

# MINUTES OF THE 469th MEETING OF THE OHIO TURNPIKE COMMISSION

**July 23, 2001**

Pursuant to the bylaws, the Ohio Turnpike Commission met for a meeting at the Commission's Administration Building at 10:04 a.m. on July 23, 2001, with members of the staff: Gino Zomparelli, Executive Director and Assistant-Secretary Treasurer, Daniel Castrigano, Deputy Executive Director-Chief Engineer, Rob Fleischman, Asst. Chief Engineer, Kerry Ferrier, Traffic Engineer; Pat Patton, Government Liaison Officer, Thomas Amato, General Counsel, James Steiner, CFO/Comptroller; Richard Morgan, Director of Information Systems; David Miller, Chief Auditor; Tim Ujvari, Maintenance Engineer and Lauren Hakos, Public Affairs Manager.

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. Williams, Mr. Greenwood, Mrs. Leever  
Nays : None

Executive Director Zomparelli advised that Mr. Strnisha called and said he was running a few minutes late and would be here later. The Chairman advised that Senator Armbruster and Representative Buehrer were unable to attend today's meeting.

The Chairman advised that a number of guests were in attendance, and she would like them to introduce themselves.

The following representatives attended the meeting:

Dennis Wilcox, Climaco, Lefkowitz; Eric Erickson, Fifth Third Securities; Charlie Visconsi, Stratford Shields, Morgan Stanley; John Petty, Matthew Stuczynski, Nat City Investments; Mary Sullivan, Peck, Shaffer & Williams; G. Alan Plain, consultant; Bobby Everhart, Mike Burgess, URS; Courtney Shea, Salomon Smith Barney; Mark Miller, Apex-Pryor; Tom Derr, OSHP; Tom Coady, Porter, Wright; Howard O'Malley, B & T Express; Frank Lamb, Huntington Bank; Chris Hopkins, Key Bank; Christine Robinette, National City Bank; Tony Yacobucci, HNTB; Steve Mayer, Steve DeLung, Tom Louis, Operating Engineers, Local 118; George

Palko, Great Lakes Construction Co.; Tom Travis, HMS Host; Kevin Redden, Gladieux Corp.; Heidi Jedel, Tracy Cowley and Diane Pring.

The Chairman welcomed all in attendance. This is the Commission's 469th meeting of the Ohio Turnpike Commission. We are meeting here in the Commission's headquarters as provided for in the Commission's Code of Bylaws.

The minutes of the last Commission Meeting of June 11, 2001 have been distributed to the Members for their comments, and I will accept a motion to adopt them without reading.

The minutes were moved for adoption by Mr. Williams and seconded by Mr. Greenwood. 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. Greenwood, Mr. Blair, Mrs. Leever.

Nays : None.

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

If there are no further questions at this time, we will 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 June 11, 2001:

1. Draft of Commission Meeting Minutes of June 11, 2001
2. Traffic and Revenue Report, June 2001 \*
3. Traffic Accident Summary Report, May 2001
4. Financial Statements, May 31, 2001
5. Revenue by Month & Year, May 2001
6. Investment Report, June 2001 \*
7. Preliminary Official Statement, \$100,000,000 Revenue Bonds, 2001 Series A \*
8. Preliminary Official Statement, \$101,345,000 Refunding Bonds, 2001 Series B\*

9. Various News Releases

- copy included in the Commission Members' folders

Leever: Thank you, Mr. Greenwood. Mr. Steiner, it's time for our report on financial and budgetary matters.

Steiner: Good Morning Madame Chairman, members of the Commission. Despite the economic slowdown, our traffic has been surprisingly strong. Passenger car traffic for the first six months of this year totaled 16.9-M vehicles exceeding the previous record set last year by 22,000 cars or 0.1%. Commercial traffic for the first half of the year total 4.4-M vehicles falling short of last year's record by 242,000 vehicles or 5.2%.

Total traffic for the first half of the year totaled 21.3-M vehicles falling short of the previous record set last year by 221,000 vehicles or 1%. While total traffic for this year did fall short somewhat short of last year's exceptionally high levels, traffic during the first half of 2001 was 559,000 vehicles or 2.7% higher than the traffic in 1999 which at that time was an all-time record.

With the somewhat lower commercial traffic volume that we have seen this year, the total general fund revenues for the first 6 months of 2001 were \$1.4-M below the amount we budgeted. However, this revenue shortfall was more than offset by lower than budgeted expenses for this period. Our operating maintenance and administrative expenses for the first half of the year were \$4.9-M less than the amount budgeted. A relatively mild winter season resulted in lower than expected snow removal costs. Also, we had personnel cost savings related to the Voluntary Early Retirement Incentive Plan and also the installation of new ticket-issuing equipment at the renovated toll plazas.

On another matter we recently completed the sale of two series of bonds. Actually, they are not actually quite complete. Madame Chairman, as I mentioned this morning, there are a few documents for you and our Secretary-Treasurer Greenwood to sign at the conclusion of this morning's meeting. The "new

money” Series A bonds had a par value of \$100-M. The proceeds from this issue will be combined with Turnpike revenues in order to complete our current Capital Improvement Program. The Series B bonds had a par value of \$93.5-M. The proceeds from this issue will be used to advance refund a portion of our outstanding 1994 and 1996 bonds to take advantage of lower interest rates.

Our financial advisor, Eric Erickson, will be providing details about those bond transactions in his report this morning. Madame Chairman, that completes my report and I’ll be happy to respond to any questions.

Leever: Thank you, Mr. Steiner, are there any questions? So much work that’s being done and it sounds as if it was summed up in just a few moments and we realize the complexity and the work necessary to have arrived at this point. I just want you to know we do appreciate that.

Welcome Mr. Strnisha (10:10 a.m.) We just had the report from Mr. Steiner and that’s the point where we are at -- onto our staff reports, we’ll start with our Executive Director, Mr. Zomparelli.

