

MINUTES OF THE 490th MEETING OF THE OHIO TURNPIKE COMMISSION

March 17, 2003

Pursuant to the bylaws, the Ohio Turnpike Commission met for a meeting at the Commission's Administration Building at 10:01 a.m. on January 21, 2003, with members of the staff: Jerry Pursley, Deputy Executive Director; Daniel Castrigano, Chief Engineer, James Steiner, CFO/Comptroller; Tim Ujvari, Maintenance Engineer; Rob Fleischman, Asst. Chief Engineer, Sharon D. Isaac, Director of Toll Operations; Anne Fornshell, Director of Human Resources; Dick Morgan, Manager, Information Systems; Dave Miller, Chief Auditor; William Keaton, Telecommunications Manager; Richard Lash, Director of Safety Services; Rich Rob, Internal Investigator; Lauren Hakos-Dehrmann, Manager, Public Affairs, Joe Disantis, Legal Department; Heidi Jedel, Crickett Jones, Tracy Cowley and Diane Pring.

The Chairman wished everyone a "Happy St. Patrick's Day" and then called the meeting to order and requested the Asst. Secretary-Treasurer to call the roll.

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

Ayes: Chairman Greenwood, Mr. Wilkins, Mr. Dixon,
Mo Darwish

Absent: Senator Armbruster and Rep. Buehrer

Chairman Greenwood stated that The Ohio Department of Transportation's Director, Gordon Proctor, is not here today but Deputy Director Mo Darwish is here and authorized to vote for him. We have a number of guests here today, so I'd like everyone to introduce themselves as we customarily do:

Eric Erickson, Fifth Third Securities; Bobby Everhart, Mike Burgess, URS; Tony Yacobucci, HNTB; Kristin Yarborough (Elyria Chronicle); Dan Sokol, Dick Corp.; Michelle Wintering, Ohio Turnpike Commission Toll Dept. employee (Interchange 151); John Penton, Consolidated Investors; Capt. Bob Ferguson, OSHP; Howard O'Malley, B & T Express; Frank Lamb, Huntington Bank.

This is the 490th meeting of the Ohio Turnpike Commission, and we are meeting here in the Commission's headquarters as provided for in the Commission's Code of Bylaws as a "Special Meeting."

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

Chairman Greenwood said I 'd like to have may a motion to adopt the Minutes of our February 10th meeting. Mr. Dixon moves and Mr. Wilkins seconds. Any discussion regarding additions or deletions to the Minutes? If not, please call the roll.

Roll: Mr. Dixon-yes; Mr. Wilkins- yes; Mr. Darwish-yes; Mr. Greenwood-yes. The Minutes are adopted.

If there are no questions, I'd like to proceed with the report from the Secretary-Treasurer and the Executive Director will give that report.

Director Suhadolnik said Mr. Chairman and Members of the Commission, the following items have been sent to the members since the last regularly scheduled meeting of the Commission on February 10, 2003:

1. Minutes of the February 10, 2003 Commission Meeting
2. Traffic & Revenue Report, February, 2003
3. Total Revenue by Month & Year, February, 2003
4. Investment Report, February, 2003
5. Traffic Crash Summary, January, 2003
6. OTC Financial Statements, February 28, 2003
7. Various News Releases

The Chairman asked if there were any questions on the Secretary-Treasurer's Report. OK, report on financial and budgetary matters, Mr. Steiner?

Mr. Steiner reported that passenger traffic during the month of February 2003 totaled 2,359,000 cars falling short of last year's record volume by 44,000 cars or 1.8%.

Commercial traffic during February totaled 644,000 vehicles exceeding the level reached last year by 5,000 vehicles or 0.8%. Total traffic during the month of February totaled 3,300,000 falling short of last year's volume by 39,000 vehicles or 1.3%.

Passenger car traffic during the first two months of 2003 totaled 4,924,000 falling short of the prior record established last year by 21,000 cars or 0.4%. Commercial traffic during the first two months of the year totaled 1,332,000 vehicles exceeding the level reached last year by 24,000 vehicles or 1.8% .

