

**MINUTES OF THE 455th MEETING OF  
THE OHIO TURNPIKE COMMISSION**

**October 4, 1999**

Pursuant to the bylaws, the Ohio Turnpike Commission met for a meeting in the Administration Building at 682 Prospect Street, Berea, Ohio at 10:00 a.m. on October 4, 1999, with members of the staff: Gino Zomparelli, Executive Director and Assistant-Secretary Treasurer, Deputy Executive Director-External Services; Robert Arlow, Deputy Executive Director-Operations; James Steiner, CFO/Comptroller; Dave Ransbury, Chief Engineer, Rob Fleischman, Assistant Chief Engineer, Pat Patton, Government Liaison Officer, Thomas Amato, General Counsel, Joe Disantis, Right-of-Way Coordinator; John Mitchell, Director of MIS; Vince Chiarucci, business consultant and Dan Castrigano, Maintenance Engineer; Kathy Dolbin, Human Resources Manager;

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

Ayes: Mr. Strnisha, Mr. Blair, Mr. Greenwood, Mrs. Leever

Nays : None.

The Chairman advised that Mr. Earl Williams, Senator Armbruster and Representative Buehrer were unable to attend today's meeting. She said Robert Blair is here today representing the Ohio Department of Transportation Director, Gordon Proctor, and is authorized to vote for him.

The Chairman advised that we have a number of guests here today, and we will ask them to identify themselves: She advised the guests in attendance that the reason she did not go around the room shaking hands as she normally did was because she was not feeling well and she thought it was prudent today to refrain from this customary gesture.

Fred McFall, Host Marriott Services; Elva Edger, Claire Moore, League of Women Voters; Rich Holmes, Iron Horse Industrial; Tim Escola, Ohio State Highway Patrol, Larry McQuillin, Advanced Restaurant Concepts; Alan Bauco, A. G. Edwards; Stephen Santo, McDonald Investments; Ryan Conners, Conners & Co., Eric Carmichael, Pryor, McClendon Counts & Co.; Courtney Shea, Solomon Smith Barney; Dick Boylan, Boylan & Associates; Ken Marley, Hardee's Food Systems; Frank Lamb, Huntington Bank;; Eric Erickson, Fifth Third/Ohio Co.; Tom Meagher, Paul Russo First Union Securities; Howard O'Malley, B & T Express; Bobby Everhart, URS Greiner; Mike Schipper, HNTB; John Peca, Climaco, Lefkowitz; Jim Drew, The (Toledo) Blade; Heidi Jedel, Tracy Cowley and Diane Pring.

The Chairman said the October 4, 1999 Meeting was the 455th meeting of the Commission, and we were meeting at the Commission's headquarters as provided for in the Commission's Code of Bylaws. The minutes of the last Commission Meeting of August 30, 1999, have been distributed to the members for their comments, and she would accept a motion for their adoption without reading.

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

Ayes: Mr. Blair, Mr. Strnisha; Mr. Greenwood; Mrs. Leever

Nays: None.

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

The Chairman advised that various reports will be received and the Commission will act on a resolutions, draft copies of which has been previously sent to the members and updated drafts are also in the Members' folders. She said the resolutions would be explained during the appropriate reports.

The Chairman advised that an election for Secretary-Treasurer today. In accordance with the Turnpike Act and the Commission's Code of Bylaws, an election for this office was held conducted by nomination and voting, and confirmed by a resolution so that action will appear in the Commission's Journal. The Chairman nominated Tim Greenwood for the office of

Secretary-Treasurer. The Chairman asked if there was a second to this nomination. Mr. Strnisha seconded the nomination. The Chairman asked if there were any other nominations. There being none, she declared the nominations closed.

The Chairman then stated that it was moved and seconded that Tim Greenwood be elected Secretary-Treasurer, and she asked that the Assistant Secretary call the roll.

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

Ayes: Mr. Blair, Mr. Strnisha; Mr. Greenwood; Mrs. Leever

Nays: None.

The Chairman then asked for adoption of the resolution confirming the election of Mr. Greenwood as Secretary-Treasurer so action will appear in the Commission's Journal.