Zomparelli: Thank you, Madame Chairman. We have a busy Commission meeting this morning. We have several draft resolutions in the Commission members’ folders. The first draft resolution to be presented is captioned, “Resolution authorizing the Executive Director to reject bids and to take action concerning award of Contract No. 43-01-02.” The Commission duly advertised for bids for a contract for the reconstruction of CSX railroad bridge over the Ohio Turnpike at Milepost 157.2 located in Cuyahoga County, Ohio which contract has been designated Contract No. 43-01-02. On July 13, 2001, the Commission received eight bids for the performance of said contract, however, those bids have been reviewed by our Deputy Executive Director-Chief Engineer, Mr. Castrigano. After meeting with Mr. Castrigano, we have decided that there is a need to make some revisions to the specifications of said bid and that we are recommending to the Commission to reject the bids because of revisions to the scope of work and to take into account revised specification and fabrication methods. We hope by making these modifications

and changes the result will be significant savings to the Commission. Because of the timing and not expecting the next Commission meeting until late September, we are requesting that the Commission give the Executive Director the authority to re-advertise and award and negotiate a new contract. I'll read the Resolved as you can see from the bid tab attached to the packet, the bids ranged from \$9,882,250.85 to \$12,591,577.00. The eighth bidder at the \$12-M bid was significantly higher than the other bids. The other seven bids were very close. The lowest submitted amount to the second highest amount submitted – it's less than \$1-M difference. I'll read the Resolved given the magnitude of the contract:

“NOW, THEREFORE, BE IT

RESOLVED that the above-mentioned bids hereto received pursuant to the advertisement for bids upon Contract No. 43-01-02, for reconstruction of CSX railroad bridge over the Ohio Turnpike at Milepost 157.2 located in Cuyahoga County, Ohio, be and the same hereby are rejected, and the executive director is authorized to notify the bidders in writing of said action, and to return to the bidders the bid security furnished by it; and

FURTHER RESOLVED that the executive director and general counsel hereby are authorized and directed to take any and all action necessary to re-advertise for bids for Contract No. 43-01-02 for reconstruction of CSX railroad bridge over the Ohio Turnpike at Milepost 157.2 located in Cuyahoga County, Ohio, forthwith; and

FURTHER RESOLVED that the authority hereby granted to the executive director and general counsel shall include authority, if deemed appropriate, to execute a contract with the lowest responsive and responsible bidder;

FURTHER RESOLVED that the executive director may take such action aforesaid, provided that the deputy executive director/chief engineer concurs in the recommendation of award and that the general counsel issues an opinion that the successful bidder complies with all statutory requirements of the State of Ohio and complies with the policies of the Commission; and

FURTHER RESOLVED that the executive director of the Ohio Turnpike Commission is hereby authorized to take any action necessary concerning award and execution of Contract No. 43-01-02 for reconstruction of CSX railroad bridge over the Ohio Turnpike at Milepost 157.2 located in Cuyahoga County, Ohio, prior to the next meeting of the Commission, including the award of contract for such invitation or the rejection of the bids received in response thereto.”

General Counsel has reviewed the bid documents and concurred in the recommendation and has given an opinion that the Commission has reserved its right to reject all bids. The Deputy Executive Director has had some good conversations with our engineers and the engineers representing CSX and we think it would be in the best interests of the Commission to

reject the bids and re-advertise as soon as possible. I'd recommend that the Commission move to adopt this resolution.

Leever: We need a motion?

Blair: I'll move.

Strnisha: Second.

Leever: Any questions?

Blair: Ruth Ann, Dan – when you re-bid this, will you figure out exactly where – or do you know why your engineering estimate was so much lower? Did you analyze that?

Castrigano: Yes, the original estimate was below the actual bid amounts due to the materials of the construction work at the bridges fracture critical steel – the availability of the fracture critical steel also the testing and the controls that go on with the manufacturing of that steel. This was not taken into account in the engineer's original estimate. It just so happened that the temporary structure that we are constructing the railroad has given us some relief on manufacturing that structure with the fracture critical steel, we can use standard structural steel on that bridge. That will give us some significant savings on the temporary structure.

Leever: Any further questions? We had a motion and a second.

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

Zomparelli: The next draft resolution to present is captioned, "Resolution Awarding Contract No. 77-01-01." The Commission duly advertised for bids upon a contract for third-lane construction (Part A) which is from Milepost 151.77 to 155.78, said contract also includes grading, drainage, installation of traffic control devices, safety upgrading of guardrail and pavement widening and deck replacement of steel bridges and (Part B) slope repair near Lindbergh Boulevard, Milepost 157.60 to 157.70 located

in Cuyahoga County, Ohio which contract has been designated Contract No. 77-01-01.

This is for third lane construction outside the area where our headquarters are located and if you notice it also is in the vicinity of the prior resolution adopted for the railroad bridge at Milepost 157. The Commission received 4 bids on this contract. Bids have been reviewed and analyzed by the Commission's Deputy Executive Director-Chief Engineer. General Counsel also advises that the lowest bid conforms to requirements of the Ohio Revised Code.

"Now, therefore, be it

RESOLVED that the bid of **The S. E. Johnson Companies, Inc.** of Maumee, Ohio, in the amount of **\$16,864,104.45**, utilizing its base bid using crushed slag in the surface course for the performance of Contract No. 77-01-01, 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. 77-01-01 is designated a System Project under the Commission's 1994 Master Trust Agreement."

S. E. Johnson Company of Maumee, Ohio has obviously done a lot of work for the Ohio Turnpike in the past. We received good bids. The bid tab is attached and the lowest bid is lower than our engineering estimate. I recommend that the Commission move to adopt this resolution.

Leever: Your first two bids are very close. When will this begin?

Castrigano: Madame Chair, this project is scheduled to begin after Labor Day.

Blair: I'll move for adoption of this resolution.

Williams: Second.

Leever: Any questions?

Strnisha; Madame Chairman, I assume that alternate is a different material. What's the basis since the alternate bid is lower? What's the thinking behind the base bid?

