAIN
LORAIN COUNTY WEST	8A	142	142.8	LORAIN
LORAIN-ELYRIA	8	145	145.5	LORAIN
NORTH RIDGEVILLE-CLEVELAND	9A	151	151.8	LORAIN
NORTH OLMSTED-CLEVELAND	9	152	152.2	LORAIN
STRONGSVILLE-CLEVELAND	10	161	161.8	CUYAHOGA
CLEVELAND	11	173	173.2	SUMMIT
AKRON	12	180	180.3	SUMMIT
STREETSBORO	13	187	187.2	PORTAGE
RAVENNA	13A	193	193.9	PORTAGE
WARREN	14	209	209.2	TRUMBULL
LORDSTOWN-WEST	14A	215	215	TRUMBULL
LORDSTOWN-EAST	148	216	216.4	TRUMBULL
NILES-YOUNGSTOWN	15	218	218.7	MAHONING
YOUNGSTOWN	16	232	232.9	MAHONING
YOUNGSTOWN-POLAND	16A	234	234.1	MAHONING
EASTGATE	17	238	238.7	MAHONING

## EXHIBIT "A"

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 resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 60-1997.

The Chairman said he wanted the staff to make sure that they educated and communicated to the public about the interchange designation changes.

Mr. Plain said they would.

Mr. Fedeli said he would like to see a copy of the survey and maybe the other Members also would like to have one.

Mr. Williams said he would like to have a copy because there might be some items that the Commission was not addressing or needed to address.

Mr. Plain said copies of the survey would be sent to all the Members.

Mr. Plain said that the next resolution he had was for the toll rate increase. He said that on Friday, November 21, 1997, at the Holiday Inn in Richfield, they held a public meeting on the scheduled 10% toll increase approved by the Commission to become effective at 12:01 a.m. on January 1, 1998. He said that accompanying him were Gino Zomparelli, Robert Arlow, Robert Barnett, Heidi Jedel, and also in attendance were Captain Paul Ash, Richard Lash and Rob Fleischman.

Mr. Plain said further he presented a brief history of the Turnpike and the Commission and then showed a video on third lane construction. He said that when he finished he opened the meeting to public comment. He said he had distributed copies of the meeting transcript to all the Members, the Oversight Committee, the Ohio Trucking Association, the American Trucking Association and any of the legislators who had requested a copy.

Mr. Plain said further that there were 17 people who commented and 16 of those wanted the tolls lowered. He said other comments were to raise the speed limit for truckers to 65 miles per hour, the same as for cars. He said some of the truckers felt that time was more important than any economy and they felt that getting the goods there quicker would help them.

Mr. Plain said further that, in order to continue to adequately fund the Turnpike's construction program, he recommended that the Commission leave the approved 10% increase effective 12:01 a.m., January 1, 1998, in place, but delay the scheduled slightly less than 10% increase effective 12:01 a.m., July 1, 1998. He said that during 1998 the staff would continue to review the Commission's financial condition and status of projects to determine whether the July 1, 1998, increase would be implemented on January 1, 1999.

Mr. Plain said further he was recommending the delay on several external factors that had an effect on the July 1, 1998 toll rate increase. He said that, for example, the State Route 11 interchange has been dropped out of the program, the project at State Route 58 has been

delayed, the Fulton County Road 24 interchange has been delayed and the planned reconstruction of the service plazas also has been delayed. He said the present schedule had been phased in over the next several years. He said the delay in the July 1, 1998 increase also would soften the impact to all of the Turnpike's customers.

Mr. Plain said further that, in addition, he recommended that the minimum charge between interchanges be reduced from \$.60 to \$.50 for Class 1 vehicles. He said that reduction would help the commuters. He said he had a number of people concerned about when the Commission was going to do something about commuter discounts. He said such a discount also would affect vacationers who regularly traveled to the Lake Erie Islands, Cedar Point, Geauga Lake and Sea World.

Mr. Plain said further that the toll increase was actually 51.8% at that time and not the 82% people read about in the news media. He said that the 10% increase effective on January 1, 1998, would increase the tolls since 1995 to approximately 67%. He said it had been instituted over a 2-1/2 year period. He said he also wanted to note that for the 13 years prior to 1995, the Commission had no additional increases.

The Chairman asked how many were there total.

Mr. Plain said there was only one adjustment, some were lowered and one was increased during that particular time.

Mr. Plain said also that the staff, Commission Members and a number of people were concerned about the communities along the Turnpike and the additional trucks on parallel roads. He said the staff had listened to the OTA, the ATA and the Commission's Advisory Group and he offered the following possible suggestions for the Commission's consideration:

- (1.) Mr. Plain said that the cash discount the Commission offers its charge account customers could be reduced from 15% to 10% and set the minimum qualification down to \$100 per month. He said charge cards would be provided and minimum bonds required and if the payment was not made in 30 days, the full amount would be charged. He said if the full amount was not paid in 60 days then the cards would be canceled and they would have a bond to do it.
- Mr. Plain said further that the program would be extended to the smaller trucking companies and provide an equal discount to both the smaller and large trucking companies who pay right away and would offset the January 1, 1998, toll increase and thereby really have no need for an increase in 1998.
- (2.) Mr. Plain said the Commission had a lot of publicity in the news media from the trucking associations and it was ironic that Dale Craig, who is President of the Ohio Trucking Association, was instrumental in lobbying the legislature, particularly State Representative Fred Deering, for the \$.22 per gallon state fuel tax. He said the Commission receives \$.05 per gallon of that fuel tax for the fuel sold at the Turnpike's service stations. He said the source of funding which was taken away, the other \$.17 would amount to an additional \$8 million. He said that if those funds were returned the Commission probably would not need the remaining toll increase. He said a change in the law would enable the Commission to promote economic development along the Turnpike corridor and the money generated should be re-invested in the Turnpike and connecting areas. He said the State would not lose anything because of the economic development that the Commission already had been responsible for and would continue to do so. He said the State would benefit by the economic multiplier, which would be an 8 to 10 fold pay back.

- Mr. Plain said further that ODOT could receive money from the State based on the economic pay back they received so they didn't lose anything on it. He said he wanted to point out that ODOT was currently receiving construction soft match credits to match federal funding which they have earned on all the system construction projects the Turnpike Commission builds. He said that amounted to hundreds of millions of dollars in soft-match money. He said that, in addition, as he understood, the Intermodal Surface Transportation Efficiency Act (ISTEA) provided money back to the states that had toll roads built by private funds which carried the Interstate designation. He said he believed that amount which had been paid back to the State and ODOT to be approximately \$150 to \$180 million dollars. He said none of that money was ear-marked for the Commission or involvement along the Turnpike. He said private funds built the Ohio Turnpike. He said tolls were paying for the original debt and the improvements. He said that if those funds had been ear-marked for the Turnpike, where they were earned, perhaps only a more modest toll increase would have been needed.
- (3.) Mr. Plain said another solution which he had proposed to the Oversight Committee and to others was that the legislature refund the fuel tax mileage for miles driven on the Ohio Turnpike. He said the truckers indicated to him that they averaged between 5 to 6 miles per gallon of fuel. He said he would estimate it at 5.5 miles per gallon, right in the middle. He said that if the \$.17 per gallon in fuel tax that went to the State and divided by 5.5 then 3.1 cents per mile rebate would be available for truckers. He said the legislation could refund 3.1 cents for every mile driven on the Turnpike. He said the Commission then would have a record of the miles driven per month and a certified copy of which they could furnish to the State. He said that seemed equitable since the Commission maintained the Turnpike.
- (4.) Mr. Plain said another consideration that a number of people had raised and talked about introducing legislation was to increase the speed limit for trucks from 55 miles per hour to 65 miles per hour to make a uniform speed limit on a trial basis. He said Indiana and Pennsylvania had already adopted that policy, as have numerous other states. He said that, in fact, some were up to 70 miles per hour. He said the uniform speed limit not only would reduce the number of movements to go around slow-moving vehicles, but should also reduce the number of trucks taking up both lanes in the two-lane sections.
- Mr. Plain said further that a truck driver traveling the entire 241.2 Turnpike miles at 55 miles per hour equaled 4.385 hours. He said at 65 miles per hour it would take 3.71 hours, a savings of .67 hours or \$12.00. He said the Commission had the authority to set the speed limit on the Turnpike by statute and did not need legislation introduced. He said it was something the Commission should think about. He said he was not recommending any action, but he thought the Commission needed to think about some of those things and what they might be able to do.
- (5) Mr. Plain said his final suggestion, something that came up through the Commission's Advisory Group and meetings with trucking associations, was to reanalyze the Turnpike's weight classes. He said that, for example, there was some merit to raising the Class 8 weight to 80,000 pounds (it currently is 78,000). He said the 80,000 pounds was the state maximum legal load limit. He said there might be some flexibility and things that might be looked at.
- Mr. Plain said further that he would like the Commission to consider some of those things. He said the staff also would be considering some of those things. He said that at the

next Commission meeting he thought they could discuss his suggestions in more detail and the Members could give the staff some direction on what way they wanted the staff to head.

The Chairman said that first of all he had been told by people that trucks were actually less safe at slower speed with passenger cars traveling at a higher speed. He said it would be safer having them both travel at the same speed.

Mr. Everhart said that the Chairman was correct. He said the safest speed was the one which was closest to the average speed of all vehicles. He said that, obviously, you can't have an ideal situation where you have everybody traveling at the same speed, but that would be the safest condition. He said having a differential in the speed limit kind of widens the band of speed that you had in existence at any one time.

Mr. Everhart said further that if you have the same speed limits you mirrored that band and you had less conflicts of people passing other people. He said that in other states where the speed limit was the same for all vehicles the right-hand lane got a lot more utilization. He said he just made a trip to Florida and he found that he used the right hand lane comfortably a lot more than in Ohio.

The Chairman said that he was totally open to the trucking speed being increased as long as the Commission was comfortable that its #1 concern, customer safety, was maximized.

The Chairman asked Captain Ash if he might give the Commission some comparisons from other states that adopted the uniform speed limit for cars and trucks?