A resolution confirming the election of Mr. Greenwood as Secretary-Treasurer was moved for adoption by Mr. Blair, seconded by Mr. Strnisha as follows:

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

Ayes: Mr. Blair, Mr. Strnisha; Mr. Greenwood; Mrs. Leever

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as Resolution No. 42-1999.

The Executive Director stated he would give the report of the Assistant Secretary-Treasurer and said that next month he was sure the Secretary-Treasurer would look forward to giving this report. The following items have been sent to the members since the last regularly scheduled meeting of the Commission on August 30, 1999:

1. Draft of Commission Meeting Minutes of August 30, 1999.
2. Traffic and Revenue Report, August 1999
3. Financial Statement, August 1999
4. Investment Report, August 1999
5. Traffic Accident Summary Report, August 1999

6. Revenue by Month & Year, August 1999
7. Turnpike Notes and various news releases

Leever: Thank you, Mr. Zomparelli, now you can give the staff report as Executive Director.

Zomparelli: Thank you, Madame Chair. As the Commission Members are well aware, the Commission went out to bid on the replacement of our Cuyahoga River Bridge structures. (He showed the members a pencil-rendering of what the Bridge currently looks like and what we are replacing. ) He said he didn't know if any of the members have traveled over the Cuyahoga River Bridges, but he stated that this is a bridge that spans about 2600 feet and 175 feet high. These are our largest structures on the Turnpike. They will be the largest single construction project during the third-lane expansion that the Commission is undertaking.

The Commission went out to bid and received six bids. If you look in your folders a copy of the draft resolution is included, entitled Resolution Awarding Contract No. 43-99-01. It is for the project that includes the Cuyahoga River Bridge and some roadway between Milepost 176.34 to 178.01 in Summit County, Ohio. The Commission did receive six bids. The bid tab is found on the last two pages of that packet and you can see the range of bids from approximately to just under \$51-M all the way up to slightly over \$62-M depending upon which alternate they have adopted. Our estimate fell in the middle of the bids received so our Chief Engineer and the Deputy Executive Director-Operations and myself are pleased that we received a nice range of bid amounts and the low bid submitted by Trumbull Corporation and National Engineering & Contracting Co. – a joint venture of the two companies out of Strongsville, OH. The alternate that we are recommending is for the amount of \$51,103,644.25. The Commission's chief financial officer and auditor reviewed the financial statement submitted by Trumbull Corp/National Engineering. I remind the Commission again that this is a joint venture. The recommendation of the staff is to adopt the base bid plus Alternate #2 + Alternate #3. The difference between the alternate we recommend and the other alternate is essentially this is a concrete bridge as opposed to a steel bridge. The price is lower for the concrete beam alternate that we are recommending (Alternate #2). The Alternate #3 includes

reconstruction of Riverview Road slope within the limits of the bridge project. The Commission will be reimbursed by the Summit County Engineer for the work that is being done. (The Executive Director pointed to a wall-size rendering of the current structure and the proposed new structures.) He showed those present where Riverview Road runs and stated it makes sense to undertake this project at the same time that the Commission is doing the replacement work. Also included in your packet and attached to the resolution is some basic information on the type of construction – concrete I-beams that we are recommending and the experience that the Commission recognizes with this type of construction. They are aware of over 30 years of experience with this type of material in construction located throughout the country. This alternate has superior life cycle costs as it relates to the Turnpike . The contractors that are involved in this project are very experienced contractors – Trumbull Corp. is one of the top general contractors recognized by Engineering News Records -- they are included in the top 400. National Engineering has considerable major bridge construction on the Ohio Turnpike and if I am write, David, they did the original construction of the Cuyahoga River Bridge.

Ransbury; They did the rehabilitation that we did in the early 80's of the deck and also the Maumee River Bridge. They also acted as a subcontractor on various bridge projects - numerous projects.

Zomparelli: Dave, would you like to explain a little about this type of construction to the Commission Members and show them a little on the map exactly what we are doing?