Zomparelli: Madame Chair, Commission Member Strnisha, in all the bids that the Commission has included in the past an alternate, one using slag and one using stone and the crushed slag has a superior skid resistance. The alternate is used as a basis to keep the bidders honest in the bidding process. We are going to be looking at that in the future whether we will continue to include the alternate because the bids have come in from the last three years – they have always come in or close to where we have estimated. So the reasons maybe years ago for including the alternate may not hold true anymore. When you look at it and it seems so close between the base bid and the alternate, you think the savings, even though minor, may lead you to go to the alternate. In fact, when it's that close that's more reason to go with the base bid because of the superior skid resistance using the crushed slag. The real issue that the Commission could be presented in the future – if the crushed slag was so much more than the alternate – then we'd have a safety decision to make. We have had good results using the crushed slag.

Strnisha: Thank you.

Leever: Any further questions? Roll, please.

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

The resolution is adopted.

Zomparelli: The next draft resolution to be presented for Commission review is captioned, "Resolution Awarding Contract No. 77-01-02" The Commission advertised for bids upon a contract for third-lane construction from Milepost 168.68 to 172.02 located in Cuyahoga and Summit Counties, Ohio, said contract includes grading, drainage, asphaltic concrete lane and shoulder pavements, permanent concrete barrier, installation of traffic control devices and safety upgrading of guardrail, which contract has been designated Contract No. 77-01-02.



The Commission received six bids. Again, the bids have been reviewed, as usual, by our Deputy Executive Director-Chief Engineer. General Counsel has also reviewed the bids and is of the opinion that the bid conforms to statutory requirements. The low bid is below the engineer's estimate. In fact, all the bids were below the estimate. It was very competitive. The Resolved of the resolution reads:

“RESOLVED that the bid of **Kenmore Construction Co., Inc.** of Akron, Ohio, in the amount of **\$8,568,043.85**, utilizing its base bid using crushed slag in the surface course for the performance of Contract No. 77-01-02, 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. 77-01-02 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, please.

Strnisha: I move for adoption.

Blair: Second.

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

The resolution is adopted.

Zomparelli: The next draft resolution captioned, “Resolution awarding a contract for the purchase of gasoline and diesel fuel for a one-year period.”

The Commission advertised under Bid Invitation No. 3817 for the furnishing to the Commission of gasoline and diesel fuel for a one-year period. The Commission received two bids in

response to our invitation. They have been reviewed by our staff, bid tab is attached. The Resolved reads:

“RESOLVED that the bid of **Petroleum Traders Corporation** of Fort Wayne, Indiana for Groups I, II, III and IV of Invitation No. 3817 is, and is by the Commission deemed to be the lowest responsive and responsible bid received and is accepted and the chairperson and executive director, or either of them, is hereby authorized (1) to execute a contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid invitation; (2) to direct the return to the other bidder of its bid security at such time as Petroleum Traders Corporation has entered into a contract and furnished a performance bond required thereby; and (3) to take any and all action necessary to properly carry out the terms of said contract.”

General Counsel has reviewed the bids and is of the opinion that they are in compliance with statutory requirements. You can see that the maintenance engineer, Mr. Tim Ujvari, has also made his recommendation and his memo is also included in our packet as well as a breakdown of gasoline and diesel prices. I’d recommend that the Commission move to adopt this resolution.

Leever: I have a question – have these people supplied us in the past?

Castrigano: Yes, they have.

Greenwood: Just a question, Madame Chair - given the volatility of fuel prices, was there any question raised as to whether it is a good idea for us to buy for a year and the question was raised, why did we conclude to buy for a year?

Castrigano: Prices are adjusted on a weekly basis. There is a publication, “Oil Price Informational Service.” It gives the average price for Cleveland, Toledo and Youngstown areas. The bidder bids a price differential – their profit margin. We go by that weekly price and add on their profit margin. So we receive competitive prices throughout the year – depending upon what we get.

Williams: Madame Chairman, how does this compare with previous bids?

Castrigano: I believe Mr. Ujvari did a price evaluation with that using last week's gasoline prices and we had a 0.5% increase for the gasoline and 1.8% for diesel, Tim?

Ujvari: That's correct.

Castrigano: So we're basically flat from what we paid last year.

Strnisha: Madame Chairman, if I recall correctly from last year, there were more bidders on this. Any idea why only two bidders this time?

Castrigano: We can address that issue, Tim has contacted some potential bidders to see why they didn't bid.

Ujvari: Madame Chairman, Commission Members - Seaway was the low bidder on several of the items last year. They advised the Purchasing Agent that they could not process the bid in a timely fashion, and they were sorry they could not bid. There was a new bidder, Universal, they had not bid in the past, and we were glad to see them bid. We had three bidders last year.

Greenwood: Madame Chairman, I move for adoption.

Williams: Second.

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

The resolution is adopted. I don't want to speak on behalf of Senator Armbruster, but since he's very experienced in this industry, I'm sure he'll be happy when he reads the minutes that there were questions asked regarding the gasoline and diesel prices. I'll report to him at the Oversight meeting later this week.

Zomparelli: The next draft resolution to be presented to the Commission is entitled, "Resolution authorizing the Executive Director to take action concerning Award of Contract No. 26-01-01." The Commission has duly advertised according to law for bids upon a contract for the demolition of existing standard roadway

lighting and installation of high-mast lighting for the Ohio Turnpike Interchange 232 (f/k/a Interchange 16) located at Milepost 232.9 and Interchange 234 (f/k/a Interchange 16A) located at Milepost 234.1 in Mahoning County, Ohio, said contract is designated Contract No. 26-01-01.

It is anticipated that the expenditures to the Commission for the demolition of roadway lighting and installation of new, high-mast lighting at the above-mentioned interchanges will exceed \$500,000 which is my limit in accordance with Article V, Section 1 of the Commission's Code of Bylaws.

The Purchasing Agent advises that the bid opening is scheduled for July 31<sup>st</sup> and it would not be in time for our next regularly scheduled meeting which is tentatively scheduled for the later part of September. The Commission's Deputy Executive Director-Chief Engineer will review the bids when they are submitted and we would like to award prior to the September meeting so as not to jeopardize the construction schedule and the contract would not be put into the winter weather season due to the long delivery time for a new light poles.