Mr. Plain said he had asked Captain Ash to check with Indiana and also Pennsylvania and other states could be checked with regard to the safety records of states that had adopted the uniform speed limit. He said the Commission had the authority to change the speed limits and, if that was done, he suggested it be done on a trial basis. He said the Turnpike had a tremendous safety record and he didn't want to jeopardize that record. He said that anyone driving the interstates knew that trucks already were going 65 miles per hour.

The Chairman said the Commission could have some research done and be given an update at the next meeting. He said he didn't know if any of the other Members had any comments relative to the speed limit, but again, as long as safety was maximized he would have no problem with increasing the speed limit for trucks.

Mr. Plain said the other consideration concerning increasing the speed limit for trucks was that there were special permit vehicles, long doubles and triples, that should probably remain at 55 miles per hour limit. He said they were a small portion of the Turnpike's traffic, but he would not recommend that the speed limit for those vehicles be increased.

Representative Perz said that, as a member of the House Transportation Committee, she had dealt with those issues. She said that when looking at the number of accidents one had to look at the severity. She said the other problem was the comment that was made that if trucks were averaging 65 miles per hour now, they would be averaging 75 miles per hour when the speed limit for them was raised to 65 miles per hour. She said that the Commission needed to keep that in mind.

Mr. Plain said he thought enforcement had to be a big part of the overall increase if the Commission were to adopt an increase. He said it got very expensive if truck drivers were

caught exceeding the speed limit. He said the Ohio State Highway Patrol did an excellent job in enforcing the speed limits on the Turnpike.

Mr. Plain said further that he thought it would be safer if both cars and trucks had the same speed limit. He said the addition of the "snap alerts" along both sides of the mainline had helped to reduce and correct the sleepy, inattentive driver that drifted off the edge. He said that other states that had done that reported a 70% reduction in those types of accidents.

Mr. Plain said further that he thought that, with the addition of the third lane, the snap alerts and the overall program, the Turnpike might be able to accommodate the speed limit increase for trucks better than other toll roads that were not so wide or did not have a barrier separating the two-way traffic.

Senator Gaeth said he thought he and Representative Perz would like to have a copy of the suggestions that needed legislation. He said he could assure the Commission that taking \$.17 away from ODOT was going to meet with a lot of opposition. He asked Mr. Joseph if he thought there would be opposition.

Mr. Joseph said he had a couple of comments about both the amount of state tax that was collected and the federal taxes.

The Chairman said they would finish the discussion on the safety issue at that time.

The Chairman told Captain Ash that they were talking about increasing the speed limit for trucks to 65 miles per hour so that they were consistent with passenger cars. He said Mr. Everhart said that they have seen where that actually reduced accidents because of equal speeds. He asked Captain Ash for his opinion.

Captain Ash said his personal opinion was he thought that was probably true. He said just what the speed would be was his problem. He said that in Pennsylvania the severity of crashes was up since they increased their speed limit for trucks. He said their crashes were up 15% over the 1-1/2 years since they raised their speed limit to 65 miles per hour for all vehicles. He said that before that the speed limit for everyone was 55 miles per hour. He said it was kind of early to tell if that data was accurate.

The Chairman said there were two issues that the Commission needed to study. He said they were uniform speed and if the uniform speed should be increased. He said the Commission would continue to study those issues. He said the Commission was sensitive to the truckers, but they also had to understand that the Commission was sensitive to safety.

Mr. Joseph said he wanted to comment from ODOT's perspective with respect to its budget both in terms of the state and federal gas taxes collected. He said ODOT managed whatever money they received on an annual basis. He said that, certainly, whatever the state legislature provided, they would manage. He said it limited the ability for ODOT to either have a major program or maintain a system.

Mr. Joseph said further that at the federal level there were two things which maybe needed a little clarification with the toll credits and the reimbursement for the federal tax collected. He said ODOT did not receive any increased money from the toll credits. He said it was an advantage because it allowed ODOT to take that amount that was expended on the Turnpike and serve as the local match for some project.

Mr. Joseph said that, if a project would typically be 80% federal and 20% non-federal, then ODOT could do some projects 100% federal and use that toll credit amount as the local match.

Mr. Plain said that ODOT didn't have to come up with the cash.

Mr. Joseph said they did not, but they ended up spending the federal money faster. He said ODOT was doing projects 100% federal and that allowed them to do other projects that they wanted to expedite at 100% state. He said they used the federal money up faster and then didn't receive any more federal money.

Mr. Joseph said it was a shell game the federal government played that they take from one category and gave to another category. He said the bottom line was ODOT didn't receive any more federal money.

The Chairman said the Commission took the position that the Turnpike and ODOT were trying to work together as much as they could. He said he referred to ODOT as "our Big Brother."

Mr. Plain said that his point was that perhaps the General Assembly could take money out of the General Fund to make up the difference to ODOT. He said the funds that came in through economic development would reimburse the state because the Commission was building new interchanges, which cost the Commission money. He said the Commission had to maintain the interchanges and operate them and they were attracting businesses. He said that was happening particularly in northwest Ohio and at Lordstown and in some other growing areas of the state.

