

**MINUTES OF THE 458th MEETING OF  
THE OHIO TURNPIKE COMMISSION**

**February 18, 2000**

Pursuant to the bylaws, the Ohio Turnpike Commission met for a meeting at the Commission's Towpath Service Plaza/Travel Center, located at Milepost 170 (eastbound) in Cuyahoga County due to renovations being done at the Commission's Administration Building at 10:20 a.m. on February 18, 2000, with members of the staff: Gino Zomparelli, Executive Director and Assistant-Secretary Treasurer, Deputy Executive Director; Robert Arlow; Deputy Executive Director; James Steiner, CFO/Comptroller; Rob Fleischman, Asst. Chief Engineer, Pat Patton, Government Liaison Officer, Thomas Amato, General Counsel, John Mitchell, Director of MIS; Tim Ujvari, Maintenance Engineer; and Karen Lenehan, Director of Public Affairs.

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, Mr. Williams,  
                          Representative Buehrer and Mrs. Leever

Nays :           None.

The Executive Director advised that Senator Armbruster called this morning and advised that he could not attend today's meeting. He had planned to attend the originally scheduled date of February 14<sup>th</sup>, but had a schedule conflict for today. He wanted to pass along that he was sorry he could not attend today's meeting, but had received all the materials.    The Chairman

said Robert Blair is here today representing the Ohio Department of Transportation Director, Gordon Proctor, and is authorized to vote for him.

The Chairman thanked all in attendance for venturing out today in this weather and appreciated the fact that you are here and wish everyone a safe trip home.

The Chairman introduced the new Captain of the Ohio State Highway Patrol. He will be giving a report later on the agenda but at this time I would like to welcome Captain Farris to the Turnpike staff. Captain – welcome. Captain Farris is from Toledo originally and traveling with him today is Major Walker from Columbus.

The following representatives also attended the meeting:  
Jim Riley, HNTB ; Larry McQuillin, Advanced Restaurant Concepts (ARCI); Tom Hensen, Paine Webber; Andy Futey, Governor's Regional Office; Eric Erickson, Fifth Third/The Ohio Co.; Fred McFall and Tom Travis, Host Marriott Services; Matt Stuczynski, Nat City Investments; Frank Lamb, Huntington Bank; Mike Weiler, ODOT, District 3; Jim Sweeney, The (Cleveland) Plain Dealer; Ryan Conners, Conners & Co.; Howard O'Malley, B & T Express; Michael Burgess, URS Consultants; Rich Dopatka, R. F. Carbone Co. .; Mark Miller and Eric Carmichael, Pryor, Counts & Co; Alan Shaffstall and Marc Chappo, Lake Shore Railway Assoc. (LSRA); Capt. Farris and Major Walker, Ohio State Highway Patrol; John Peca, Climaco, Lefkowitz;; Bill Keaton, Stuart May, Dick Lash, Mike Phillips, Rob Hughart, Heidi Jedel, Tracy Cowley and Diane Pring.

The Chairman said the February 18 Meeting was the 458th meeting of the Commission, and we are meeting at the Commission's Towpath Service Plaza. The minutes of the last Commission Meeting of December 20, 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. Williams; Mr. Blair, Mr. Greenwood, Mr. Strnisha, , 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 stated if there were no further questions, we would proceed with the report of the Secretary-Treasurer, Mr. Greenwood. The following items have been sent to the members since the last regularly scheduled meeting of the Commission on December 20, 1999:

1. Draft of Commission Meeting Minutes of December 20, 1999
2. Traffic and Revenue Report, December 1999
3. Traffic and Revenue Report, January 2000 \*
4. Financial Statement, December 1999
5. Investment Report, December, 1999
6. Traffic Accident Summary Report, November and December 1999
7. Traffic Accident Summary Report, January 2000 \*
8. Revenue by Month & Year, November and December 1999
9. Revenue by Month & Year, January 2000 \*
10. Budget Report for the Twelve-Months - 1999 \*
11. Investment Report, January 2000 \*
12. Various News Releases

The Executive Director advised there was no report on Budget & Finance, but a report will be given later from Eric Erickson and our Chief Financial Officer, Jim Steiner.

Leever: Report on financials, Mr. Steiner?

Steiner; Madame Chair and Commission Members, as I'm sure you all know, 1999 was a record year for traffic on the Ohio Turnpike. 35.9 million passenger cars traveled the Turnpike during the year surpassing the previous record set in 1998 by 839,000 cars or 2.4%. Commercial traffic for 1999 totaled 9.2-M vehicles surpassing the prior record which dated back to 1995 by 565,000 vehicles or 6.6%. This is an increase of 630,000 commercial vehicles or 7.4% over 1998. Total traffic for 1999 exceeded 45-M vehicles which surpassed the previous record established in 1998 by 1.5-M or 3.4%.

As a result of record levels of traffic and also the growing concession income from the new Service Plazas, our general fund revenues for 1999 exceeded the amount budgeted by \$4.2-M or 2.2%. Our operating maintenance and administrative expenses for the year were \$1.4-M less than budgeted or 1.7%.

The record levels of traffic that we had during 1999 have continued into the new millennium at least for the first month. Passenger car traffic for January 2000 totaled 2,345,000 surpassing the prior record established in 1998 by 134,000 cars or 6.1%. This is an increase of 192,000 cars or 8.9% over January 1999.

Commercial traffic for January 2000 totaled 692,000 vehicles surpassing the prior record set last year by 21,000 vehicles or 3.1%. Total traffic during January 2000 exceeded 3-M vehicles,

surpassing the previous record set in 1998 by 201,000 vehicles or 7.1% and this is an increase of 213,000 vehicles or 7.5% over January 1999.

Madame Chairman, that completes my report unless there are any questions.

Leever: Thank you very much, that's a very nice way to start the New Year. Do we have a report on service plazas?

Zomparelli: Madame Chair, Commission Members, I just want to report although we don't have a full year of sales figures at the Erie Islands/Commodore Perry reconstructed Service Plazas, we are very, very pleased with the sales figures coming in. They have exceeded expectations. The increased sales revenue also helped defray our costs for future expansion/renovation of our service plazas and I'll report a little bit later on the status of the Portage and Brady's Leap Service Plazas' reconstruction.

Leever: Do we have a report on Employee Relations?

Amato: Yes, Madame Chairman, with the assistance of Mr. Peca's law firm, we re-drafted our Non-Harassment policy. Formerly, it was a policy against sexual harassment. It was expanded to include other types of work environment situations. It was put together, and we had training for all our supervisors which was concluded last month. It was live and we went to various locations throughout the Turnpike. The supervisors who did not receive the training will do so by videotape. We are happy to report that it was very successful program.