The Resolved reads:

“RESOLVED that the authority hereby granted to the executive director and general counsel shall include authority, if deemed appropriate, to execute a contract with the lowest responsive and responsible bidder;

FURTHER RESOLVED that the executive director may take such action aforesaid, provided that the deputy executive director-chief engineer concurs in the recommendation of award and that the general counsel issues an opinion that the successful bidder complies with all statutory requirements of the State of Ohio and complies with the policies of the Commission; and

FURTHER RESOLVED that the executive director of the Ohio Turnpike Commission is hereby authorized to take any action necessary concerning award and execution of Contract No. 26-01-01 for the demolition of existing standard roadway lighting and installation of high-mast lighting for Ohio Turnpike Interchange 232 and Interchange 234, prior to the next meeting of the Commission, including the award of contract for such invitation or the rejection of the bids received in response thereto and is further directed to notify the bidders in writing of said action.“

Notice that it is for the two interchanges located in close proximity – 232 and 234. We expect to have savings by combining both interchanges. We don't want to give out our

estimates ahead of time, but just to give the Commission a range – anywhere from \$750,000 to \$1-M would be the total cost. I'd recommend that the Commission move to adopt this resolution.

Leever: How many lights are we talking about?

Castrigano: Madame Chairman, I would say one interchange – we would reconstruct that with approximately 12-15 high-mast poles.

Leever: My second question – what does year-round construction mean? “In the Notice to Bidders, it says: “all contractors, subcontractors, material suppliers and manufacturers shall base their bid and work on year-round construction for this project and are to comply with the established completion date accordingly regardless of weather.”

Castrigano: That means, we won't expect them to shut-down due to the winter weather although we would have to get the concrete foundations installed prior to award.

Leever; That would begin this fall if we get a proper bid?

Castrigano: Yes.

Leever: In the bid, you will have a completion date, I assume? When do you estimate that?

Castrigano: Rob – help me out on this one.

Fleischman: December 31<sup>st</sup>.

Castrigano: So if we didn't get authorization to award, we probably would not be able to hold to that completion date.

Leever: It would be good if we could get it done before the really bad weather arrives.

Castrigano: That's correct.

Zomparelli: Madame Chairman, the other reason is that this project is in tandem with work being done at the interchange so timing is

important. When you have mobilize and re-mobilize because of winter conditions, you'll incur extra costs. The other reason for that kind of language if you read between the lines – the Commission is very strict on its liquidated damages claims and we expect all contractors to adhere to the schedule and we weigh any claims very seriously especially when they try to rely on weather conditions delaying the project. The next issue would be to ask for additional moneys.

Blair: How do they change the lightbulbs in those high-mast lightings?

Castrigano; The heads – we have a motorized, big electrical drill that goes onto a chuck inside the pole and it is geared and the heads come down on a cable to ground level to change.

Strnisha: One last question – I don't know if this requires an amendment, but there is nothing here that says that you will report back to us on the results. As I recall, we do this very rarely in terms of delegation, but I think it's totally understandable. Obviously, it should be a rare occasion based on extenuating circumstances. Will you report back at the next meeting?

Zomparelli: Madame Chairman, Commission Member Strnisha, we will do that as a matter of course. It's a good idea.

Strnisha: I'll move for approval.

Williams: Second.

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

The resolution passes and is adopted.

Zomparelli: The next resolution is titled, "Resolution Concerning the Financial Condition of the Commission."

This is a resolution that has been drafted pursuant to the requirements of the Commission's Master Trust Agreement. The Commission's CFO/Comptroller has analyzed the Commission's financial condition and advises that the

Commission on that basis of his analysis that the Commission's revenues for the year 2001 will be sufficient to meet the requirements of 4.04(a) of the Trust Agreement and has set forth a detailed statement of the actual and estimated gross revenues, series payments, additional system payments and supplemental payments and a certification of same is before the Commission.

According to the Master Trust Agreement between the Commission and Huntington National Bank, dated February 15, 1994, the agreement requires that on or before July 31 of each year the Commission shall complete a review of its financial condition for the purpose of estimating whether the gross revenues will be sufficient to provide, together with series payments, additional system payments and supplemental payments, the amount specified in Section 4.04(a) of the Trust Agreement. The Commission's CFO is here to answer any questions regarding this.

The resolution reads:

“NOW, THEREFORE, BE IT

RESOLVED that the Commission having reviewed the analysis prepared by the CFO/Comptroller determines that there will be sufficient Gross Revenues for fiscal year 2001 together with Series Payments, Additional System Payments and Supplemental Payments to meet the requirements of §4.04(a) of the Trust Agreement and hereby authorizes and directs the CFO/Comptroller to issue a certificate required by §4.04(b) of the Trust Agreement; and

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

I recommend that the Commission move to adopt this resolution.

Leever: We need a motion.

Strnisha: I move to adopt.

Greenwood: Second.

Leever; Any questions? Please call roll.

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

The resolution passes and is adopted.

Zomparelli: The next draft resolution to be presented to the Commission is captioned, “A resolution authorizing a modification to the “dated” date of the State of Ohio Turnpike Revenue Refunding Bonds, 2001 Series B heretofore authorized”

The Commission previously determined that it was necessary to issue an amount not to exceed \$115,000,000 aggregate principal amount of State of Ohio Turnpike Revenue Bonds, 2001 Series B in order advance refund certain outstanding bonds of the Commission.

The Commission previously authorized the “dated” date of 2001 Series B refunding bonds as July 1, 2001. Morgan Stanley & Co., Inc., as representative of the underwriters, has recommended a modification to that dated date be made to August 15, 2001 in order to align the dated date with the proposed closing date of the 2001 Series B Refunding Bonds.

We might as well give you some background. At this time, we’ll have Eric Erickson report to you on the status of our refunding that was priced last week.

Erickson: Thank you, Madame Chairman, Members of the Commission, first of all, let me comment briefly on the change in the “dated” date. You will recall your normal principal interest payments are made on February 15 and August 15<sup>th</sup>. This coincides so they go ahead and make your normal interest payment and the new one starts up right after that. It makes sense to bring the two together.