The Chairman said the Commission was aware the interchanges were attracting businesses. He said that, for example, at Delta the State of Ohio was going to receive over \$20 million in additional tax revenue over the next 20 years because of the Commission's willingness to respond very quickly to build an interchange. He said if that decision was there to make again and with the same set of circumstances, he would vote the exact same way.

The Chairman said further that the Commission had taken the mission to be a catalyst for economic development and they would continue to do that if those opportunities arose because what was good for Ohio was good for everyone. He said that the Members did not look at themselves as purely so independent that they didn't pay attention to how else they could help the economy, jobs and everything else.

The Chairman said the other thing he wanted to recommend that the staff looked at was simplifying and perhaps combining some of the Turnpike's weight classes. He said he thought a number of those classes were pretty complicated. He said the different categories should be studied and simplified by possibly combining some of them. He said that perhaps in some categories where they were paying the biggest tolls they could be combined to provide some relief.

Mr. Plain said that was one of the things he suggested that the Commission look into was the classification system and what changes might be made.

The Chairman said he wanted to do something different than the federal government. He said they talked about simplifying taxes, but quite frankly they had done very little to help that situation. He said he wanted to talk about simplifying the weight categories and maybe

combining them. He said he would like to put a deadline for within the next 90 days to have a recommendation before the Commission of reclassification possibilities. He asked if that was enough time.

- Mr. Plain said the staff was going to have to look at possibly reclassifying the weight categories for some time and see what effect that would have on toll revenue.
- Mr. Zomparelli said the staff could give the Commission a progress report on that evaluation.

The Chairman said he wanted the staff to look at simplifying or perhaps combining some of those weight classes and perhaps they might find out one or two of those categories were really hit hard. He said that maybe by combining them they could provide some relief and, on the other hand, they also would be made simpler. He said he didn't know how any of the other Members felt about that and they were not voting on doing anything. He said he was just saying to take a look at it, even if it took 120 days.

Mr. Zomparelli said the Commission was in the process of upgrading its toll information system, its computers for the toll plazas. He said that maybe the study of the weight classifications could coincide with the implementation of the toll information system, which should take 6 months to a year. He said that might make sense for the timing of a reclassification, if any, of the weight classes.

The Chairman said he wanted the truckers to know that the Commission had heard from them. He said that Mr. O'Malley had stepped out of the room and he wanted to tell him that the Commission had talked about simplifying the Turnpike's different weight classes. He said there were upwards of 12 classes and perhaps combining some of those classes would give some rate relief to the higher classes.

The Chairman said further that the staff was going to study the classifications and report back to the Commission on their findings. He said that if the Commission did decide to do something it would coincide with the implementation of the new toll information system.

The Chairman asked Representative Perz if she had some comments.

Representative Perz said that she was wondering in terms of the public adjusting to the change. She said the Commission had adopted a resolution to change the numerical designations of the exits so that would mean new toll ticket printings and the Commission may be implementing a change in vehicle classifications.

Representative Perz said further that she wondered why it had to take so long because the public was going to get what appeared to be two big changes in ticketing. She said she thought there already has been a "black mark" on the Commission for ticket printing that didn't go very well. She said she would say it as a caution.

Representative Perz said also that the other thing she would say was that the Commission quickly went over three very significant possibilities and she hoped that they would be working with the trucking industry in determining which one or two or if all would be the best way to go.

The Chairman said that Representative Perz might be aware that the Commission last year started an outside advisory board, which was kind of a cross-section of trucking

companies, amusement attraction operators, AAA and a traveling salesperson. He said the board was kind of a mix of people that used the Turnpike. He said they met on a regular basis to provide their input. He said there were 43,000 or 44,000 Turnpike customers and it was hard to talk to them all. He said that, instead, they had the advisory board. He said Mr. O'Malley served on the board.

Mr. Plain said the staff continued to have dialogue with the Ohio Trucking Association and also the ATA. He said changes in the weight classifications, if any, could not be done until the new Toll Information System became operational.

Representative Perz asked if she could have a list of the advisory board members and also when the meetings were scheduled.

The Chairman said Representative Perz would be supplied with that information. He said the board was something the Commission implemented which he thought was a very good idea.

Mr. Williams said there were a number of items that the Executive Director mentioned that the Commission was going to be looking at in future meetings. He said it seemed to him that the Members needed some documentation ahead of time so that they might keep abreast and be able to intelligently discuss those items.

Mr. Plain said that was why the staff needed some time to gather the information together and see what effect a weight category reclassification would have on everything including the Commission's financial status.

The Chairman said that the other thing he wanted to talk about was the Executive Director's recommendation that the minimum qualification for inclusion in the charge account program be lowered so that small trucking firms would be able to participate, while at the same time taking the 15% discount down to 10%. He said he thought the Commission had to be sensitive because that discount had been given to some of the Turnpike's big users and big customers.

The Chairman said further that he wondered if anyone was familiar with Credo's law. He said Credo was an Italian astronomer who stated that a small percentage of your business was usually a big percentage of your revenue. He said that typically you would find that 5% of your customers represented 50% of your revenue and 10% usually generated about 70%.