Despite the adverse weather conditions we have experienced this year, total traffic for the first two months of the year totaled 6,257,000 exceeding the previous record set last year by 3,000 vehicles.

Our auditors from Deloitte & Touche have issued an unqualified or "clean" audit opinion on the Commission's 2002 year-end financial statements. Our Comprehensive Annual Financial Report is currently at the printer and the report should be available within about two weeks.

Mr. Steiner said that completes my report and I'd be happy to respond to any questions.

Chairman Greenwood asked if there were any questions for Mr. Steiner? Jim, one of the reasons we are having a special meeting and we will eventually switch to the "third" Monday to facilitate compiling your reports. Has that helped you out at all?

Mr. Steiner replied yes, Mr. Chairman, very much so. Typically I would have to spend the week-end prior to the Commission Meeting preparing the investment report, traffic and revenue report, and the revenue by month report and then those reports are copied and inserted into your folders the

morning of the meeting. I think it would be better for all concerned to have those reports prepared the week before the meeting and I hope those were all received through the mail in advance of the meeting. I think it would make it better for my staff and myself and also for the Commission Members to be able to review those materials before the meeting.

Chairman Greenwood said I agree with you. Any other questions for Mr. Steiner? Thank you. The Executive Director's report?

Director Suhadolnik said there were a few things I'd like to report before I ask you to adopt some resolutions. I want to introduce our new Director of Human Resources, Anne Fornshell, who is in the audience. I would also like to introduce our new "Internal Investigator, Richard Rob who is in the audience as well.

I also want to report that I've completed visits to nearly all the facilities now. I think I still have a couple toll plazas and a couple maintenance garages to visit, but I will continue those visits. We have also visited three newspaper editorial boards – the Toledo Blade, the Lorain Journal and the Elyria Chronicle and we also visited with AAA magazine's editorial board.

I want to report that no bids were received for Unit #5 at Middle Ridge and Vermilion Valley. We were hoping to fill the unit for a specialty store, we did not receive any so we'll try to negotiate with any interested parties to fill those spaces.

Bids were received and we awarded to the lowest bidder, Seitz Construction, to build two salt storage buildings – one at Amherst facility and the other at the Boston Maintenance Bldg. Those were bid and we awarded to the lowest bidder.

The items that were on the Agenda that I'd like the Commission to adopt. The first one is a resolution to rescind Contract No TR8-B for the operation of food service concession at Great Lakes and Towpath Service Plazas.

They really go in a pair – if you adopt that resolution, I'd would also like you to adopt the resolution ratifying the award of Contract TR 8-B to HMS Host for food service concession at Great Lakes and Towpath. There are two resolutions I would ask the Commission to adopt.

Chairman Greenwood asked if there was a motion to move adoption of the resolution to rescind the award of Contract TR 8-B? Mr. Dixon moves and Mr. Wilkins seconds. Discussion? Any questions about this. If there is no discussion, please call the roll.

Roll: Mr. Dixon-yes; Mr. Wilkins-yes; Chairman Greenwood-yes; Mr. Darwish-yes. That resolution is adopted.

Chairman Greenwood said I'll entertain a resolution to ratify the award of contract for the operation of food concessions at Units 1, 2 and 5 at the Commission's Great Lakes and Towpath Service Plazas under Contract TR 8-B. Mr. Dixon moves and Mr. Wilkins seconds. Discussion on the resolution? Roll, please.

Roll: Mr. Dixon-yes; Mr. Wilkins-yes; Chairman Greenwood-yes; Mr. Darwish. The resolution is adopted.

Director Suhadolnik said that completes his report. Thank you, Mr. Chairman.

Chairman Greenwood asked Mr. Castrigano for his Chief Engineer's report.