Let me first of all step back a minute and I know each of the representatives of the underwriting syndicates wants to spend a few minutes discussing their respective issues. I just want to give a brief summary. Back in May, you will recall, we selected two teams to advance two separate issues – the new money issue for approximately \$100-M and a refunding issue, at the time we thought was going to be somewhere around \$50-



60-M. As it turned out, it was \$93.5-M. This new money issue team was led by Nat City Investments and included Salomon Smith Barney, Seasongood & Mayer, as co-senior underwriters; A. G. Edwards, Apex Pryor and Lehman Brothers as co-managers. Series A was marketed two weeks ago right here in Cleveland. It went particularly well. We hit the market at a very attractive time. The issue was a 30-year issue, an average life of 18.8 years. I don't want to take some of John's thunder here, but it was 5.19% interest rate. I think what's important about this issue is that approximately 35% of the issue was sold to individuals. There was an incredible demand among individuals for that issue. More than I have ever seen in the past. Normally, a good retail order period would be upwards of 15% because municipal bonds are generally institutional type instruments. But this particular bond attracted enormous amount of interest among individual investors. I think that's important. Those are your stockholders in essence. I think that's a real tribute to the road. I'm going to let John talk about where they were sold and what individual firms sold and that sort of thing. It was a very attractive sale and we certainly appreciate their help on it.

The advance refunding issue was sold one week later and was a little bit more complicated in the sense that the tax-exempt market was actually very attractive and very stable. The taxable market, on the other hand, was dropping and on an advance refunding, as you recall, a new issue is sold, the proceeds of which are deposited into escrow. The escrow is invested in US government securities. Equally important to the tax-exempt is the taxable US government securities market. And what was happening was the spread kept getting wider and wider as we sold these securities. To the credit of the syndicate which was Morgan-Stanley; PaineWebber, as senior manager, Bear Stearns and McDonald Investments as the other co-managers, they went at risk for the whole \$93.5-M issue while the underwriters bid-out the actual escrow securities. So they knew that there was an actual advance refunding transaction that took place. When it was all done the actual interest rates were a little better than what the actual syndicate went at risk for. It turned out that the average interest rate for this issue was 4.45%. Remember, though, that the average life on this issue was much shorter – 8.8 years compared to almost 19 years for

the new money issue. In addition, the savings to the Commission was a little over 3.19% or 3.2% savings – approximately \$3-M of present value savings. Specifically, the actual debt service overall will be lower for the first 6 years by about \$275,000 and from years 7-13 by almost \$400,000. So there was substantial savings as a result of this particular transaction and I just wanted to complement both underwriting teams. They did a very good job and they worked to the credit of the Commission and I think overall, they were very successful transactions. I'd like John Petty and Stratford Shields to make a few comments.

Zomparelli: We will do that next because I'd like to get the resolution completed.

Erickson: Any questions?

Blair: Is the economy reflecting why so many individuals decided to go out on this? Is that any reflection on the economy?

Erickson: I think it's a scarcity issue – the fact that this is probably the last issue that the Commission will do at least for the near term maybe longer as far as we know. It's a kind of issue that gets people excited. There are several issues in Ohio that can get people excited – Ohio State University – people use this particular project in the sense that they drive on it a lot and they want to own some of it. They know it's a good credit plus it's AA credit. On the other side, the tax-exempt market is pretty attractive right now in terms of people are very interested in it. They are shifting away from equities a little bit and with a fixed income, this should be attractive.

Zomparelli: Thank you, Eric. Madame Chairman, Commission Members, reporting to the Commission that we did go and proceed with the refunding as we were authorized to do. What also happened was that the Commission was able to take advantage of a common plan of finance by advance refunding these bonds within the 15-day period of our “new money” issue. We will also give you a complete re-cap and report. We were extremely pleased with the work done by our stakeholders – maybe a better word than stockholders in purchasing our bonds. We added to the Commission's wellbeing that a good job is done in

managing the finances of the Ohio Turnpike Commission as well as managing our third-lane and Capital Improvement program, our bonds were a sought-out commodity. We did, in fact, have the “new money” issue and this resolution pertains to the “advance refunding” which was completed last week. This is only a date clarification item – we are just switching the dates. Then we will give the Commission a full report on what happened, how we priced, what rate we received and hopefully this will carry us for another construction season to pay all our contractors.

The Resolved of the resolution reads:

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

Section 1. Date of 2001 Series B Refunding Bonds. The 2001 Series B Refunding Bonds shall be dated August 15, 2001. All actions of the Underwriters, as such actions relate to the date of the 2001 Series B Refunding Bonds, in connection with the sale of the 2001 Series B Refunding Bonds with the dated date of August 15, 2001, are hereby ratified and approved.

Section 2. Date of Related Documents. The Twelfth Supplemental Trust Agreement, together with documents related thereto, shall be dated as of August 15, 2001.

Section 3. 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 4. Compliance With Sunshine Law. It is hereby determined that all formal actions of the Commission relating to the adoption of this Resolution were taken in an open meeting, 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.”

I recommend that the Commission move to adopt this resolution.

Williams: I move for the adoption.

Greenwood: Second.

Leever: If there are no questions at this time, roll please?

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

The resolution is adopted and passed.

Zomparelli: OK, we have completed all the draft resolutions. I wish to report to the Commission on the change we propose to make to our LCV program and over-dimensional permits. That documentation is included in your folders, and I'll ask the Deputy Executive Director to give you a summary of what action the staff has taken in regards to the LCV Program and over-dimensional vehicles.

Castrigano: Thank you, Mr. Zomparelli. Madame Chair, Commission Members, I believe in your packets you have three drafts of proposed revisions to the Commission's LCV Program and Over-dimensional Permit Fee Schedule. The two legal size documents are proposed revisions to the doubles and triples program. I'll try to keep this brief. Other than equipment changes and updates that we have incorporated into. The Engineering, OSHP, Legal and Auditing Departments met to incorporate the revisions to these programs.

The couple bigger changes are: in the doubles program we are proposing to permit vehicles that do not have identical length trailers. Up to now, the LCV program required that all doubles have identical length trailers. After considerable research by the Traffic Engineer, we determined that a lot of the users of the program to facilitate their operations with the rail terminals, they would like to have the mixed length trailers in the program. That would not cause any detriment to the program.