Williams: Do we have cases presently pending regarding sexual harassment or harassment of any type that have been filed by our employees?

Amato: Mr. Williams, I am pleased to report that there are no cases presently pending with regard to harassment. I might add that the purpose of the training is to enlighten our supervisors with regard

to the most recent cases and what it being identified as harassment so they can recognize this, deal with it and report it so we don't have any lawsuits.

Williams: How is this information filtered down to the Turnpike employees?

Amato: Each employee upon hiring receives a copy of the Non-Harassment Policy which includes detailed reporting procedures. Every employee at the Turnpike receives a copy of the policy. Any other questions?

Leever: Thank you, Mr. Amato.

Zomparelli: Madame Chair, it was a successful program in that it also allowed us an opportunity to meet with each of our supervisors in the Toll and Maintenance facilities along the Turnpike. There was an added benefit as far as management was concerned.

Leever: OK, we will have a report from Mr. Zomparelli.

Zomparelli: Thank you, Madame Chair. I apologize I don't have much of a voice today. That will probably make the meeting more brief. I have before the Commission Members a draft resolution concerning Contract Nos. 53-99-01 and 53-99-02 which relate to Portage and Brady's Leap Service Plazas located in Portage County. The Turnpike went out to bid for reconstruction of these service plazas. These are the next service plazas that we have scheduled for closure and re-construction. In your packets is included a bid tab listing all the bidders and the amounts. The Commission bid for construction through five separate bid packages. First bid package #1 was sitework; #2 was general Trades; #3 was HVAC work; #4 was plumbing and #5 was an electrical contract. We also gave prospective bidders the option to bid combinations of these bid packages. They could have bid for Packages #2, 3, 4 and 5 only or the entire project under combined bid form B, Packages 1,2,3,4 and 5 or under a third combined option for bidding packages 3 & 4. We received the bids on February 11. Approximately twenty-six bidders submitted

bids for the performance of the five base bids packages and some bidders bid for more than one package or combination. The bids were reviewed by our staff which includes: Deputy Executive Director, Robert Arlow; Dan Castrigano, our Asst. Deputy Executive Director/Chief Engineer; as well as other members of our staff and we were very pleased with the number of bidders. We were also pleased with the bid amounts submitted by the bidders. We really received very attractive bids. They actually came in lower than our estimate – lower than what we had told the Commission at the prior Commission Meetings that we thought these bids would be coming in the range of \$13-M to \$14-M. As you can see on the second page of the draft resolution, the total for both plazas is about \$21.6-M which is about 10.8-M each. What we had been projecting for costs were easily \$2-M less per building. We understand there still might be some site conditions that we may encounter as we go, but at least we are starting out at a figure below the \$11-M range as opposed to the \$13-M range for each building.

I will read the Resolved of the resolution:

NOW, THEREFORE, BE IT

RESOLVED that the bids of the following bidders:

**Contract No. 53-99-01 and 53-99-02  
Portage and Brady's Leap Service Plazas**

<u>Bid Package</u>	<u>Description</u>	<u>Bidder's Name</u>	<u>Amount</u>
#1	Sitework	Marucci & Gafney Excavating Youngstown, OH	\$10,683,974.94 <i>(combination)</i>
#2	General Trades	Jance & Company, Inc. Mentor, OH	7,678,000.00 <i>(combination)</i>
#3	HVAC	S. A. Comunale Co., Inc. Barberton, OH	1,045,000.00 <i>(combination)</i>
#4	Plumbing	W. G. Tomko & Sons, Inc. Pittsburgh, PA	903,000.00 <i>(combination)</i>
#5	Electrical	Santon Electric Co., Inc. Warren, OH	1,341,000.00 <u><i>(combination)</i></u>
<b>TOTAL .....</b>			<b>\$21,659,974.94</b>

in the total amount of all bid packages awarded is **\$21,659,974.94** in connection with the performance of Contact No. 53-99-01 and 53-99-02, is and is by the Commission, determined to be the lowest responsive and responsible bids received for the performance of said bid packages and contracts, and are accepted, and that the chairperson and executive director, or either of them, hereby is authorized (1) to execute a contract with each 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. 53-99-01 and 53-99-02 is designated a System Project under the Commission's 1994 Master Trust Agreement.

The buildings to be built at Milepost 197 in Portage County – Portage and Brady's Leap are essentially similar type building to this facility where we are meeting today. We did work with our architects and staff to make some modifications and some changes. Very little will be noticeable to the public. A lot of the changes were internal-related, but these buildings will be the same and will have expanded parking and fueling areas. I recommend that the Commission move to adopt this resolution.

Leever: May we have a motion?

Strnisha: To the Director, some of the savings look like they are related to what you estimated for the site work, is there something different? You mentioned that you are not certain what all the costs might be. Can you comment – I know there is major excavation and (2) how would these costs compare to the costs for what we built so far? I know we are under budget for what we have here, but how would they compare?

Zomparelli: Madame Chair, Commission Member Strnisha, the original bid amounts for the Great Lakes and Towpath facility which is the pair where we are located today and the Erie Islands and Commodore Perry came in \$9-M to \$9.8-M range. However, when we had to experience all the additional soil remediation work and some change orders initiated by the Commission as far as expanding the parking facilities, some changes in construction as far as making the buildings a little more functional, things that you normally encounter, they came in at about \$13-M each for this pair where we are located. Those changes have been integrated as best as we could. There still might be some soil remediation work but we tried to incorporate what we encountered at these four and the bid packages have allowed for that extra additional work. We don't expect very much change off of the approximately \$11-M each. We hope to be within 5% of that amount. Definitely not more than 10%.

- Arlow: Mr. Strnisha, we have done advance soil remediation. For this pair coming up we already did some advance testing. It gives us more latitude and should be less costly.
- Zomparelli: The work done by SAS and the information from BUSTR, there is less speculation on this pair than on the pair where we are located. We are still learning through the process, too.
- Strnisha: That was the point of the question – whether we are learning as you go along and obviously, saving some money as a result.
- Zomparelli: We did expand a little bit of the storage area for the food concessionaires so the buildings – there won't be noticeable changes is the point I am making. They will still look the same, but there are some minor changes that we think will make a difference. A step better than what we have now.
- Williams: I know there were some complaint at one time from vendors suggesting that an expansion of the area here so that they could accommodate refrigeration and some other items – was that taken into consideration, too?
- Zomparelli: Madame Chair and Commission Member Williams, yes we did take that into consideration and did allow for additional room on the first level for storage for food concessionaires.
- Buehrer: Given that the new centers have not been open for a long period of time, have we been able to get any public input about they feel about the way we are doing the food concept and the whole layout of these facilities.