Mr. Castrigano said he had two resolutions for the Members' consideration. The first is entitled "Resolution awarding TRM 8A-4 for cleaning and janitorial services at the Commission's Erie Islands and Commodore Perry Service Plazas. The Commission received three bids in response to performing these services. The apparent low bid for both locations was submitted by ServiceMaster by Horton of Oberlin, Ohio for the total monthly fee per building of \$20,300 and the hourly rate of \$15. This contract has an initial term of two years beginning on June 1, 2003. This bidder is also the current supplier for these services at Erie Islands and Commodore Perry Service Plazas.

If General Counsel would read the Resolved:

"RESOLVED that the bid submitted by **ServiceMaster by Horton** of Oberlin, Ohio, which utilizes the following Schedule of Bids:

<u>Service Plaza</u>	<u>Monthly Fee</u>	<u>Hourly Rate</u>	<u>Annual Fee</u>	<u>2-Year Fee</u>
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Erie Islands	\$20,300.00	15.00	243,600.00	487,200.00
Commodore Perry	\$20,300.00	15.00	243,600.00	487,200.00
Total Bid				\$974,400.00

is, and is by the Commission determined to be, the **best** of all bids received for the performance of Contract TRM 8A-4 and is accepted;

FURTHER RESOLVED that the executive director and general counsel hereby are authorized to execute Contract TRM 8A-4 [Erie Islands and Commodore Perry Service Plazas which provides for an initial term of **Two (2) years commencing June 1, 2003**, and further provides, at the Commission's option, to extend for one (1) year periods, with **ServiceMaster by Horton**, in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, and to take any and all action necessary or proper to carry out the terms of said bid and said contract; and

FURTHER RESOLVED that the Commission concurs in the above-mentioned rejection recommendation that all other bids submitted for Contract TRM 8A-4 be rejected;

FURTHER RESOLVED that the executive director is instructed to return the bid security of all other bidders as soon as said contract is executed.

Mr. Castrigano stated that I further recommend that the Commission adopt this resolution.

Chairman Greenwood inquired if there was a motion to adopt. Mr. Wilkins moved and Mr. Dixon seconds.

Chairman Greenwood said discussion on the resolution - Mr. Dixon.

Mr. Dixon said I support this resolution, but just a couple questions. I see fifty firms were notified, I'm sure you don't have that information today, but advise me how many DBE firms were on the list and how many minority firms were on that list?

Mr. Castrigano said certainly, but Mr. Chairman, Commission Member Dixon just as a matter of information, ServiceMaster by Horton is an MBE firm.

Mr. Dixon said thank you. Why do you think we had such a small response to this contract?

Mr. Castrigano said this contract is a major cleaning contract. We require 24 hours service at these service plazas and also require minimum

staffing levels. The contractors are required to submit quite a bit of personnel to these projects. I would suspect that would be one of the reasons.

Mr. Dixon said ServiceMaster is the current holder of the contract, correct?

Mr. Castrigano said that's correct.

Mr. Dixon said thank you.

Chairman Greenwood asked if there were any other questions on the resolution. Please call the roll.

Roll: Mr. Wilkins-yes; Mr. Dixon-yes; Mr. Darwish-yes; Chairman Greenwood-yes. The resolution is adopted.

Mr. Castrigano said the second resolution I have this morning is a resolution awarding Contract No. 59-03-01. This is for resurfacing of the eastbound and westbound roadways from MP 62.5 to 69.3 in Lucas and Wood Counties, Ohio. The apparent low bid was submitted by The S. E. Johnson Companies, Maumee, Ohio in the amount of \$2,964,772.66. This bidder has performed satisfactorily in projects such as this for the Commission in the past. Furthermore, the total amount bid is below the engineer's estimate.

I further recommend that the Commission assign Mannik & Smith Group of Maumee, Ohio to perform construction inspection and TolTest, Inc. of Toledo, Ohio to perform materials testing.

General Counsel will you read the Resolved please?