The second major change to the program are fee structure. We currently require a \$1200 yearly certification fee for tractors that are in the triples program. There is not that requirement for the doubles program. We are proposing to require the doubles also pay that \$1200 yearly fee. We found out that we have a lot of triples being hauled by tractors that are certified for doubles. That's one change.

Another change we would like to incorporate is a certification fee for the drivers. We require more stringent safety records and driving experience with the drivers that participate in both the doubles and triples program. We are proposing a \$25 certification and re-certification fee to be paid when they register and when their commercial drivers license expired

which is on a four-year basis. This is basically a \$25 fee every four years for the driver. Those are the major changes to both the doubles and triples program.

The third component is revisions to the over-dimensional permit structure – refer to the letter-size packet of information. We have done quite a bit of comparison with our existing fee structure along with the structures of over-dimensional fees in Pennsylvania, Indiana and New York toll facilities. The third page of the packet has a comparison for our old method, our proposed method and comparisons to the fees charged in Pennsylvania, Indiana and New York.

Even with the proposed changes/increases to the over-dimensional permits, we are still lower than the other three toll roads. That basically summarizes the changes in a nutshell.

Zomparelli: Thank you, Mr. Castrigano. This was a program that I instructed the traffic engineer, Kerry Ferrier, to start working on. He did a good reviewing and coordinating the efforts. We are just trying to bring consistency in the program between the doubles and triples operators. There is no fee increase for the triple operators? Is that right, Mr. Castrigano?

Castrigano: That's right, there's no fee for the certification of the triple tractor.

Zomparelli: The question is that if the triples are paying a fee so should the doubles. However, just to provide informational meetings and give a heads-up, we plan to have probably three meetings along the Turnpike corridor to inform operators and give them an opportunity to ask us questions. We are looking to make these changes effective January 1<sup>st</sup> so there is plenty of lead time that the operators will have to incorporate in their management or budgetary changes they need to make. This is plenty of notice. If you look at the schedule again, the permit fee schedule, we are still significantly lower than the other toll roads generally and these rates should not prove to be burdensome.

The question with the doubles was actually raised by UPS – they had explained to us that the use of the different size trailers for their doubles will help them with their shipping and

logistics because they use these different size trailers not only for products they are shipping with an origin and destination in Ohio, but this could be trucks that are coming in from New York or points further east or west. So it wouldn't require them to have different trucks, different operators or to break down vehicles between state lines. We feel that we can accommodate them and at the same time have them adhere to our strict safety and certification program.

Castrigano: One thing that should be pointed out is the registration fees that we do charge, they are applied to towards construction and maintaining of the various tandem trailer lots located along the Turnpike, construction, maintenance, snow removal, etc. Those are paved lots.

Zomparelli: The next item I'd like to report to the Commission is to have our Manager of Public Affairs report to the Commission and explain about a program we are initiating at our service plazas, Ms. Hakos.

Hakos: Good Morning Madame Chairman, Commission Members. I am reporting on an event – the first of its kind that the Turnpike is having at one of new service plazas. It's going to be a "Car Care and Safety Day" event at the Great Lakes Service Plaza. It's going to be held this Friday, July 27<sup>th</sup> from 11:30 a.m. until 3:30 p.m. What this event is going to entail, we have spent the past 1-1/2 months putting together all the elements of this. It will be held in the back parking area behind the service plaza and we are going to have several safety vehicles such as the Metro Life Flight helicopter; their pilot a physician, nurse; also Broadview Fire & Rescue. They will bring a fire truck and one of their EMS vehicles. OSHP vehicle out there. Additionally, we will have a vehicle inspection area. We have contacted local auto care centers to obtain technicians who will if a patron would like to have their vehicle inspected – the exterior under the hoods – for free. They will receive a sheet giving the 21 point inspection listing everything they found. We will also have several vendors – Horizon Wireless providing free information about cellular phones. Patrons will be able to make free cellular phone calls. Sunoco will be out there promoting their product and giving away \$50 gas certificates. They will have their mascot out there. Ohio Trooper Cares will have their

Trooper Teddie – if we can find someone to wear the costume in this heat. These are just some of the activities that will be going on throughout the day. The Turnpike will have a booth distributing key chains, materials about the Turnpike, activity book, a coloring area for kids. The sponsors are Sunoco and Verizon Wireless. They gave monetary donations which we are putting in to promote the program on radio, on our website and with flyers. Contributors include: Pepsi, which donated two, 10' banners, Panera Bread which will be supplying volunteers with free food and beverages and MIX 106.5 which is a local radio station that is giving us some free air time to promote this event. Any questions?

Leever: Sounds like a lot of work.

Zomparelli: Thank you, Lauren. It is a lot of work. It's our first time trying such an event. It will be a learning process but this is the first step to try and use our service plaza facilities as community relations points and offer an additional service to our patrons.

We will report to the Commission at our next meeting how it went. Hopefully, it goes off without an incident.

The other thing I'd like to report is on July 11 we met with our Customer Advisors Group. We rented a bus. It went very well. Madame Chairman you were on that bus and you attended as well. In addition, Mr. O'Malley attended too who is in the audience. We drove out to the Cuyahoga River Bridge construction site. The bus driver drove the bus all the way down. It turned out he had a lot of experience driving big construction vehicles as he had worked with National Engineering. The comments we got from the Customer Advisory Group over and over was they learned so much on this trip. It was more than they had learned in the past about the Turnpike. We had taken them to a toll plaza interchange, took them out into the unit and the building, explained the process in managing toll funds and the process of toll classification. We went out into the lane, and they each had an opportunity to go into a toll booth. We explained that there is a lot more that happens than a car pulling up and there's a ticket issuing machine. There is a lot of computers and electronics and construction engineering that has made the process taken for

granted. There are loop detectors in the pavements, there are photogating equipment, we count axles, we classify by weight. We do this in such a short period of time that by the time the vehicle enters until the time they receive a ticket. I am happy to report that that went well.

The other item is the Oversight Committee is scheduled to meeting Friday, July 27 – the same date as the Car Care Safety Day in the morning at the Administration Building at 10:00 a.m. Senator Armbruster will chair the Oversight Committee.