Zomparelli: Madame Chair, Commission member Buehrer, I'm just laughing because that's a great lead-in for our Director of Public Affairs. I'll ask her to address the Commission on the public input.

Lenehan: Thank you Madame Chair, Commission Members, what I have here is a listing that Panera Bread Company puts in their restaurant that allows visitors to register as well as write down their comments. Panera Bread and Covelli Enterprises have been kind enough to share these comments with us. While I'm here, I'd also like to thank Covelli Enterprises for hosting us today and providing the refreshments. If I can read you some comments, I think they will answer your questions quite nicely:

Mr. Morris from Illinois said this was a nice Turnpike surprise and he was very impressed with the service.

We have a couple from PA saying that this is excellent - "how nice to have good food while traveling. Also, that the service staff was very helpful."

From Charlottesville, VA, - accolades to the baker, the chef, dishwasher, builder, architect and to the State of Ohio.

Another one from PA - "Thank God - it's finally worth stopping."

From Illinois - this is so great, much better than the other service plazas.

From Brighton, MI - helpful and friendly staff, excellent food, need more places like this along tollways.

From MI - a nice alternative to typical road food. Thank you for a fantastic job.

Another from VA - what a treat, soup and a sandwich - perfect for the weary traveler. Keep in clean.

Friends of Mr. Covelli, stopped in from Colorado - Hi Sam - your place is beautiful, Happy New Year.

From MI - an oasis - refining Turnpike food.

From Akron - a great place, we'll be back.,

From Maryland - excellent - this is great for stopping during long trips. They also commented on how nice the people were.

Finally, from Minnesota – Wow – this is a bakery and along the Turnpike.

That's just a sampling of some of the comments that we have received so I would say the public has received them very well. Thank you.

Zomparelli: Thank you, Karen.

Williams: We did not receive any negative comments?

Zomparelli: No.

Buehrer: My only comment is that if we didn't get anything negative, I stopped on the one coming in last night. It was nice, you sit down its pretty location. It still is a cafeteria. We had the discussion with Senator Armbruster a few meetings ago about whether or not we have put in sit-down facilities. We haven't. You still waited in line, you still took your tray and the number and you still went down and sat down and they brought the food out. I don't think we ought to deceive ourselves about the true sit-down nature of these facilities. It was nice. The meal was fair to good quality for 9:00 p.m. and I don't have a concern but we need to continue to challenge ourselves to think about that.

Zomparelli: Madame Chair, Commission Member Buehrer, we have purposely inserted in the bid documents a requirement of quarterly meeting with the food concessionaires for that reason. We constantly monitor what is the performance of the facility, what is the input from the public – what their demands are. In that regard we have already met with Marriott and they are going to make some changes at Max & Irma's to try a couple different things in that sit-down area to address that waiting issue that you talked about. We also looked at the sales figures and as much as I am surprised, they are approaching doubling the sales figures that we had for those same facilities (the old facilities) so I think the numbers speak volumes of what – put your money where your

mouth is --. People seem to be satisfied with the service. That seems to be what they want and what they are receiving. We are still trying to accommodate those percentage – even if it may be small – of the people who want the sit-down restaurants and Marriott is working with us to accommodate those needs. At this facility as well as that one, we will continue to have those quarterly meetings for that reason – to evaluate the food. Daily, we check on the prices, we watch for cleanliness, service. We see more of our employees starting to use the facilities, too and I think they are also becoming our critics. It has turned out that we can meet the needs of the traveling public.

Buehrer; I would just follow-up with the fact that the folks I was standing in line with – obviously some senior citizen bus – had just dropped these people off. So it was a little bit older crowd. A lot of them who I was behind seemed to gravitating to the Max & Irma's facility. I am not sure a lot was impressed with the choices – I noticed they were ordering breakfast foods even though it was dinner hour in that the menu there is sort of a burger menu – if you will – an appetizer menu which might not have been to the taste choices of those type of people – but generally I could see that they were gravitating because they could sit down in the quiet area a little bit off the beaten path. Obviously, the acoustics was a little tough in this facility and it may have been nice to get off to the quieter side for dinner. I think we need to continue to challenge ourselves. That's the point I'm trying to make.

Zomparelli: Thank you. I agree.

Buehrer: Madame Chair, one more question – I see that we selected basically the low bidder in all cases for electric – where there is a fairly large jump between the low bidder and the one we selected. What's the background on that?

Zomparelli: Madame Chair, Representative Buehrer – the low bidder made a clerical mistake in their bid. You should have received the memo

from General Counsel. It dealt with the bidder. There's electrical work in both the general trades package and in the electrical package. The electrical bidder had failed to insert the items that he submitted in the electrical work on the general trades and his electrical bid. It became very obvious when we saw the bid that there was a problem given the large difference between his bid and the other bidders. We were on notice that there may have been a mistake. Before we contacted the bidder, he contacted us to let us know the mistake. If there are no further questions, I would recommend that we adopt this resolution for reconstruction at the Portage and Brady's Leap Service Plaza.

Strnisha: I move for adoption.

Williams: Second.

Roll: Mr. Strnisha-yes; Mr. Williams: Mr. Blair-yes; Mrs. Leever-yes. (The resolution is adopted.) (**Note:** Gino missed Mr. Greenwood's vote but after the passage of Resolution No. 2, clarified his aye.)

Zomparelli: The next resolution drafted for the Commission Members' review relates to Contract No. 55-99-01 for third lane construction from Milepost 172.02 to Milepost 172.82 – the first part of that contract known as Part A; the second part (Part B) for the construction of an interchange between the Ohio Turnpike and I-77 and S.R. 21 located in Cuyahoga and Summit Counties; and Interchange 173 (f/k/a Exit 11) relocation.

The Commission received six bids for the performance of said contract. The bids were reviewed by the Asst. Deputy Executive Director/Chief Engineer as well as General Counsel. The Resolved reads as follows:

RESOLVED that the bid of **Anthony Allega Cement Contractors, Inc.** of Valley View, Ohio, in the total base bid amount of \$32,959,241.49 for the performance of Contract No. 55-99-01, 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. 55-99-01 is designated a System Project under the Commission's 1994 Master Trust Agreement.

The bid tab is attached. The bids came in below estimate and I would recommend that the Commission move to adopt this resolution.

Leever; Any questions? I need a motion.

Williams: I move for adoption.

Strnisha; Second.

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

Zomparelli: Madame Chair, Mr. Greenwood – I didn't miss you on the last resolution, did I?

Greenwood: Yes, you did but that's OK.

Zomparelli: But for the record, your vote would be –

Greenwood: Aye.

Zomparelli: Sorry about that.