“RESOLVED that the bid of **S. E. Johnson Companies, Inc.**, Maumee, Ohio, in the amount of **\$2,964,717.66**, for the performance of Contract No. 59-03-01 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 the Commission hereby authorizes and directs the executive director and the chief engineer to assign Mannik & Smith Group, Inc., Maumee, Ohio, to Contract 59-03-01 for the purpose of performing construction inspection. Such assignment shall be in accordance with the 2003-2004 Engineering Services Agreement between the Ohio Turnpike Commission and Mannik & Smith Group, Inc.; and

FURTHER RESOLVED that the Commission hereby authorizes and directs the executive director and the chief engineer to assign TolTest, Inc., Toledo, Ohio, to Contract 59-03-01 for the purpose of performing materials testing. Such assignment shall be in accordance with the 2003-2004 Engineering Services Agreement between the Ohio Turnpike Commission and TolTest, Inc.; and

FURTHER RESOLVED that Project No. 59-03-01 is designated a System Project under the Commission's 1994 Master Trust Agreement."

Mr. Castrigano said I further recommend that the Commission adopt this resolution.

Chairman Greenwood asked if there was a motion to adopt this resolution? Mr. Dixon moves and Mr. Darwish seconds. Discussion on the motion to adopt this resolution?

Mr. Dixon, I had a long conversation with Mr. Suhadolnik and his staff about this contract and I'm very satisfied and I will support it. I do have one question – a clarification. Can the participation of Mannik & Smith or Toltest, Inc. bring the total over the \$2.9-M and if it does, do you have to come back to this Commission with a change order or does is their participation included in this \$2.9-M.

Director Suhadolnik stated their participation is not included in the \$2.9-M and we will not have to come back because you are authorizing the other two firms. The \$2.9-M is the price of the construction and not the testing and inspection.

Mr. Dixon said OK, thank you.

Chairman Greenwood said I would have one comment. Part of this contract which is the subject of the resolution includes authorizing and directing the Executive Director and Chief Engineer to assign testing to a company in Toledo that my law firm has represented in the past. Although I have not personally, I still have reason so I'll abstain from voting on the resolution. Is there any further discussion regarding the resolution on the table? Roll, please.

Roll: Mr. Dixon-yes; Mr. Darwish-yes; Mr. Wilkins-yes; Chairman Greenwood (abstains.) The resolution is adopted.

Mr. Castrigano said thank you Mr. Chairman, the last thing this morning is our construction program. Our construction program will start up again in earnest before the next Commission Meeting. One of the items that will affect access in and out of this building before the next Commission Meeting is the third project right outside the building. We will be restricting access to and from the Turnpike from this location and also from the location across on the eastbound roadway. I don't know if some of the Commission Members use that access to get into the meetings, but with the next meeting notice, we will give alternate directions into the building. That completes my report, Mr. Chairman.

Chairman Greenwood asked if there were any questions from the Commission Members? Thanks, Dan.

Chairman Greenwood asked if there were any reports from our financial advisor, Mr. Erickson?

No report, Mr. Chairman. (See I remembered to ask you, but this time you don't have one.)

Chairman Greenwood asked – trustee, Mr. Lamb?

Mr. Lamb said no report, Mr. Chairman.

Chairman Greenwood asked OSHP, Capt. Ferguson.

Capt. Ferguson said Good morning Mr. Chairman, members of the Commission - I have one fatal crash to report on. Last Thursday, March 13th, if you recall was an ice storm day. We had a fatal crash occur near MP 109 (westbound) in Erie County. The contributing factor was excessive speed for a passenger car. The crash involved a Chevy Cavalier and a semi. Both vehicles were traveling westbound in very slippery, inclement conditions. The driver of the Chevrolet lost control and slid off the roadway and struck a guardrail. It then slid back onto the roadway and headed right-side impact with the front of the semi. That resulted in the death of the

right-side passenger traveling in the Chevy Cavalier. The driver was also severely injured and taken to the hospital.

We handled 27 crashes just in the Milan Post area that day. Hopefully, the good weather has arrived. It has been a very rough winter for us with a lot of traffic crashes. That concludes my report. Any questions?