Now we get to the most important aspect, our financing that we have just completed this month. At this point, I'm going to ask Mr. John Petty from National City to re-cap what happened with our "new money" issue.

Petty: Madame Chairman, Commission Members, on behalf of the syndicate from the Series 2001, Series A bonds, I'd like to thank you for giving us the opportunity to work with the Commission on this financing which will allow you to complete your construction projects. Needless to say, it was a very busy, compressed schedule starting in May and completing it in July. I want to take the opportunity to express to you the professionalism displayed by the staff of the Commission in attention to detail, availability, running two transactions at the same time and keeping them all straight. It made it a lot easier for us in completing the transaction.

As Eric pointed out, after discussions with the Commission's staff, we made a big effort in the Series A bonds to put bonds in the hands of retail investors. We ran ads around the state, we had signs. All the members of the syndicate did a great job in trying to flush out potential retail buyers. On Wednesday, July 11<sup>th</sup> we sold bonds for retail only. On that date, we received orders approximating \$50-M which is half the issue. As Eric indicated, well beyond what one would expect. I attribute a lot of it and I think the other members of the syndicate to the Turnpike itself. A lot of issues get sold and people have no idea what it is or they don't like what is being sold. I think in your case, people can see it, they drive on it, they have good feelings about it – it's well maintained. All of those things that go along with it. That plus your high credit rating. I might add



on the credit rating, because of your high credit rating and where the market was and because of the demand, we were able to sell the bonds except for the last maturity as uninsured and obtain rates that were very favorable to insured rates.

The fact that we had a lot of retail – what that translates to the Commission is lower interest rates. The coupons for the rates that sold retail are lower because they want parish type bonds which are closer to the yield on the bonds. So that saves the Commission money. Of the \$50-M we were able at the end of the first day to confirm \$35-M worth of orders. So going into the institutional sale, we had already put away 1/3 of the issue. The incentive on the institutional day was to push rates lower for the Commission and yields lower. On the institutional pricing day, we had orders for over 3 times more bonds than we had and pushed the yields down to where we had people just enough to complete the transaction.

I'd like to take the opportunity to thank all of our co-managers and co-senior managers for their support and it was our pleasure to be involved. There is a pricing book for you to review some of the transactions. Also we have copies of the final Official Statement. That transaction will close on Wednesday, July 25<sup>th</sup> and we will be wiring a little more than \$100-M to the Commission on that date.

Zomparelli: Thank you, Mr. Petty. Keeping in line with reporting on the “new money” issue, now we are refunding some of the prior bonds and Mr. Stratford Shields from Morgan Stanley will speak.

Shields: Thank you. Madame Chairman, Commission Members, I am Stratford Shields and there's Charlie Visconsi from Morgan Stanley. Just as the Executive Director referred to, this refunding refinancing was done as a common plan of finance. Functionally by selling these two deals within 15 days of each other, the Turnpike was allowed under IRS regulations to arbitrage under each deal. Since the new money deal was much longer than the refunding, it was to the Turnpike's benefit to lend.

Essentially, the Turnpike borrowed at 4.45% and it was allowed to reinvest its money in escrow at 4.72%. So essentially, the Turnpike was allowed to positive arbitrage on the refunding.

This deal was constantly moving given the relationship between the two markets. I think that the CFO, financial advisor and Executive Director last week spent a considerable amount of their time making sure they were fully up to speed on everything that we were proposing. I do think the three of them need to be singled out for their diligence to allow this deal to come to fruition given the rapidly changing market.

I have a Final Pricing booklet that I'd like to take you through very briefly – a couple of highlights. Section 1 – the first page gives you a summary of the transactions. On the bottom of the page is the caption “2001B All-in True Interest Cost: 4.45%. This is approximately 110 basis points lower than the 5.55% bonds that were refunded from the 1994 and 1996 series. On the following page it gives more information about the transaction. The most important two lines are the “Gross Savings of slightly greater than \$4-M and the Net Present Value Savings of slightly greater than \$3-M that the Turnpike achieved. The following pages are graphs showing savings by year of the Turnpike between now and 2013.

In Section 2 one of the things we talked about was rapidly changing markets. There is a graph on the right side titled, “Magnified Historical Review of Interest Rates”. Over the last month as you can see the treasury market moved around a lot. The last page of this section there is an article from The Bond Buyer about the Ohio Turnpike transaction.

Skipping to the end at Section 6, you'll see “Summary of Order” the actual sales transactions for the \$93-M financing there were more than 240,000,000 total orders. It was a very successful transaction from a marketing standpoint. If you have any questions, I'd be happy to respond.

Zomparelli: Thank you.

Strnisha: This was also not insured, right?

Shields: This was insured because this deal was a little different. It was insured from 2007-2013, and it had very large block sizes. We thought on a net basis, the insurance provided a little benefit on the market side. Also, the Turnpike got the surety for the debt service reserve fund provided for free by FSA. So all the insurance was to the Turnpike's benefit.

Zomparelli: Madame Chairman, I'd also like to take the opportunity to thank Mr. Petty and Mr. Shields for an excellent job working with our staff. We don't have a large staff and Mr. Erickson, we appreciate the expertise you provided. Things got a little bit tougher to digest and a decision had to be made quickly. We brought Mr. Strnisha into action and asked him a couple questions. I'd like to thank Mr. Strnisha for taking our call right away and giving us some advice and another viewpoint. Things worked out well. We actually went through a couple different scenarios. Mr. Steiner did a great job, too representing the Commission. He looked at the pricing. We made an executive decision to hold off a couple days knowing that we had to work within this 15-day timeframe and instead of pricing on Tuesday, I asked if he was willing to wait one week. He was nervous. We waited till Thursday (July 19<sup>th</sup>) instead of Tuesday. It ended up working out well.

Mr. Visconsi and Mr. Shields on the refunding were there to answer all our questions and Mr. Matt Stuczynski and Mr. Petty were very accommodating. It was nice to do a deal in Ohio – in Cleveland – and to have such large Ohio participation in the retail orders. The Commission can feel very proud in representing the State of Ohio on its bond deal especially with the designations that we did on both deals. Anything you want to add, Mr. Steiner?