The Chairman said that, obviously, was the 80/20 everyone was familiar with. He said that those larger customers accustomed to reserving the 15% discount might represent just 1 or 2% of our customers, but they could represent a very significant amount of our business. He said he wanted to make sure the Commission looked at reducing the discount and how it affected its big users.

Mr. Plain said that the staff was looking at something that might even out the situation. He said that currently the smaller trucking outfits could not compete. He said he thought 15% was probably high on the discount. He said that one bid awarded that day offered a 5% discount. He said most businesses gave 3 to 5% for cash discounts. He said he did not advocate substantially lowering the Turnpike's discount to 5%, but the discount rate was something the Commission was going to review.

The Chairman said they had to look at that in conjunction with the possibility of consolidating weight classes.

Mr. Plain said the Commission would have a full report at its next meeting on possibly lowering the discount rate. He said it was not something that he would be recommending to be done right away. He said they should look at it and get some feedback from those customers who were heavy users.

Mrs. Baker said she would like to know from some of the financial people what affect the proposed delay of the July 1, 1998, toll increase would have at the bond houses in New York. She said it was her understanding that all the toll revenues were pledged when the Commission went out for bonds.

Mr. Zomparelli said the staff did meet with all the credit rating firms recently and gave them an update. He said that, actually, Standard & Poor's came to the Commission's administration building. He said the staff gave them an update on the status of projects, the work being done, a tour of the facilities and went over some of the projects.

Mr. Zomparelli said further that all three rating agencies said their major concern was that the Commission continued to meet its debt coverage ratio. He said the amount of tolls or amount of projects that the Commission decided to undertake at any time was up to the Commission and the rating agencies were comfortable with that.

Mrs. Baker said that the Commission has some latitude.

Mr. Zomparelli said in the Trust Agreement the Commission pledged 1.2 coverage ratio, pledged revenues to annual debt service. He said that was what the ratio was all about, pledged annual revenues.

Mr. Plain said the Commission adopted a resolution calling for a 1.5 coverage ratio.

Mr. Zomparelli said that 1.2 was in the Trust Agreement, but the Commission, in order to get the highest credit rating possible, passed a resolution stating that they would have 1.5 coverage.

The Chairman said the Commission was very conservative when compared with the rest of the country. He said the Commission had 1.5 coverage and that was something that he personally recommended and that was to make sure they did overextend themselves. He said credit had to be treated with tremendous respect. He said that, since the Commission had the highest rating of any toll agency in the country, he would recommend leaving the coverage rating alone.

Mr. Zomparelli said the staff was working with Eric Erickson, the Commission's financial advisor, and David Wright was getting on board real fast. He said they understand that the Commission did not want to do anything to jeopardize its credit rating and they all would continue to work toward that goal.

The Chairman said the Commission's high credit rating would save it tens of millions of dollars over the next twenty years.

Mr. Zomparelli said the Commission was early in its capital improvement program so they were in a great situation at that time to be able to adjust the amount they wanted to borrow and when they wanted to borrow it. He said Mr. Erickson would speak a little bit later on the Commission's bonding program.

Mr. Zomparelli said the Commission had only issued bonds in the amount of \$370 million in 1996. He said they were going to require \$800 million to \$1 billion total bond issuance for the overall capital improvement program. He said it might end up costing the Commission a little bit more for third lane expansion, toll plaza renovations, and bridge work being done.

Mr. Zomparelli said further that the Commission was basically just prior to the middle of the program so they could decide on how much they wanted to borrow, \$150 million, \$200 million or \$300 million in the next bond issue. He said the Commission was in a position to dictate its future and not jeopardize its credit rating.

Mr. Zomparelli said further that what had really happened was that projects had not gotten started, even those contemplated in the 1994 bond issue. He said there was a project out east (S. R. 11) that was contemplated as a new interchange and after public meetings it was determined that local officials and citizens did not desire that it be built. He said the Commission did not build the interchange and saved at least \$10 million.

Mr. Zomparelli said another example was the proposed new interchange with State Route 58 in Lorain County, which would be discussed later in the meeting. He said the Commission imposed a deadline of December 15 to talk about how it would proceed on that construction. He said the interchange was contemplated for over three years and the Commission had not started building it. He said there were a lot of savings there.

The Chairman said it was like explaining the coverage ratio to his kids. He said that if you couldn't explain what you were doing to your kids in ten minutes then you shouldn't be doing it. He said that was what he said about investments and the coverage was that simple.

The Chairman said further that, just because you earn a dollar and the banks allow you to go up to a certain ratio, the Commission was saying they were going to spend less than required to make sure they were prudent and financially in good shape. He said the Commission had taken a great conservative position on that.

Mr. Zomparelli said he wanted to follow up on what Mrs. Baker had questioned earlier in the meeting. He said Mrs. Baker was right that the Commission did represent the toll rates in its Official Statement issued to the bondholders. He said they also represented a reclassification of weight classes to the bondholders. He said, therefore, the Commission would have to work with its consultant/trustee to secure approval of any re-classification.