The next resolution relates to awarding Contract No. 59-00-01. This is a contract for the repairs, resurfacing and guardrail improvements of the westbound roadway (Part A) and eastbound roadway (Part B) located from Milepost 101.47 to 111.22 in Sandusky and Erie Counties, Ohio. The Commission duly advertised for bids. We received bids from three bidders. The bids have been reviewed by our Asst. Deputy Executive Director and Chief Engineer. The Resolved reads as follows:

RESOLVED that the bid of **Erie Blacktop, Inc.** of Sandusky, Ohio, in the total base bid amount of \$2,464,309.10, using crushed slag in the surface course, for the performance of Contract No. 59-00-01 (*Part A*) and the bid of **Gerken Paving, Inc.** of Napoleon, Ohio, in the total base bid amount of \$2,928,783.25, using crushed slag in the surface course, for the performance of Contract No. 59-00-01 (*Part B*) are, and are by the Commission, determined to be the lowest responsive and responsible bids received for the performance of said contract, and are accepted, and that the chairperson and executive director, or either of them, hereby is authorized (1) to execute a contract with each 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. 59-00-01 is designated a System Project under the Commission's 1994 Master Trust Agreement.

We have attached to the draft resolution the bid tab with all the base bids and alternates, the bids came in below estimate and I recommend the Commission move to adopt this resolution.

Leever: Any questions?

Strnisha: The slag vs. stone – what's the difference?

Zomparelli: The crushed slag has superior skid resistance on our pavement and we bid with the stone just to see what the cost differential is and to monitor the prices. Yes it is better. Skid resistance is the major reason.

Madame Chair, Commission Members, Mr. Strnisha had asked the question regarding the use of the slag vs. the stone. You see different bid prices in the bid tab. We had explained that the crushed slag provides superior skid resistance on our pavement when compared to the stone. Even though it costs more money, we think the cost differential is minimal and we recommend that we go with the base bid using the slag.

Strnisha; I move for approval.

Greenwood: Second.

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

The resolution awarding Contract 59-00-01 is adopted.

Zomparelli: The next draft resolution the members find in their packets is Resolution awarding Contract No. 59-00-02. This is also a resurfacing project. In particular westbound roadway (Part A) and eastbound roadway (Part B) located from Milepost 207.30 to 214.80 in Trumbull County, Ohio.

The Commission received bids from three bidders. The bids have reviewed and analyzed by the Commission Asst. Deputy Executive Director-Chief Engineer. The resolved reads:

“RESOLVED that the bid of **Hardrives Paving & Construction** of Mineral Ridge, Ohio, in the total combination base bid amount of \$3,312,371.26, using crushed slag in the surface course, for the performance of Contract No. 59-00-02 (*Parts A and B*) 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. 59-00-02 is designated a System Project under the Commission’s 1994 Master Trust Agreement.

The bid tab with the alternate for both Parts A and B is attached. Bids came in below estimate. I would also recommend that the Commission move to adopt this resolution.

Williams: I move for adoption.

Greenwood: Second.

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

Resolution awarding Contract 59-00-02 is adopted.

Zomparelli: Two more resolutions. The next draft resolution in your packet is titled, "Resolution authorizing to enter into an agreement with the Ohio Department of Transportation relating to the widening of U.S. 250 located in Erie County.

In your packet, is a map – blue print rendering of the area – it's a large sheet of paper if you want to look at it so we can show you the exact area we are talking about for this project. The second page gives you an indication of the area that we are discussing. Everyone find it? The interchange is a heavily-used interchange – especially in the peak season because it attaches to the destination points in Ohio – mainly the amusement parks – Cedar Point – the Islands; and all the ancillary facilities which come along with that – hotels, restaurants, camping and a host of other tourist attractions in Ohio. The road – US 250 which intersects with the Ohio Turnpike right now is only two lanes – a single lane in each direction and in summertime it's a traffic nightmare.

The Turnpike had worked together with ODOT in trying to alleviate some of the traffic concerns in that area. A couple Commission Members will recall that we had almost awarded contracts but were forced to reject the contracts on this project in the past because of an injunction issued by a court of law. Since ODOT's legal representative from the Attorney General's Office and Mr. Amato, our General Counsel, have worked to try to resolve all the issues of the property owners in that area and hopefully have the legal case dropped so that this interchange can go forward out of the injunction. In order not to delay the progress on this project and lose another construction season, I will be asking in this resolution the authority from the Commission to enter into an agreement with ODOT to contribute up to an amount not to exceed \$4.5-M for widening that portion of 250 that intersects with

the Ohio Turnpike and which will also fall within the one mile legislative parameter established by the Ohio Revised Code.

The \$4.5-M will be used to replace a railroad bridge over 250 and a portion of S.R. 250 that connects to the Ohio Turnpike interchange. Mr. Blair will be happy to answer any questions the Commission Members might have pertaining to this project.

A draft of the agreement that we would be proposing to enter into is attached for the review. I would refer the Commission Members to review Section 1 and 3 of that agreement which already has been signed by the Director of ODOT, Gordon Proctor. Section 1 and 3 are probably relevant provisions that the Turnpike should draw their attention to. Section 1 concerns the plans and states that for that portion that would affect Ohio Turnpike operations that ODOT plans and specifications for Part 1 and 2 shall be prepared by ODOT and subject to the approval of the Federal Highway Admin. and the Ohio Turnpike Commission prior to commencement of work. The plans shall be made part of the agreement by reference stated above and shall be followed except for changes hereafter made as acceptable to both parties.

Section 3 is the important provision concerning safety and traffic flow. Safety and continuity of operations of the traffic on the Ohio Turnpike shall be of utmost importance and shall at all times be protected and safeguarded. Any contract for work shall provide that the successful contractor must give written notice to OTC Chief Engineer at least 24 hours in advance of the time that the contractor intends to commence any work that will affect traffic on the Ohio Turnpike.

I thought this was important to point out to the Commission that the ODOT has taken into consideration the affect that work on

U.S. 250 will have on our operations and vice-versa. We have taken into consideration any traffic flow on the Ohio Turnpike will have on during the construction of the widening of US 250. I think it's a good project for the Turnpike Commission to be part of and to work with ODOT. The project meets all the elements that we look for in a project as far as the Ohio Turnpike operations in that this project affects both interstate and intrastate commerce. It affects commercial, industrial, agricultural, economic development and tourism traffic. This hits all the points for a good project. That's all the comment I have.