Ransbury: We are pleased with the concrete alternate and we saved about \$24-M and we feel that in the long term it's going to be good for the Commission as far as maintenance. We won't be involved with painting every few years which will save the Commission literally millions of dollars over the long haul. The concrete beams are not commonly done in Ohio because the steel industry has always been strong here but in this case because of the size of the project, it became competitive and it went out. We are very pleased with that.

Basically, the project is slightly under 2 miles long. As you can see the river and valley which is located in this area and we are planning on doing roadway work to bring the tie-in into the bridge from the west and then continue it on to the east

– just slightly under two miles long total. The actual bridge cost was in the range of \$36-M and the remaining cost is for the roadway work. What we are planning to do is building a bridge to the south. The orange that you see on the map is the existing alignment of the bridges and the roadway. We are planning on building a new bridge to the south, maintaining traffic from the existing two bridges while we are building this one. When that one is done, we will put traffic on that bridge (eastbound) tear this bridge down, keep traffic westbound over on this bridge. At that point after this is torn down, we can build the remaining portion or half of this bridge—the new bridge. The final step will be to put traffic on there. We will have traffic eastbound and westbound and tear the westbound bridge down. So that’s going to take us starting this year we hope to build the haul roads. You can see there are some haul roads coming down on both ends because the local road system won’t support the type of work we are going to do or have to do so we will build these haul roads this fall and then in the year 2000 and 2001 we will build this portion of the bridge. In 2002 and 2003 we will be building the remaining portion and then the last phase will be in 2004 to tear this bridge down. That’s the extent of the project. We are hoping to do a little better on that schedule. The contractors are already hinting to us that they may be able to do some things to improve that schedule. We are looking forward to that possibility. If there are any questions, we will happy to talk to anyone about it and try to gibe you some answers.

Strnisha: If you are going to tear down the westbound bridge – that’s the end of its life cycle. There is no further use for it. There is no way to.

Ransbury: I guess the question is why are we re-building? Why are we putting new bridges in here and why can’t we use the old ones? There are several reasons. One is the bridge decks can just fit the three lanes. We have to put three lanes on each bridge. But there are no shoulders. And we would have a situation where traffic would be running right next to the bridge parapet wall with no safety – no shoulders. The other thing is the existing bridges are painted with lead paint and our estimates now would be \$15-M just to take the lead paint off and replace the paint. The bridges are 45 years old and there are certain types of design that are not done any more and they are something called “fracture critical” and if something should break the whole bridge could come down and we think it’s time for new structures.

Zomparelli: Thank you Mr. Ransbury.

Leever: Any further questions?

Zomparelli: The new construction, Madame Chair and Commission Members – I'll pass this around, other than what you see here with the steel beams – that will be concrete. That is how the bridge will look.

Strnisha: Did you think about using composites? They are pretty expensive.

Ransbury: The whole issue of composites came up within the last six months, I believe, and we have under design for this for the last two years or more.

Greenwood: I had just one question, Madame Chair, the letter from Mr. Ransbury dated September 29, 1999, said that National Engineering has considerable bridge experience with the Ohio Turnpike which includes the Cuyahoga River Bridge and Maumee River Bridge. You are referring to the Maumee River Bridge where the Turnpike crosses over, right? That's not be confused with the plans to build a bridge over the Maumee.

Ransbury: No what I was referred to that was when we re-bid the Maumee River Bridge in the early 80's.

Greenwood One other question, Eric Dirkson used to say a million here, a million there all adds up to something or other. The percentages are not that big but \$51-M vs. \$57-M – one of the companies bid that high. That's a fairly substantial bid. Did you analyze what the reason was for the disparity?

Ransbury: Well, I don't think – normally in these bids of that size, \$7M or \$8M is not that unusual at all. Did we look at each and every item to see where it was – I did not personally. I think our consultants did, but I couldn't tell you exactly where the difference is, but I would suspect a little bit on any number of items. I don't know the total number of items, but there were hundreds of different items.

Arlow: You normally have a great deal of disparity depending upon mobilization.