The Chairman said that was why he said everything the Commission talked about had to be looked at in a macro sense, how they affected everything. He said the Commission could not look at just one specific item. He said they had to look at everything carefully. He said that it was not that they wanted to waste time, but they wanted to do it carefully.

Mr. Zomparelli said there were a lot of checks and balances.

Mr. Plain said he would read the RESOLVEDS of a Resolution Rescinding Previously Adopted Schedule of Tolls Effective January 1, 1996, and January 1, 1997; and Providing for a

Revised Schedule of Tolls Effective January 1, 1998, Including Class 1 Minimum Toll Rate as follows:

"RESOLVED that the Schedule of Tolls, effective as of 12:01 a.m., January 1, 1996, adopted by Resolution No. 59-1995, hereby is rescinded;

"FURTHER RESOLVED that the Commission does hereby adopt a revised and updated Schedule of Tolls as set forth and attached hereto as Exhibit "A" to be made effective as of 12:01 a.m., January 1, 1998, and that the subsequent Schedule of Tolls to be made effective as of July 1, 1998, shall not be effective until January 1, 1999; and

"FURTHER RESOLVED that the above-mentioned revisions and updated toll rates shall be incorporated into the proposed Schedule of Tolls, as set forth and attached hereto as Exhibit "A" effective as of 12:01 a.m., January 1, 1998."

A Resolution Rescinding Previously Adopted Schedule of Tolls Effective January 1, 1996, and January 1, 1997; and Providing for a Revised Schedule of Tolls Effective January 1, 1998, Including Class 1 Minimum Toll Rate was moved for adoption by Mr. Williams, seconded by Mr. Joseph as follows:

## **RESOLUTION NO. 61-1997**

"WHEREAS, by Resolution No. 18-1995, adopted May 10, 1995, the Commission adopted four Schedules of Tolls to be implemented in the time period from July 1, 1995, to January 1, 1998;

"WHEREAS, by Resolution No. 59-1995, adopted December 20, 1995, the Commission adopted a *revised* Schedule of Tolls to be made effective as of 12:01 a.m. July 1, 1998, instead of January 1, 1998;

"WHEREAS, by Resolution No. 59-1996, adopted August 19, 1996, the Commission established toll rates for Interchanges 3B and 5A and also established a new toll classification, identified as Class 12, between Exit 3B and 4A;

"WHEREAS, by Resolution No. 5-1997, adopted February 3, 1997, the Commission amended Resolution No. 59-1996 and 67-1996, regarding new toll Class 12 limitations to comply with the ISTEA weight freeze limitations;

"WHEREAS, revised and updated toll rates should be incorporated into the proposed Schedule of Tolls, effective as of 12:01 a.m., January 1, 1997;

"WHEREAS, the Commission desires to implement a *revised* and updated Schedule of Tolls, to be effective as of 12:01 a.m., January 1, 1998, as set forth and attached hereto as Exhibit "A";

"WHEREAS, the Commission desires to establish a minimum toll rate for Class 1 vehicles of **\$.50** and revised the previously adopted minimum toll rate for Class 1 vehicles;

"NOW, THEREFORE, BE IT

"RESOLVED that the Schedule of Tolls, effective as of 12:01 a.m., January 1, 1996, adopted by Resolution No. 59-1995, hereby is rescinded;

"FURTHER RESOLVED that the Commission does hereby adopt a revised and updated Schedule of Tolls as set forth and attached hereto as Exhibit "A" to be made effective as of 12:01 a.m., **January 1, 1998,** and that the subsequent Schedule of Tolls, to be made effective as of July 1, 1998, shall **not** be effective until **January 1, 1999**; and

"FURTHER RESOLVED that the above-mentioned revisions and updated toll rates shall be incorporated into the proposed Schedule of Tolls, as set forth and attached hereto as Exhibit "A" effective as of 12:01 a.m., **January 1, 1998.**"

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EXHIBIT "A"

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30 TURNPIKE COMMISSION Schedule of Tolls

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Schedule of Toils

Schedule of Tolls

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 resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 61-1997.

Mr. Plain said he had one other thing to talk about and it concerned the interchange with State Route 58, which Mr. Arlow alluded to earlier in the meeting. He said that on Friday, October 17, 1997, the Commission held a public meeting at the Holiday Inn at Exit 8 to attempt to resolve the SR 58 project and move it forward.

Mr. Plain said further the Commission instructed him to give the interested parties, particularly the Lorain County Commissioners, a deadline to provide funding to offset the Commission's costs incurred in relocating its proposed interchange to accommodate a railroad. He said that the day of the Commission meeting, December 15, was the deadline.

Mr. Plain said further that the public meeting was attended by State Senator Alan Zaleski, State Representative John Bender, Lorain Mayor Joseph Koziura, Lorain County Commissioners Betty Blair and Michael Ross, Tom O'Leary of the Ohio Rail Development Commission, Fran Migliorino, the Governor's Economic Development Representative, and Frank Detillio of the Lorain Chamber of Commerce, along with a number of other people as well.

Mr. Plain said further that, subsequent to that meeting, the staff met on December 1 with the Governor's representative from the Office of Economic Development and others to discuss the funding issue. He said that in the Members' folders were correspondence from the Lorain County Commissioners, the Ohio Rail Development Commission and the Lake Shore Railway.