Leever: Mr. Steiner is too tired to add anything. Many thanks to all of you.

Zomparelli: The last thing I want to make the Commission aware of because of an annual association meeting in September, we are asking the Commission hold its next regularly scheduled meeting instead of the second Monday of September (09/10) to September 24. This takes into account our annual IBTTA meeting and secondly, we will have more information and

better prospective on the report to the Commission on the strategy to be taken in the upcoming collective bargaining negotiations. Our agreement expires at the end of this year with our full-time toll collectors and roadway personnel. We have current union representation, and there is a second union that is trying to seek an election to represent that same collective bargaining unit. We'll be meeting with the staff and establishing our own negotiating team. I'll be sitting down with our General Counsel, Mr. Amato and Human Resources Manager, Kathy Dolbin. We have already started the work. Mr. Castrigano has been working with Sharon Isaac and Tim Ujvari on any changes or modifications – things that we like about the old agreement. We'll report to the Commission at that time.

Leever: Thank you, Mr. Zomparelli. You have taken care of a lot of business. Mr. Castrigano.

Castrigano: Thank you Madame Chair, Commission Members, I'll keep it brief. Although the hot dry weather has really played havoc with our lawns and gardens at home, it has really helped out our construction program. We more than made up for the wet spell in late May, early June. Those of you that came from the east this morning may have noticed that work is progressing well on both the back and the parapets the eastbound Cuyahoga River Bridge structure. Those that came in from the west may have seen the Middle Ridge/Vermilion Valley site, the structural steel is currently being erected.

Since our last Commission Meeting, we have completed the projects on two bridges – deck replacements over the Turnpike at Oregon Road at Milepost 67 and Stanley Road at Milepost 201.8. Next week we'll have another bridge deck completed – Lintz Road at Milepost 214.5. The resurfacing project in Erie County is complete. The one in Mahoning County, we have suspended work as per the construction schedule during the summer months. We will resume and complete that project after Labor Day. Our two, third-lane projects are on schedule and as is Exit 11, I-77 connection. That completes my report.

Leever: Thank you very much. Mr. Erickson, do you have anything further you wish to say at this time.

Erickson: I think I've said enough.

Leever: And from our trustee?

Lamb: No report Madame Chair.

Leever: Thank you. Lt. Derr?

Derr: Since the last meeting of the Turnpike in June, we had another fatal accident on June 12<sup>th</sup> at MP 64.5 (westbound) in Wood County. This involved three young men that were traveling in the right lane. They came upon a slower commercial traffic and for some reason swerved to the left, struck a concrete divider and overturned. A 22-year old man from Redding, Massachusetts who was sleeping in the back seat was killed in that crash. All three had just graduated from college in the State of Maine and were on route to Milwaukee at that time.

On July 12, this crash occurred at the 137.8 milepost (eastbound). This was an elderly couple from Highland, Michigan. The driver, a 82-year old male drove off the right side of the roadway, swerved back onto the road and struck, the concrete divider. The front seat passenger, his wife, 79 years old was pronounced dead at the scene.

Our third crash occurred on July 16 at 102 milemarker (eastbound). This involved a man and woman from Des Plaines, Illinois. The driver, a male, 21 years old, drove off the right side of the roadway, swerved back onto the roadway, went off the right side of the roadway, struck an embankment and overturned. He was killed in that particular crash. The ironic part of that is he had a 1999 Lincoln Towncar that is equipped with the airbags not only the dash but in the side doors. All those air bags deployed. If these people would have had seat belts on in conjunction with those airbags, their injuries would have been very minor. The 21-year old male lost his life for not wearing a seat belt. If there is any good thing about any of this, none involved alcohol. If we could teach people to wear seatbelts in conjunction with the airbags, it would make our job a lot easier and we would not have fatalities that we are having on the Turnpike. Are there any questions?

Leever: Thank you. In Defiance, we have a big sign that makes you stop and think. It says “Buckle-Up because you never know.” That should draw your attention to buckling up.

Do we have a report from our general consultant?

Yacobucci: Yes Madame Chair, Commission Members, as your general consultant, we have completed all the bridge inspections and pavement inspections with the exception of the areas that are currently under third-lane widening. Those reports are being compiled as we speak and will be submitted to the Commission at the end of this month. Facilities inspections are currently underway and those reports will be submitted at the end of next month and it will include eight structures we inspected last week. That report will be submitted at the end of August, also.

Leever: Thank you very much. Last but not now least, Mr. Amato?

Amato: Thank you Madame Chairman. Several months ago, the Director requested that we take a look at the existing Employee Manual for non-bargaining unit employees and to issue an update of that document which was last issued in July 1992. We put a team together – the Deputy Executive Director, Human Resources; Toll, Maintenance, Payroll, Mr. Steiner. We all got involved and hammered out the new Employee Manual. Although it’s a personnel manual, the law of physics apply and that is for every action there’s a reaction. Changing one word in one paragraph with all the existing laws – I’m sure Commission Member Blair is well aware of – FMLA, ADA and all the other laws – so after several months we did come up with the new manual that was issued. It’s effective July 1<sup>st</sup>. We will be having training sessions for toll, maintenance and the administrative staff on July 31<sup>st</sup> to answer any questions.

There are not a great deal of substantive changes – mostly changes in wording to bring it up to speed and reflect what actually was occurring at the Commission.

Leever; Does each employee receive one of these?

Amato: Each employee receives a new manual and new employees receive a manual upon hire. Are there any questions?

Greenwood: Did you have outside counsel involved on that team?

Amato: No, we did not for this manual. It's an in-house manual. We did not make that great deal of changes. Mostly just language to bring it up to date. That's all I have to report today.

Leever: Are there any questions? Thank you, Mr. Amato. If there is no further business, I will accept a motion to adjourn until September 24, 2001.

Greenwood: I move to adjourn until September 24<sup>th</sup>.

Williams: Second.

Roll: Mr. Greenwood-yes; Mr. Williams-yes; Mr. Blair-yes; Mr. Strnisha-yes; Mrs. Leever-yes. (*Time of adjournment 11:25 a.m.*)

/dsp