Zomparelli: Madame Chair, Commission Members, the bids are really very tight when you review the bids from the five lowest. The sixth bidder, I can't speak for them – S. E. Johnson Cos., bid was significantly higher than the others. That may be a product of them being so busy on other road projects on the Turnpike and the Department of Transportation right-of-way. That's just my speculation, but when I look at the other five bids you are going to only \$52-M to \$57-M or \$58-M that's within a 10% range and I think that's some aggressive bidding by the contractors. We are very pleased.

- Strnisha: What was the estimate?
- Arlow: It's on the top left corner of the bid tab.
- Strnisha: I think there might have been a few at the last meeting and with this one, it ties into the same question, this is coming in with a big project – percentage wise it's not too big, but several million dollars saved to the Commission from its estimate, it would be interesting to see at some point to see in its major capital programs how are comparing savings-wise and I think in general you said in the past that we have done a pretty good job of estimating and we have saved dollars. Is there any particular policy based on how to utilize these savings?
- Zomparelli: Madame Chair, Mr. Strnisha, we are not saving, we are still spending over \$50-M but it is an estimate we use for the bidding process. If the bids were to come in 10% over then we would look at re-checking the bids possibly and re-advertising because of the disparity of the estimate. We are not contractors but we use the engineering estimate as a guide.
- Strnisha: I see from the budget side, that estimate probably used in the capital budget. And if overall we do a good job of estimating, at the end of the day there may be some funds that could be used on second-tier capital projects or some other things.
- Zomparelli: We will have to use the cost of this project to determine what the size of our next bond issue will be. You are absolutely right when we go into budgeting phase, we will use these actual award amounts to figure the size of the next bond issue. Yes, the savings would reduce our borrowing.
- Leever: Are there any further questions?
- Zomparelli: Madame Chair, Commission Members, I'll read the Resolved:
- RESOLVED** that the total base bid + Alternate #2 + Alternate #3 of **Trumbull Corporation/National Engineering and Contracting Co.** of Strongsville, Ohio, a joint venture, in the amount of **\$51,103,644.25**, for the performance of Contract No. 43-99-01 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson and executive director, or either of them, hereby is authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and
- FURTHER RESOLVED** that Project No. 43-99-01 is designated a System Project under the Commission's 1994 Master Trust Agreement.



I recommend that the Commission move to adopt this resolution.

Leever: We need a motion.

Blair: I'll move.

Strnisha: Second.

Roll: Mr. Blair, Mr. Strnisha, Mr. Greenwood, Mrs. Leever

Zomparelli: The resolution is adopted.

The only other item I'd like to report, Madame Chair and Commission Members is that the Commission on September 14, 1999, met in Fremont, Ohio for an Oversight Meeting. Madame Chair, you were present as well as various staff members including: our CFO/ our Deputy Executive Director-Operations; General Counsel, myself, our financial advisor, our Government Liaison Officer and I think Mr. Williams might also have attended. We reported to the Oversight Committee on various budgetary and financial matters and the status of our construction projects. During the course of that meeting, they had requested supplemental information regarding our toll plaza renovation schedule and enforcement of PUCO regulations and our traffic accident statistics. That information that we had available was forwarded to the Oversight Committee and I have no further report.

Leever: Thank you, Mr. Zomparelli. Mr. Arlow-- Your report?

Arlow: Madame Chair, Members, we have 17 construction projects underway presently. Ten are scheduled to be completed by the end of the year. We have six third-lane projects underway right now. Two will be completed in late November. We have three major bridges - the Maumee, Sandusky and Vermilion. The Vermilion Bridge will be completed this year. The other two will continue into next year. They are major projects. We have one overhead bridge under construction which will be completed by the end of next month. We have three resurfacing projects underway right now. They will be completed by the end of October. We have three toll plazas that are being renovated – Westgate, TP-6 at MP 91, and Eastgate. Westgate and TP-6 will be completed within the next three months. Eastgate, we are building an entire new Eastgate. That will be completed late next year. We have two sets of Travel Centers – one is open (Erie Islands and Commodore Perry) and the second pair under construction (Great Lakes and Towpath) – we would expect services in that area to open by the end of this

month – right on schedule. That’s all the construction we have underway and if there are any questions, I’d be happy to answer them.