Chairman Greenwood said I don't know whether this is an appropriate time but since the OSHP is here and this doesn't have to be a long explanation, but in light the changing security status in the country and security, etc. can anyone generally address what would happen if the State of Ohio or the areas covered by the Turnpike went through "red alert". Would we still take tolls or would we shut the Turnpike down. What would we do with the OSHP? Are they going to be called away. Do we have an idea of what would happen?

Capt. Ferguson said we certainly wouldn't be called away to leave the Turnpike – at least we would keep enough staff in place to carry out our responsibilities here. There would be the possibility depending upon what is going on other places where we might have to supplement manpower – for instance – even outside of a red alert type situation if there was some riots and protests at Kent State University, certainly troopers from our Hiram Post would be called down there to assist because of their closeness to that location. Out west, Swanton is close to the University of Toledo and Bowling Green State University. Certainly, under a red alert, if that would take place, we would continue to handle our responsibilities up here. We would interact very closely with Director Suhadolnik and work out plans of what we needed to do. There isn't a very fixed protocol for exactly what would take place. I'm sure it would be worked out in very short order.

Chairman Greenwood asked if we had anything on – what if we went through red alert? Would that impact, at all, the Turnpike? Because I don't know – is traffic restricted?

Captain Ferguson said I would think traffic would be restricted on a red alert. I think the general advice to the public is to stay at home.

Chairman Greenwood said that's my question. I got saddled with this being an administrative partner. Our protocol is if we go to red alert, schools will be closed and my employees are not to report to work. If a person is

working as a toll collector, what is that person suppose to do? Is he or she suppose to report to work? Do we know yet?

Mr. Castrigano replied that we have not established a set protocol as yet. Obviously, if we did go to red alert, the roadway would remain open. The decision as to whether or not to collect tolls has not been looked at yet.

Chairman Greenwood said I didn't know. Is there any plan that the Turnpike would become some sort of military advance way to get across? We never have been in this type of situation before. OK, it might be something to think about as we approach. Today was sort of a pivotal day from a national prospective and what we do – our interaction. I'm not telling you but I would assume Mr. Dixon and Mr. Wilkins would agree with me that we probably ought to have staff take a look at that situation and give it some consideration.

Director Suhadolnik said we would make it a priority and report back to you with some action.

Chairman Greenwood said or do you disagree?

Mr. Wilkins said I don't know enough about it to agree to disagree. Yeah, I think it's something we ought to look into.

Chairman Greenwood said I was also exposed to it from a standpoint being a Law Director for one of the Townships and I know that the various Townships, cities and villages are all preparing for situations and we are a public entity and I don't know what we would need to do.

Mo Darwish said we do it at ODOT. Non-essential employees in this situation we send them home - highway workers and everybody else. All the high-ranking staff remain all the time.

Chairman Greenwood said we probably need to have some sort of game-plan.

Mr. Darwish said we have a game plan for red alert but non-essential, administrative staff, support staff, like engineers things like that we basically

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Chairman Greenwood said you do, but I don't know whether we do and the question comes up – what do you do – continue to collect tolls? What are those employees suppose to do, etc.

Mr. Dixon, you look as though you want to make a comment.

Mr. Dixon said I always want to make a comment. You know that. I agree with you 100%. I think we should look at this. It could be a lesson in futility but I'd rather be overly prepared than not prepared. I think you as Chairman of the Board probably should give the staff some direction in that I think the first place to look would be to the State and then maybe look at some of the other Turnpikes to see what their level of preparedness is.

Chairman Greenwood said particularly ones we could connect up with. Mr. Dixon said sure I think it's mandatory. I don't think it's an option.

Chairman Greenwood said I think Director Suhadolnik is making a note to look into it. I'm sorry to put you on the spot, Captain, but it occurred to me when you were giving your report. When I see you, I think of security. I hope that's not a bad association. It was meant to be a positive association. (Captain said I took it that way.)

Chairman Greenwood said thank you, Captain. General consultant, Mr. Yacobucci? When I see you I don't think of security.