Blair: Madame Chairwoman, this has been a good long project and I must say that I have enjoyed the partnership that we have enjoyed with the Commission. There has been a bunch of legal things that we have had to work through, which I think we have gotten, and it shows that when two agencies put their mind together they can work pretty hard and come up with a solid partnership. I would like to say thank you to Gino and Tom Amato. You have been good to work with and I think we'll have a project that will really help that part of Ohio. I would like to publicly say thank you and when this is done, we can all drive up there to Cedar Point with my kids and get there this time.

Greenwood: Madame Chair, I read through the materials and I think it has been explained before but I forgot. Why is ODOT doing this as opposed to the Turnpike?

Zomparelli: Madame Chair, Mr. Greenwood, ODOT is already widening a portion of 250 north of that area and given the totality of the circumstances involving litigation regarding eminent domain and the issue of right to take, it makes sense for ODOT to handle the entire project. That would make the issues more concise and easier to address. It's a lot harder to negotiate with three parties. It's hard enough with two parties and a lot easier with one. We

think by having ODOT handle the entire project they will be able to address the eminent domain issues raised by the property owners. If you look on page 3 of that schematic, you will see the blocked area in dark. Those represent buildings. If you look to the right half of S.R. 250 there are three rectangles. Those represent hotels and two of the hotels were the reason why the injunction was issued. They instigated the litigation. They filed the litigation and questioned the Turnpike's right to take on this project. We don't understand the Judge's ruling and you being an attorney, we won't go there. We think the ruling is possibly incorrect, but we have taken steps with ODOT and have sent some letters in regards that this project will be an ODOT project and I think that has gone a long way with the property owners in resolving the matter. They are working right now on a decree to dismiss the case based on the actions that we have taken so far and more so after we adopt this resolution. No guarantee that it would change anything if the negotiations break down but I am fairly confident that it will help the project move forward. At the same time after that project moves forward, that's an interchange we need to renovate and this would put us that much closer to starting our renovation and expanding the toll lanes.

Williams: Whose responsibility would it become for the maintenance?

Zomparelli: Madame Chair, Commission Member Williams that would be ODOT's responsibility and it's outlined in the agreement.

Greenwood: Madame Chair, a follow-up question, I think the record is pretty clear. I don't think we should build bridges for the railroad, I think they should build them themselves. I haven't followed it very carefully, but the Governor had an initiative to put more money into grade separation – can we pick up some of that for this? Or is it too late to do that?

Blair: Tim, I think it is. That's really for grade separations where there is conflict. That's where they will be taking the grade. This isn't a

grade and I think it's too late at this particular point. Really, We are doing a project to the north to expand it all the way up and I was going to mention this that since we are doing the one to the north anyway, it's going to allow us to link the two together in conjunction. The worse thing you have is four lanes to the north and a bottleneck right here. By putting it together right here, it will allow us to do it all at the same time. I think it is too late to answer your other question to use that money on it. I might also add it's the same pot of money. You are not getting new money for grade separation.

Greenwood: I thought we could get some ISTEAs money.

Blair: No. We will be using our own internal money.

Leever: Mr. Blair – what is the timetable for ODOT right now?

Blair: That question, I'll turn over to Mike Wyler. He's from District #3 and is one of our lead engineers on this project. Mike, can you answer that question.

Wyler: You are talking about a time frame on the project we want to do now. The intent is the construction would start in September 2000 to have the guidelines for Cedar Point traffic. We need to get that project sold as the plans will be filed in Columbus on Tuesday, Feb. 22 for early processing at that time. We are hoping to sell in the middle part of May and construction will start in September. They need a considerable amount of time to order steel for the railroad structure. It will run right through the winter time and the project will take approximately two years. There is a lot of railroad re-location of the railroad tracks.

Leever: Thank you and we look forward to having this project done, Mr. Blair. We are very pleased. I need a motion.

Greenwood: I move the resolution be adopted.

Strnisha: Second.

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

The resolution is adopted.

Zomparelli: Now for some fun stuff -- The final resolution is to authorize the substitution of a surety bond in lieu of the amount on deposit in debt service reserve account and the expenditure of funds released from the Debt Service Reserve Account to pay for the surety bond and to reimburse expenditures for capital projects. (Sounds like a mouthful, doesn't it? – hopefully Eric Erickson and Jim Steiner, our CFO can explain the purpose, why we have this resolution drafted for the Commission's review. I'll ask Eric, our financial advisor, to report to the Commission.

Erickson: Thank you, first of all, we are just going to pass a slightly revised version of my letter that you have in your packets. There is not a material difference. Can everyone hear me? Since I am looking out there, that the snow has stopped so we all should be able to get home safely.

I'd like to start by explaining what the Debt Service Reserve Fund is and why you happen to have \$50-M sitting in one. Before we talk about the disposition of that fund, back in 1994 when the Commission undertook to borrow money for their first improvement on the third-lane project. They borrowed an additional one year's principal and interest to deposit into a Debt Service Reserve Fund (DSRF). For revenue issues, this is a very typical type of transaction. At that time that issues was not insured through bond insurance. Now subsequent to that you had a couple other issues. Most of which have been insured with bond insurance. In fact, in today's market about 65% of the issues sold today are insured with bond insurance. So a DSRF is simply put is there to act as a back-stop – like a belt and suspenders in the event that you don't have sufficient cash over the course of the year to pay off your bonds.

We all recognize that the Turnpike has essentially two times coverage. So every year, you really have twice the amount of cash to pay off your bonds. A DSRF to some extent is not as critical as it was perhaps in 1994 when you were just starting out in the program. Furthermore, because it was built into the documents, you were required for each transaction to either deposit a one year's principal and interest into the DSRF or the option to deposit an insurance policy for that equivalent amount into the DSRF.

The most recent issues the money was actually borrowed and deposited to the DSRF as opposed to the surety. Accordingly, when the staff and myself were sitting around and trying to determine ways in which we could actually lower the amount of borrowing to be done in the next bond issue, I suggested that we look at the possibility of replacing the DSRF – the \$50-M with an insurance policy in an equivalent amount. Everyone thought that was an interesting idea and one that we ought to explore.

The first exploration we needed to do was circle the wagons and talk to the credit rating agencies to see if, in fact, they had any particular problem or if there was any negative credit implications. I, of course, felt there probably wasn't but thought it was a good idea to at least talk to them. Accordingly, Jim Steiner, Mr. Zomparelli and I talked to Standard & Poor's; Moody's and Fitch. We really posed the strategy to them and wanted to get their reaction. All three expressed a neutral credit position, however, they did express a positive response as to the strategy in the sense that would cause the Commission to really borrow less in the future which is obviously a positive from a credit rating standpoint.