Leever: I know we are doing our toll plazas, where are we in this renovation process?

Arlow: Of the old toll original plazas we had 11 more to complete. Two are ready to go to bid within the next 60 days, 2 of the 11. Two more of the 11 are under design right now and the rest we are ready to let the design work on the remaining 7 which we have done by the middle of next year.

Leever; Thank you for your report, Mr. Arlow. Any report from our trustee, Huntington Bank?

Lamb: No report, Madame Chair.

Leever: Captain Escola?

Escola; Thank you Madame Chair. I want to apologize for not being able to address the Commission on August 30. I was here but was called out on an emergency. What I did want to brag about on August 30<sup>th</sup> was our impressive fatal accident rate over the major three summer holiday months. For June, July and August, we only had two fatal crashes,. The last year which was one of our safest years in Turnpike history, we had four. We were very proud of that. On the down side of that now in September we had two fatal accidents which we don’t like to see since Patrol is clearly committed to providing traffic safety on one of the safest highways in the country. However, on September 3, a heavy fog settled in real hard and quick at the 70.5 Milepost (westbound). As a result we had some 64 vehicles involved in a crash there and 43 people were injured and we had one fatality. The fatality itself involved four vehicles and two were semis. Then again on September 18<sup>th</sup> we had another fatality. This occurred out west involving two cars a westbound car drove across the median into the eastbound lane and was hit by an oncoming vehicle. The driver that was at fault was killed. We just got the results back on him and he was drunk at the time of the crash. He tested .16 on blood alcohol. The upside again on this was we are still on track to having the safest year in history up here if we have a good fourth quarter, everything will look real good.

I also checked on our new plazas. We are not having any problems at all. I checked with the Post Commander. A lot of favorable comments from the public, traffic is no problem. Everything is going extremely well.

Zomparelli: Madame Chair, Commission Members, this is an example where during our third-lane expansion project, the installation of the concrete median could have possibly avoided the accident in the non-third lane area. People don't recognize that and someone reported at the last Oversight Committee during our traffic statistics that the concrete median barrier is actually reducing our fatalities and accident ratio and we are making the road safer even though we are making three lanes.

Leever: We can only make the road so safe and we can't regulate stupidity.

Escola; Right, but the wall has reduced our fatal crashes and the severity of crashes, too. If a person falls asleep and they drift into the median or if they are intoxicated and they go into the median, now they just hit the wall and bounce back off. Generally, in the wee-hours of the morning, there is not so much traffic out. They just bounce off the wall and become disabled.

Strnisha: Captain, is there a way for the toll takers if they suspect someone who is under the influence of contacting you folks?

Escola; Yes and they have in the past. They have a radio and they call us, however, sometimes when they go through the automatic toll machine and take the ticket.

Zomparelli; Madame Chair, Commission Members – hence the argument for electronic toll collection and you do lose the personal touch of a toll collector and their visual eye inspection so there is a balance we need to be aware of. People talk about why can't we just have electronic toll collection? That would be an example where electronic toll collection could not solve or aide us.

Escola; I would report too that drivers under the influence are involved in a very small percentage of our crashes out there. We have very few impaired drivers on this road.

Leever: Thank you, Captain -- our general consultant, Mike Schipper?

Arlow: No report.

Leever; Our general counsel, Mr. Amato?

Amato: Thank you, Madame Chair. I have four appropriation resolutions for consideration this morning. The first one is a resolution declaring the necessity of appropriating property and directing that proceedings to effect such appropriation be prosecuted. I'll read the resolution as the first three pertain to the Cuyahoga River Bridge:

RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owner, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the replacement of the Cuyahoga River Bridge structures with new bridges, including the demolition of existing bridges and associated roadway work, between Milepost 176.34 and 178.01 in Summit County, Ohio, which project is identified as Contract No. 43-99-01;

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

<u>Owners</u>	<u>Place of Residence</u>
Gerald A. Ritch Gloria Ritch	1570 Woodland Drive Peninsula, OH 44264
James McCarthy Auditor, Summit County	175 South Main Street Akron, OH 44308
John A. Donofrio Treasurer, Summit County	175 South Main Street Akron, OH 44308

The aforementioned property to be appropriated is described as follows:

**Parcel 6D - Perpetual Easement for  
Drainage Purposes**

A legal description is attached as Exhibit "A";

FURTHER RESOLVED that the general counsel be, and he hereby is instructed to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above may be commenced.