Mr. Plain said further that Lorain County indicated they would not commit any funds at that particular time. He said that, however, the Ohio Rail Development Commission, who the staff had been talking to on a regular basis, will formalize a verbal commitment regarding their willingness to provide financing for the Lake Shore Railway Association.

Mr. Plain said further that those funds will be used to offset all additional costs incurred by the Ohio Turnpike Commission in the design and construction of the proposed State Route 58 interchange in a matter that will be compatible with the reactivating of the former Lorain and West Virginia line. He said that, apparently, the next formal meeting of the Ohio Rail Development Commission would be on January 8 and the detailed briefing on that loan would be provided to their commissioners. He said that at that time a formal vote would be accomplished.

Mr. Plain said further that Tom O'Leary from the Ohio Rail Commission was at that day's meeting, but he would propose that the Members wait until after the Rail Commission's meeting and something was received in writing that they intended to provide the funding. He said Mr. O'Leary had indicated that there was no opposition to the financing by members of the Rail Commission.

Mr. Plain said further that the Turnpike Commission should wait until the Rail Commission had taken a formal vote on the proposal. He said when notification of approval had been received then the Turnpike Commission could go forward with the interchange design and try to get it under construction next year.

The Chairman said to Marc Chappo that the situation had been a long dilemma and the Turnpike Commission wanted to cooperate with the railroad. He said it was not that the Commission didn't want to, but, on the same token, the Commission was a little frustrated because they talked about building the interchange several years ago and it still had not been built.

The Chairman said further that there were other interchanges that the Commission talked about afterwards that were already built. He said the Commission would wait until after the Rail Commission met on January 8 to see if the financing was in place or if it was not. He said that either way construction would begin in the spring. He said the Commission could not allow progress to be stopped.

The Chairman said the report of the Executive Director was accepted as offered. He said he would talk about the accomplishments of 1997 very quickly and talk about some goals for 1998.

The Chairman asked Mr. Arlow how many miles of third lane had been built.

Mr. Arlow said 62 miles had been built.

The Chairman said further that a number of bridges were rebuilt last year.

Mr. Plain said that by the end of 1998 some 50% of the Turnpike bridges would have been rebuilt for third lane requirements.

The Chairman said further that a number of resurfacing projects were completed. He said the Commission opened up the Elmore/Woodville-Gibsonburg (No. 5A) Interchange. He said work began on both the Archbold-Fayette (No. 2B) Interchange and the connection of Mahoning County Road 18 to the existing Niles-Youngstown (No. 15) Interchange.

The Chairman said further that plans were revealed for the Turnpike's new travel centers to replace the older service plazas. He said they were being designed at that time and the Commission hoped to start construction in 1998.

The Chairman said further that reconstruction of the Maumee-Toledo (No. 4) Interchange was begun in 1997, while similar work at the Akron (No. 12) Interchange was completed during the year. He said a contract for a new Toll Information System with advanced lane controllers was awarded. He said the Commission also had a new Business Application System that was being worked on as well.

The Chairman said further that placement of automatic ticket dispensers for passenger cars and trucks continued at all the new interchanges and those reconstructed. He said that was a way to save money on collection of tolls in the future.

The Chairman said further the Commission did a good job in 1997 communicating the construction projects to the public. He said the employee newsletter had gone out on a monthly basis so employees know what's happening.

The Chairman said further that Cassaundra Thomas did a great job with the First Corporate Matchmaker Luncheon. He said he got a letter from the Governor specifically on that event and he congratulated Mrs. Thomas. He said the Commission also established a Web Site relative to the Turnpike's history, as well as the road's ongoing \$1.2 billion modernization program.

The Chairman said that, as far as goals for 1998, Schlesinger from the Harvard Business School says we should basically have no more than 5 to 7 goals. He said the Commission's goals for 1998 were:

- 1. Continue to improve communication with our associates, the legislature and the public;
- 2. Continue our operations improvement through a task force, which we have begun doing department by department, and making as many business improvements as we can;
- Improve our customer service to our patrons;
- 4. Get our business application systems up and running;
- 5. Obtain program management services through responses to the Commission's RFP in connection with the start of construction on new Travel Centers;
- 6. Continue building the third lane; and
- 7. The three areas of our primary concern continue to be safety, accessibility and economic development.

The Chairman said that, with that, he wished everyone a Merry Christmas and there would be a luncheon after the meeting. He said the report of the Commission's financial advisor would be received.

Mr. Erickson said the Members had a letter in their folders from him to the Commission indicating he told the Oversight Committee that the history had been that every two years the Commission issued new bond issues. He said that in 1994 it was \$125 million and in 1996 it was \$370 million.

Mr. Erickson said he didn't know the amount and he was not ready to recommend the amount for 1998, but it was clear that the new bonds issued for 1998 would be for continued construction of the third lane and the new travel centers. He said that, additionally, the interest rates were beginning to drop dramatically.

Mr. Erickson said further the government rates had actually fallen through 6%. He said tax-exempts had not quite caught up to that point, but they estimated that will happen probably next year so there may be an opportunity to refund one or both of the Commission's bond issues.