Accordingly, the next thing to do was at least talk to one particular insurance provider to see approximately what it would cost for an insurance policy recognizing that there are four major insurance providers of policies such as this. We spoke with the insurance company which, in fact, has most of your bonds insured. FGIC (Financial Guaranty Insurance Company) which is a wholly owned subsidiary of General Electric. From their standpoint they already have about 75 or 80% of your bonds under their policy right now insured. So they are obligated in case you default to pay those bondholders the principal and interest for the remaining life of the bonds. They obviously have an interest in providing this particular insurance policy into the DSRF. However, we feel from a price comparison standpoint, we should at least get quotes from all four of them and review to see what the economics are. I have an estimate of approximately 1% from FGIC. The economics are and you can look at the second page of my letter, that in today's market since in fact the DSRF has certain investment limitations in terms of the yield, you are limited to essentially the interest rate on your prior issue that deposited the money there which is actually a little less than 5%. I think the exact number is 4.98. That is the maximum amount you can earn on that. Accordingly, today if you were to borrow the same \$50-M, it would cost approximately 6%. In light of the speech yesterday (02/17/00) by Alan Greenspan, it probably will cost you more tomorrow or next week. Just in the simple analysis, if you were to borrow the same \$50-M today at 6% it will cost you about \$3.9-M per year. Theoretically, the maximum that you can earn based on your arbitrage limitation is about 2.5% or \$3.5-M. Accordingly, after you have paid the initial \$500,000 you have an annual savings of about \$400,000 by going forward with this particular program. In addition, you minimize the amount of the next issue by \$50-M, i.e., you have lowered the amount of the next issue by the same \$50-M. Equally as important you push off future borrowing maybe by as much as 6

months to a year. You probably won't have to go back to the capital markets until 2001.

I have said a lot here, I think I covered everything that was in the letter. I just want to open it up to questions. Jim, do you have anything you'd like to add?

Greenwood: Madame Chair, Mr. Erickson, I'm not very sophisticated when it comes to these other than to know that anytime I go to the bank to get money, it costs me. Why can't you change the arbitrage limits? Is that a federal requirement?

Erickson: Yes, it is a federal requirement. That was established in 1986 under the ...

Greenwood: It sounds like a good deal for the banks.

Erickson: Yeah, actually as long as you are using tax-exempt debt, they are forcing you to restrict the yield on the investments from money borrowed for tax-exempt debt. It basically tries to discourage you to borrow money from tax-exempt debt and re-invest it at a taxable rate. It discourages arbitrage. They put in language such as artifice and device which scares a lot of issuers from attempting something that would circumvent that.

Greenwood: Madame Chair, Mr. Erickson, the \$400,000 a year savings is premised upon the spread 2000 (between the 5 and 6%.)

Erickson: It could be wider or narrower. I guess the other way to look at it too, Mr. Greenwood, is the fact that you already borrowed the \$50-M and right now it is sitting in a fund. This way you are utilizing the \$50-M for construction -- perhaps a more efficient way to utilize borrowed money for capital projects.

Greenwood: Madame Chair, I guess what I'm trying to understand conceptually when I read this thing before -- why do you have 7 or 8%

increases in revenues, why aren't we trying to put cash into this reserve fund as opposed to borrowing?

Erickson; Why in the past did you not deposit cash as opposed to borrowing?

Greenwood: Why don't we have a sinking fund to take so much money in the year.

Erickson: Back in 1994 when the documents were established, they were established such that you had to either deposit the surety policy or the full amount of cash. There wasn't flexibility enough to have a build-up in the DSRF. In part because it was a new borrowing program. That's less secure credit than it would be if you had the full one year principal and interest in there. That is a strategy that could be used today if you had the flexibility of changing the documents. But you really don't at this point. You have the indenture already out there and you have bondholders that are already living with that indenture.

Greenwood: So you are saying you have to accumulate \$50-M in cash.

Erickson: You have to borrow it – correct.

Greenwood: No, no, where I am coming from and maybe I misunderstood you. My suggestion was to take so much money every year in cash from the net reserve and put it into this fund so you don't have to borrow the money.

Erickson; The money is already there now – the \$50-M.

Greenwood: It's borrowed money, correct?

Erickson; Yes. You could theoretically do that (replace it with cash) but that would be money that you would normally spend on projects that you were putting in the reserve fund. You are suggesting taking money out of the project fund.

Greenwood: I was talking about the net revenue after all the bond services paid, the operating expenses and the reserve. There have been

funds left over every year for that. I don't know what it is used for. My whole problem is convince me why I should not be using in these flush years net profits to replace a security fund as you will which now is funded by borrowed dollars that we are paying money for. Seems to be that this proposal is that I'm paying someone to allow me to borrow money so I'm paying twice. I can appreciate that if I want to get projects going and move forward and borrow and pay it off later with the revenues that makes some sense, but it seems to me that

Erickson: What you are suggesting if I understand your question correctly is deposit Turnpike's money into the DSRF over a period of time and take money over a period of time that is borrowed out of it and use it for construction?

Greenwood: Right and not pay for that money. You are allowed to invest up to 5% anyways. I know I'm missing something, but.

Steiner: Madame Chairman, Commission Members, included in our current budget for the year 2000 is over \$60-M coming from toll revenue and concession revenue that will be used for the ongoing construction of the third lane and for the new service plazas. In addition to that money, we also need an additional \$100-M or \$125-M to complete these projects in addition to the annual amounts coming from our operating budget. So here we have \$50-M in DSRF that we borrowed some year's ago at a very low interest rate and that money is tied up. What we are trying to do is relieve that \$50-M and replace that with an insurance policy and that \$50-M which is \$50-M less of what we have to borrow probably in the middle of 2001.

Zomparelli: Plus our cash.

Steiner: Rather than keep that money invested and then be borrowing \$100-M or \$125-M a year from now, we want to use that \$50-M which will then reduce the future borrowing down to maybe \$75-M rather than go borrow at 6% or more when we borrowed that

money at 5%. It is just sitting there in the reserve fund and anything we earn over 5% we are rebating back to the federal government right now. We want to utilize that cash we have, but we need those resources in addition to what's included in the annual budget. We are using both sources of funds.

Erickson: To follow up with what Jim was saying, if for whatever reason in the future you want to replace the insurance policy with your own cash, that could be done. The requirements are either cash or a surety. It doesn't say it has to be "borrowed cash." Just has to be cash or a surety. Does that answer your question?

Greenwood: No, but I read what you just said. You already replied to that in the materials we got last week. I understand what you are saying.

Erickson: One more pass at it, I think until the project is done all the excess cash is going into the project to the extent that the amount borrowed is probably going to approach about 50% and then your own internally generated cash will be about 50%. Until the project is done that cash will be used for the project. After that there will be cash for things like this. I think that's the gist of it.

Greenwood: OK.