I recommend that this resolution be adopted.

- Blair: I move for adoption.
- Strnisha: Second.
- Greenwood: Just a quick question – where is this on the map and why do you need it?
- Amato: This is a perpetual easement for drainage which is on the top of the hill. Mr. Disantis, can you point to the general area where this easement is needed.
- Greenwood: Do these people want more money?

Disantis: We presented our offer and they haven't presented a counteroffer yet.

Zomparelli: Madame Chair, Mr. Greenwood – it's about money.

Greenwood: They want more money than it's worth?

Amato: Yes.

Zomparelli: We use an appraisal services.

Greenwood: We are not taking their house or something like that?

Amato: No. This is a strip of land.

Zomparelli: It is a perpetual easement it is not a temporary.

Strnisha: Have we purchased some and these are some that have not agreed?

Zomparelli: Madame Chair, Mr. Strnisha, I'll help Mr. Amato out since it's his first meeting reporting. We negotiate all the way through and some property owners are cooperative and normally you get Right of Entries. In cases where they are not able to negotiate a Right of Entry and it is clear that the parties are not going to agree, we will come to the Commission with the appropriation resolution. That way we can file right away, deposit the money with the Court and proceed with the project and not have the project delayed. If the property owner has agreed to a Right of Entry, we would hold off on filing the resolution normally and continue negotiations at the same we are permitted to continue with the project. Because they have given us the Right of Entry. Some property owners just take a hard and fast line and won't give us Right of Entry.

Strnisha: So some have given us Rights of Entry.

Zomparelli: Have we gotten some, Joe?

Disantis: Yes, from the United States of America and we are working towards a final agreement.

Amato: Mr. Disantis, are these the only three that we are appropriating?

Disantis: Yes. These three private property owners.

Amato: So on the whole project there are just these three private owners

Greenwood: Thank you, Madame Chair.

Leever: Please call the roll.

Roll: Mr. Blair-yes; Mr. Strnisha-yes; Mr. Greenwood-yes; Mrs. Leever-yes.

Zomparelli: The resolution stands as adopted.

Amato: Do you want me to read the whole thing again?

Zomparelli: No – just the property owners.

Amato: The second resolution is identical to the resolution just read except for the description of the property and the property owners. On this particular resolution, the property owner is Deborah Heidenreich at 6656 Riverview Road, Peninsula, Ohio 44264. The aforementioned property to be appropriated is described as follows: Parcel 8WL in fee simple. A legal description is attached. I believe this is a less than an acre of property. It has over 400 trees on this particular strip.

FURTHER RESOLVED that the general counsel be, and he hereby is instructed to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above may be commenced.

I recommend that this resolution be adopted.

Greenwood: What do you need this for?

Amato: Mr. Disantis, would you point it out on the map?

Disantis: This parcel is about a half acre – a fee simple take. It's about a 10 foot strip along the Turnpike at the top of the hill. We need it to widen the road to three lanes in that area.

Fleischman: Pointing to the map, he said it is primarily in this area to shift to the south so that we can always maintain two bridges while we are doing the project. That's the only reason to take this property because of that shift.

Greenwood: Do you have to take all those trees down?

Fleischman: We will minimize, we will take no more than we absolutely have to. Unfortunately, there are a lot of trees on that parcel, but there are still a lot of trees remaining on their property once we take this ½ acre.

Greenwood: What about noise?

Fleischman: Their house is a considerable distance from the road.

Zomparelli: Madame Chair, Commission Members, I would like to point out that the green area is the change in alignment. It is slight but we are lessening the curve which helps us by locating on the south. We couldn't take it out all together and sometimes you don't want too straight of a road because you want drivers concentrating and paying attention to where they are driving. But it does lessen the bend a little bit and we have the best alignment as we could. You understand that we are dealing with National Park lands below. We need a first and a second from the Commission.