Mr. Yacobucci said Mr. Chairman, Commission Members, we are gearing up to start our annual inspections of all the Turnpike facilities. We will be meeting with some of the Turnpike staff in the next couple weeks and we hope to be out there at the beginning of April to access the conditions of all the facilities.

Chairman Greenwood inquired if there were any questions for the general consultant? Thank you. General Counsel, Noelle – (since I'm still working on the proper pronunciation of your last name.)

General Counsel replied it's a learning curve. Mr. Chairman, we have a number of resolutions. The first resolution which is in your packet and you should have received a memo from me which explains the three issues covered by the resolution to amend the Commission's Bylaws.

The first is to address Section 3.0 of the Code of Bylaws entitled, “Regular Meetings” to change the regular meeting of the Commission to the third Monday of each month.

The second is a housekeeping matter – just to update the Bylaws to reflect the current telephone number of the Commission under section 5.0.

The last and third change and the purpose of this resolution is to modify the Code of Bylaws and revise the Section 1.0 entitled, “Executive Director of the Bylaws to address that Executive Director’s contracting authority. I can tell you that the Executive Staff Members worked very hard on this. We had a number of discussions. We looked to the statute governing the Director of Transportation’s authority and I believe I provided in your packet in my correspondence to you a copy of that statute. The Bylaws modifies the Executive Director’s contracting authority without Commission approval from \$500,000 to \$150,000. The Bylaws also in mirroring the state statute governing the State’s Dept. of Transportation contemplates that the Executive Director will need some flexibility especially with regard to construction contracts. I’ll be happy to answer any questions you have regarding the proposed language that we have submitted to the Commission Members.

Chairman Greenwood said I’ll entertain a motion to adopt this resolution? Mr. Dixon moves and Mr. Darwish seconds. You already have read the resolution, any questions on any components of this resolution?

Mr. Dixon said no questions Mr. Chairman. I’d just like to thank Noelle, Dan and the Executive Director. They called me, held my hand through this asked for any input and explained to me and answered any questions that I had. I support this change in our Bylaws.

Chairman Greenwood said OK. Are there any other questions or comments? Please call the roll.

Roll: Mr. Dixon-yes; Mr. Darwish-yes; Mr. Wilkins-yes; Chairman Greenwood-yes. The resolution is adopted.

General Counsel said the next resolution in my report is the resolution dealing with the acquisition of property necessary to begin construction of the interchange at S. R. 58 in Lorain County.

Included in your packet are two resolutions. There are two property owners. The first is Consolidated Investors Group. I can report that the Legal Dept. and especially our Right of Way Coordinator have worked very hard on this in the last few months to keep this project moving along. We have been unsuccessful in reaching an agreement with the owners of the parcels described in the resolution, Consolidated Investors Group. The proposed resolution provides that:

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

The second resolution is with regards to property owned by Ed Mullinax Ford, Inc. We have also made reasonable efforts to try to reach an agreement with the owner of these parcels. We have been unsuccessful in reaching an agreement. The second part of that resolution reads:

“It is further Resolved that:

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

General Counsel said I believe the Commission members will have to adopt each resolution separately.

Chairman Greenwood said then we should take up the resolution to appropriate the property belonging to Consolidated Investors as described in the resolution. I’ll entertain a motion for the adoption of the resolution.

Mr. Wilkins moves and Mr. Dixon seconds. Any discussion on the property owned by Consolidated Investors? If not, please call the roll.

Roll: Mr. Wilkins-yes; Mr. Dixon-yes; Mr. Greenwood-yes; Mr. Darwish-yes. The resolution is adopted.

The next resolution would be authorize General Counsel to do all things necessary to appropriate the property owned by Ed Mullinax Ford as described in the resolution which the General Counsel previously read. I entertain a motion to adopt this resolution.

Mr. Dixon moves and Mr. Wilkins seconds. Any discussion on this resolution? Please call the roll.

Mr. Dixon-yes; Mr. Wilkins-yes; Mr. Greenwood-yes; Mr. Darwish-yes. The resolution is adopted.