Strnisha: First off, I have a scary background that I understood everything that Mr. Erickson said – given my background in banking. That is scary, I know and I sat here and wasn't necessarily proud of that. I think my point of view on this which is very positive, I think comes from the point that I think Mr. Greenwood speak to and that is the idea to use – the Turnpike is doing very well now and generating revenue. We already know from a planning standpoint with the third lane project we are going be – the amount of borrowing as a percentage of the third-lane project – is less than what was originally projected. That the system is generating more money to do that and what this essentially does is allow us to

continue that and do even more of that. The great benefit of this is not to have money locked up – cash locked up – to secure the existing bond issues but to take that cash and put it into the bricks and mortar – the asphalt of the service plazas and the like and to reduce borrowing. So in addition to the money that the system is generating this is money that would supplement that and basically allow you to borrow less money. I think one of the questions Mr. Greenwood had in terms of substituting it (1) I don't think you want any cash securing these issues because like what we are talking about we want to reduce borrowing and even if you did that, I believe, Mr. Erickson, that would be yield-restricted money anyway. So we wouldn't even get away from the arbitrage.

Erickson: If it's your cash it probably wouldn't be yield-restricted.

Strnisha: We couldn't even get out from that. My point of view on this is that it is obviously an acceptable means of providing debt service reserve. I have been a little bit a way from investment banking end of things, but I know actually cash reserves are not done that much any more exactly for this reason. That insurance policies as we all know, in personal affairs, you can handle liabilities with insurance policies as opposed to setting cash aside. That's what this is doing. I think particularly as it was pointed out by our financial advisor where interest rates are going right now, suggests that this is not the best time to be out borrowing money anyway. So that the ability of moving this cash and deferring when the next borrowing and reducing when the next borrowing is I think is a positive. You mentioned it and although you took a more conservative view in your letter about the impact, in my mind, one of the major reasons to do this is that it will continue to play on that positive trend of reducing the amount of borrowing that the system will ultimately need to do for project and as a result I think it could be a kicker in terms of higher bond rating from Moody's. They actually like when you borrow less money. Particularly when you borrow less money when you told them the

last time you came and talked to them. So I think this actually will have and you said it in your remarks, but you took a more conservative view in your letter. I think it will have positive implications on the bond rating which I think is another major reason to do this.

I think you go out as your suggested – I think there approximately 3-4 bond insurance companies that have Triple A ratings and you see who is interested and get the best quote. And if this is both the right thing to do and right time to do it. I don't know if that helped Mr. Greenwood in terms of addressing any of your questions, but that's my view.

Leever; Any further questions? Thank you.

Zomparelli: Madame Chair, Commission Members, the draft resolution was prepared by Peck, Shaffer & Williams, our bond counsel. The Resolved is on the second page,

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE OHIO TURNPIKE COMMISSION:

Section 1. (Boiler plate language on Definitions).

Section 2. Debt Service Reserve Account Surety Bond. The Chairman, Vice Chairman, Secretary-Treasurer and Executive Director are each alone, or in any combination, hereby authorized, empowered and directed to obtain, on behalf of the Commission, a surety bond equal to the Debt Service Reserve Requirement for deposit in the Debt Service Reserve Account, in accordance with the provisions of the Trust Agreement. The Chairman, Vice Chairman, Secretary-Treasurer and Executive Director are each alone, or in any combination, hereby authorized, empowered and directed to execute, acknowledge and deliver on behalf of the Commission, upon advice of counsel to the Commission and Bond Counsel, any appropriate documents relating to the surety bond.

Section 3. Expenditure of Debt Service Reserve Account Amount. The Chairman, Vice Chairman, Secretary-Treasurer and

Executive Director are each alone, or in any combination, hereby authorized, empowered and directed to execute, acknowledge and deliver on behalf of the Commission all necessary documents appropriate for the expenditure of the entire balance of the funds released from the Debt Service Reserve Account for the following purposes: a) the payment of the cost of the surety bond authorized herein; b) the reimbursement to the Commission of the Capital Expenditures; and c) for such other purposes as approved by Bond Counsel; provided, however, the funds released from the Debt Service Reserve Account shall not be invested in higher yielding investments (as defined in the Internal Revenue Code of 1986, as amended) prior to such expenditure.

Section 4. Repeal of Conflicting Resolutions. All resolutions and orders, or parts thereof, in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

Section 5. Compliance With Sunshine Law. (This is a section which says we have complied with the Sunshine Laws.) and that all formal actions of the Commission relating to the adoption of this Resolution were taken in an open meeting, (which was today) and that all deliberations of the Commission and of its committees, if any, which resulted in formal action were in meetings open to the public, in full compliance with Section 121.22 of the Ohio Revised Code.

Madame Chair and Commission Members, I recommend that the Commission move to adopt the resolution for the reasons stated by Commission Member Strnisha and our Chief Financial Officer, Mr. Steiner, and our Financial Advisor, Mr. Erickson. I like the idea of having the cash available to fund our continued construction projects and have the idea of the insurance or surety replacing the debt service fund. The Debt Service Fund is mandated, we don't have a choice. We were required to have that \$50-M. Having that large of an amount sitting and not working is probably not the best use of funds. We do recognize we are in the good times today, traffic is up. As Mr. Steiner mentioned, we are up 3.4% over last year, but there are always external factors that you never know – for example, gasoline prices. We all see gasoline prices rising. Overall January has been a good month but if it is a prolonged issue with gasoline prices we don't know

what the affect will be on our traffic. We have seen the weather, economic fluctuations and economic conditions in the past over in excess of 45 years of being opened on the Turnpike. I don't expect this to be any different, but I would prefer to have the cash available as opposed to being used in that. As a substitute of the surety, I think with what Commissioner Greenwood pointed out is correct. I think you could do one or the other. I think the exercise of deciding which option is a necessary exercise that we have to address but I would recommend that we would utilize the surety instead of the cash. I also like the idea of the surety bond giving us an opportunity to pass over this quarter and possibly another quarter before we need the money and going into the year 2001 and hopefully the interest rates will be as attractive as when we had our past borrowings which created this problem of arbitrage. You are not allowed to make money on the money you borrow. That's essentially the spirit of the arbitrage rule. You can't borrow the money, for example at 5% and invest it and earn 7% on the money that you borrowed. That would go against the spirit of the legislation and the spirit of what a public body should be doing. I would recommend that the Commission move to adopt this resolution.

Leever; I need a motion.

Strnisha: Gino, I realize that's probably standard language, but it says, the Chairman, Vice Chairman, Secretary-Treasurer and Executive Director are each alone, or in any combination, --- is that common?