Leever: Are there any other questions?

Greenwood: I move for adoption.

Strnisha: Second.

Roll: Mr. Greenwood-yes; Mr. Strnisha-yes; Mr. Blair-yes, Mrs. Leever.

Zomparelli: The resolution stands as adopted.

Amato: The third resolution is also on the same project. Identifying the owners of the property as James E. Davis and Susan A. Davis at 6666 Riverview Road, Peninsula, Ohio 44264. I understand this is just under one acre of property. Mr. Disantis, can you show us where the property is on the map?

Disantis: This property is actually below the bridge. It's almost an one-acre take and one of the new piers for the new bridge will be located on this particular property.

Fleischman: Pointed out the property on the map.

Amato; The aforementioned property is described as follows: Parcel 10WL – fee simple. A legal description is attached to this resolution.

FURTHER RESOLVED that the general counsel be, and he hereby is instructed to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above may be commenced.

I recommend that this resolution be adopted.

Greenwood: I move for adoption, Madame Chair.

Blair: Second.

Roll: Mr. Greenwood-yes; Mr. Blair-yes; Mr. Strnisha-yes; Mrs. Leever-yes.

Zomparelli: The resolution is adopted.

Amato: The fourth and last resolution concerning appropriation concerns the I-77 Ohio Turnpike interchange. I will read the resolution:

RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owner, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of an interchange with I-77 and the Ohio Turnpike in the vicinity of Milepost 172.5 in Summit County, Ohio;

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

Owners

Place of Residence

Ludwik Sulewski  
Jadwiga Sulewski

4960 Brecksville Road  
Richfield, OH 44286

James McCarthy  
Auditor, Summit County

175 South Main Street  
Akron, OH 44308

John A. Donofrio  
Treasurer, Summit County

175 South Main Street  
Akron, OH 44308

The aforementioned property to be appropriated is described as follows:

### **Parcel 11-16WL - Fee Simple**

A legal description is attached as Exhibit "A";

FURTHER RESOLVED that the general counsel be, and he hereby is instructed to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above may be commenced.

I recommend that this resolution be adopted. Are there any questions?

Strnisha: What's the situation with this?

Amato: This is the Brushwood Motel parcel. It is directly contiguous to our interchange.

Zomparelli: Madame Chair, Commission Members, this is located right on Rt. 21. This hotel/motel – I'm not sure. It's where we want to construct our interchange and the ramps connecting 21 and 77 and the Turnpike. The alignment that probably needed to be done year ago, Mr. Blair will probably agree. It is something that we are working together with the Ohio Department of Transportation to connect 77 and 21 to make ease of traffic flow which is if anyone is familiar with the area, you can't get on either road. You have to do a little jockeying. But these are property owners that I commenced negotiations with when I was General Counsel and now Mr. Amato and Mr. Disantis are working with them and we are not even close. We have had an appraisal done and I think this is the course of action they want us to proceed with. That's why we are here.

Disantis: They have refused to present us with a counteroffer so we have no other choice.

Leever: Can't we just hand it to Mr. Blair?

Zomparelli: They are busy enough, we don't mind.

Blair: Is this a total take?

Amato: Yes.



Zomparelli: We will need a first and a second to adopt the resolution.

Strnisha: This is a private motel – not a chain?

Zomparelli: Yes, it is privately owned.

Blair: I'll move it.

Strnisha: Second.

Roll: Mr. Blair-yes; Mr. Strnisha-yes; Mr. Greenwood-yes; Mrs. Leever-yes.

Zomparelli: The resolution is adopted.

Amato: That concludes my report, Madame Chairman.

Leever: If there is no further business at this time, I will accept a motion to adjourn until November 8<sup>th</sup> (the second Monday of the month) Good.

Greenwood: I'll move to adjourn.

Blair; Second.

Roll: Mr. Greenwood-yes; Mr. Blair-yes; Mr. Strnisha-yes; Mrs. Leever-yes.

*(Meeting adjourned at 10:45 a.m)*

/dsp