Mr. Erickson said further that he thought it was important for the Commission to select a group of underwriters to proceed with one or possibly three bond issues for 1998. He said that he would recommend at the next meeting the Commission send out Request for Proposals or authorize the sending out of proposals to underwriters and form a team sometime in March or April to accomplish those three goals.

The Chairman said the report of the financial advisor was accepted as offered. He said the Commission didn't need another meeting until February 9, 1998. He said he would ask Mr. Plain to get out the Commission's goals for 1998 to all the Commission Members and also that

they got in the employee newsletter. He said that was the way the staff and associates got to know the Commission's 1998 goals.

The Chairman asked Representative Perz if she had any comments before the meeting was adjourned.

Representative Perz said there were many volatile issues that the voting Commission dealt with and there were two public meetings on toll increases as required by the legislative initiative that she put together. She said it was never intended that those would be staff meetings. She said it was with great surprise on her part that she learned, and other legislators also, that at the first meeting there was one Commission Member present and at the second there were none.

Representative Perz said she checked out the legality and she knew the Commission could tell her that it followed the letter of the law. She said the Commission didn't follow the spirit of the law so the law needed to be changed. She said that before that was done she wanted the Members to be sure that they understood that the intent of the law was to have the people who were voting on these volatile issues hear the public and not through the report of the staff.

Representative Perz said further that she heard at the day's meeting the group referred to as the "Commissioners" and that was what the law said, Commissioners and staff. She said it was the staff that went out and held the public meetings. She said that when the Commission did something that was highly unpopular, the legislators received the phone calls because the people didn't know who the Members were.

Representative Perz said further that the idea was that perhaps decision making would be more well rounded if, in fact, the people who were voting had to really face the public who were going to have to live with the impact of those decisions. She said she didn't want to surprise the Members if the change had to be made with legislation.

Representative Perz said further that the problem was that legislators liked to copy legislation they thought was working and so something became a model. She said it then got copied even if it wasn't working in terms of how it was intended to work. Representative Perz said further that she would be happy to have any conversations with those Members who felt differently, but she felt the Commission held the public meetings because they had to be held. She said the Commission didn't really go out to hear their customers.

The Chairman said that was why the Commission held the meetings.

Representative Perz said further the public meeting situation was of great concern to her and a number of other legislators because the Commission caused them a great amounts of work when they passed things on a surprise basis like the toll increase. She said that then the legislators were working overtime with nothing to say to the people, no rationale.

Representative Perz said further the intent of the legislation was to have the Commission Members attend the public meetings on toll increases and she would ask the Members to think about the intent of it and see where they were with it.

Mr. Zomparelli said that, in response, most of the people who attended those meetings prior to the toll increases had already met with the Chairman.

- Mr. Plain said they also had met with the Oversight Committee.
- Mr. Zomparelli said that the Commission agreed to phase-in the toll increases after the same people met with the Chairman.

The Chairman told Representative Perz that he met with them personally in his office. He said he met with those people and he was out in the public quite often.

- Mr. Plain said they were the same people who testified before the Oversight Committee.
- Mr. Zomparelli said the Commission Members were present at that meeting.

The Chairman said that some of those people representing the various groups were on the Commission's Advisory Committee, as well.

Mr. Zomparelli said that was how they met Howard O'Malley.

Representative Perz said further that if the notice of the public meeting was more prominent then there might be other members of the public that were interested. She said it gave the legislators a vehicle to say that if someone felt strongly about the increase they needed to make their feelings known at the public meeting to be held on such and such a date.

Representative Perz said further that she was open and was just bringing up the revision to the public meeting legislation because, as a Member of the Commission, she didn't want to surprise the other Members. She said she didn't want to have the other Members say that it was interesting that she was doing this and never mentioned it at the Commission meeting.

The Chairman said that he didn't receive one call after the last two public meetings and both his home and business phone numbers were in the telephone book.

The Chairman asked when the next public meeting would be held.

Mr. Zomparelli said the next meeting would be held in December 1998.

The Chairman said he would recommend that some of the Members represent the Commission at the December meeting.

Mr. Plain said the meeting had to be held at least 30 days before the next toll increase became effective so it might be at the end of November.

The Chairman asked if there were any questions or comments before the meeting was adjourned.

- Mr. Zomparelli said they needed to determine the next Commission meeting date. He asked Mr. Ransbury if there were any construction projects coming up that might necessitate a January meeting.
- Mr. Ransbury said they might have to meet in January to select a construction manager for the new travel centers.

The Chairman said that he would like a committee made up of a Commission representative, staff members and representatives of the bond people to interview for the construction manager. He said he chose not to be involved in either the next public meeting or the interviewing process for the new construction manager.

Mr. Plain said he would poll the Commission Members and see when they wanted to meet.

There being no further business before the Commission, a motion was made by Mrs. Baker, seconded by Mr. Joseph that the meeting adjourn until the next as yet undetermined meeting date.

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 meeting adjourned. The time of adjournment was 11:55 a.m.

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

Marilyn R. Baker, Secretary-Treasure