Zomparelli: It has been common as far as the operation of the Ohio Turnpike and bond counsel this was prepared by them. It's just to make sure someone is there and available to sign. These are the authorizing agents who are limited to signing and these are what they recognize as the appropriate authorized parties. You can sign if you like.

Leever: Any further questions?

Greenwood: I just want to make one point for the record I understand the concept of arbitrage, what I am talking about is – I'm not suggesting that you are making money at 7% on money that was borrowed at 5%. I'm talking about putting your own money in. I question whether or not since it's your own money and not borrowed money, if there is any restriction. You say as long as it goes into that fund it's capped no matter whose money it is?

Steiner: No, Madame Chair, Commission Member Greenwood, if we would put our own money in there then it is not subject to arbitrage. The reason it is subject to arbitrage is because the money came from bond proceeds. But right now we need all our money we are generating from operating funds we need those for the construction costs right now. But you are correct.

Leever; Now may I have a motion?

Strnisha; I move for adoption.

Blair: Second.

Roll: Mr. Strnisha-yes, Mr. Blair-yes; Mr. Greenwood-yes; Mr. Williams-yes and Mrs. Leever-yes. The resolution is adopted.

Zomparelli: That is all the resolutions I have, Madame Chair and Commission Members. I do want to note to the Commission Members is that the next scheduled meeting of the Oversight Committee is Tuesday, March 21, 2000 in Columbus. At that Oversight Meeting we will continue to apprise the Committee of all budgetary and financial matters and construction projects that the Turnpike is involved in.

Also, I'd like to point out that Karen Lenehan and myself are involved with the Ohio Bi-Centennial Commission celebrating the Bi-Centennial and we are working with the subcommittee on

Transportation and addressing transportation issues and we are going to push for the Cuyahoga River Bridge to be somehow noted in the Bi-Centennial celebration. What better way to go into the new 200 years than with a brand new bridge.

I also would like to report on a traffic record as a final item that even though our traffic went up 3.4% and we exceeded the \$45-M mark, we did maintain the lowest fatality rate ratio per 100 mile vehicles traveled so this would be a record year and we would hope that would continue and with the work of our new Highway Patrol Captain and our good work by our maintenance crews. That's all I have if there are no further questions, Madame Chair.

Leever: I would just like to say that Gino had some flowers delivered to him from our compatriots – from the Pennsylvania Turnpike Commission on our opening today. That's very nice. Now, the report from our Deputy Executive Director, Mr. Arlow.

Arlow: Thank you Madame Chair, Commission Members – we had three ongoing projects at this time which started last fall and will continue. We have three third-lane projects which continue to work without any interference to the traffic. They will be finished in late fall of this year. We have the Eastgate Toll renovation project which is ongoing. That will be completed at the end of this year and we have the Cuyahoga River Bridge that is under construction and it will take 3 more years for that to be completed. That's all we have under construction at this time, but our construction season will start in March as you heard today with the renovation of the two service plazas in Portage County and in April our resurfacing projects get underway. That's all.

Leever: Is there a report from our trustee?

Lamb: No report, Madame Chair.

Leever: Any report from our general consultant?

Riley: No report, Madame Chair,.

Leever: Any report from General Counsel?

Amato; Madame Chair, we have been monitoring a lawsuit, a class action suit, brought by the Owners Operators Independent Drivers Association (OOIDA) concerning the issue of double taxation tied into the fuel tax which we are not part of this suit, but we have been monitoring it because it could have an affect ultimately on our revenue from fuel tax. The magazine, Tollways, reports that the state courts in Illinois, Indiana and New York have dismissed the class actions in those states brought by the OOIDA. Ohio is the remaining suit and it has yet to rule on a motion to dismiss. They are pending. So we will keep the Commission advised of any developments in that regard. I have no further report, thank you.

Leever: We are very glad, Mr. Amato when you report is short. That's a good sign. Captain Farris, we will hear from you now if you have any report for us today.

Farris: Good morning Madame Chairwoman, Commission Members, Executive Director. Can you call hear me? This is the end of my second week in this role as Commander of Turnpike Operations. I thought before I go into my brief report, I'd give you a little background information on myself. I am originally from Toledo. I attended high school in Toledo and am a graduate of the University of Toledo. Tom, you won't hold that against me. Following my graduation from Highway Patrol Academy in 1981, I was assigned to the Swanton Post on the Ohio Turnpike where I spent 5.5 years. My 19 years with the Highway Patrol have included assignments at Walbridge, Granville, the Training Academy, Human Resource Management, Wilmington District

Headquarters and now I am proud and pleased to be back on the Ohio Turnpike – back home if you will.

I am married, have three sons – the youngest of whom is a student at Eastern Kentucky University and have one granddaughter. She is 2-1/2 years old. I hope that gives you a little background information on myself.

We heard some statistics earlier this morning about traffic volume on the Ohio Turnpike. I think the most impressive of the statistics are that total traffic has increased 3.4% on the Ohio Turnpike during 1999 over 1998 and commercial traffic increased 7.4%. With a total miles traveled in excess of 2.65 billion miles. In spite of those increases we tied an all-time low in fatalities on the Ohio Turnpike of 8. That record was reached in 1998 and prior to that in 1986. I think that mark or low if you will is a tribute to the efforts of the Ohio Turnpike Commission and the Highway Patrol. However, 8 is too many in my opinion. I think that with continued partnership between the Highway Patrol, the Ohio Turnpike Commission, we can reduce that number even further. I'd like to say that some day this could be a fatal-free road. I don't know if that's realistic or not, but I do believe for certain that we can do better than 8. We certainly will strive to do that. During thus far in 2000, we have had 143 crashes on the Ohio Turnpike, 28 injuries and one fatality thus far this year. We didn't get off to a real good start since that fatality was in January, but so far we are holding our own. With efforts on both our parts, I think we can do better than we have in the past. I think the construction of the third lane, the construction of the safety wall are leading to the reduction in fatalities and the continued construction of those projects I think will continue to contribute to the decreases in fatalities along with the efforts that we extend. I also want to add that 14 years ago when I left the Turnpike, there was nothing quite

this fabulous for the patrons to visit. I want to commend you all for the insight to see the need for this and be pleased and proud of this facility. Any questions for me?

Leever: Thank you very much, Captain. We welcome and hope you enjoy your stay with us. I would also like to say at this time that I am sorry he is not here today, but we will miss Captain Escola. We wish him well and congratulations to him and we will miss him, but we are happy to welcome our next Captain.

If there is no further business, I will accept a motion to adjourn until April 10.

Greenwood: I move we adjourn until April 10<sup>th</sup>.

Williams: Second.

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

Leever: We are adjourned and safe driving, please.  
(Adjournment: 11:55 a.m.)

/dsp