The last resolutions I want to present to the Commission for approval are two separate resolutions for two different easements that are necessary for work involving an existing contract under Contract No. 58-02-04. This particular project is at Interchange 145, Lorain/Elyria located at Milepost 145.5. The temporary easement is to install a sanitary sewer line and I believe the second resolution is for a permanent sanitary sewer easement. I don't know if the Chief Engineer has any other background information regarding this.

Mr. Castrigano said both of these resolutions as General Counsel stated, pertain to a project that has been previously been awarded. We are improving the utilities at the Utility Building bringing sanitary sewer service into the facility and to do we'll need an easement across these property owners' properties.

General Counsel also stated that we have been unable to reach an agreement with the property owners. We would recommend that we proceed with both resolutions allowing

“...to do or cause to be done all things that may be necessary in the premises in order that proceedings for the appropriation of the property described above may be commenced.”

Chairman Greenwood said I'll entertain a motion to adopt the first resolution regarding the property presently owned by New Plan of Midway – just for the record. Mr. Wilkins moved and Mr. Dixon seconds.

Chairman Greenwood said I have one question on procedure – for an easement then assuming that negotiations will continue to be unsuccessful, do you have to initiate eminent domain proceedings to acquire an easement.

General Counsel replied yes you do.

Chairman Greenwood said OK, any other questions?

Mo Darwish – just one question, the property in Lorain County that's owned by the County?

General Counsel replied No. If I can explain, Lorain County Treasurer and Lorain County Auditor are notified as a matter of protocol and advised when action is taken by eminent domain. But they are not the property owners.

Chairman Greenwood said any other questions on the first resolution? This is for New Plan of Midway to obtain an easement. If not, please call roll.

Roll: Mr. Wilkins-yes; Mr. Dixon-yes; Mr. Darwish-yes; Mr. Greenwood-yes. The resolution is adopted.

The next resolution is to authorize General Counsel to initiate proceedings to obtain an easement on the property owned by West River Road Properties #2, Ltd. I'll entertain a motion to adopt this resolution? Mr. Wilkins and Mr. Darwish seconds. Any discussion on this? If not, please call roll.

Roll: Mr. Wilkins-yes; Mr. Darwish-yes; Mr. Dixon-yes; Mr. Greenwood-yes. The resolution is adopted.

General Counsel said that concludes my report, Mr. Chairman.

Chairman Greenwood said Thank you. Any further questions from the Commission of General Counsel. If not, I don't have any further business on the agenda. Any other business that any of the Commission Members want to bring up.

Mr. Dixon, what does an Internal Investigator do? Director Suhadolnik replied – if we have some wrongdoing internally, he would investigate that and report to the Inspector General with the hope that we could address it, If we are made aware for some reason or another that there is some

wrongdoing that employees are doing whether it involves their time or materials or the Turnpike or equipment, we would investigate and try to correct those wrongdoings.

Mr. Dixon asked if that was a full-time job? The Director responded no it is not. It is a part time position and reports to the Executive Director. He keeps a log of his time. We are actually buying him by the pound to speak. Hopefully, it will be a smaller part-time job.

Mr. Dixon is that a new position? The Director responded that it is not. Yes and No – Tim Escola who was here before was doing Safety Services and doing Investigation. Tim found work, I forgot his title but he'll be the Asst. Police Chief in Jackson Township. He left our employment about 3-4 weeks ago. Tim lives in that area so it's a 10-minute drive from his home. A nice opportunity for him as you may recall, he was a former member of the OSHP so it's the kind of work he liked to do. So he left our employment and we hired Mr. Rob to do this part of his work on a part-time basis.

Mr. Rob, by the way, is a former police detective, also did a lot of fraud investigation work for Blue Cross. So he had extensive background in this area and I think he'll serve us very well.

Mr. Dixon said thank you and welcome, Mr. Rob.

Chairman Greenwood said any other questions? If not, let's stand adjourned.

Time: 10:40 a.m.

/dsp