

# MINUTES OF THE 491st MEETING OF THE OHIO TURNPIKE COMMISSION

**April 21, 2003**

Pursuant to the bylaws, the Ohio Turnpike Commission met for a meeting at the Commission's Administration Building at 10:05 a.m. on April 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; Lauren Hakos-Dehrmann, Manager, Public Affairs, Joe Disantis, Legal Department; Heidi Jedel, Tracy Cowley and Diane Pring.

The Chairman 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, Mo Darwish,  
Sen. Schuring

Absent: Rep. Buehrer

The Executive Director advised that Mr. Dixon called and said he would be a few minutes late.

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.

I'd like to introduce our newly appointed Senator from the Canton area, Senator Kirk Schuring – welcome aboard. It's always a pleasure to be with you again. I served with Kirk in the House and now the Senate. Did you have any trouble finding the place with the construction going on?

Senator Schuring said I got off the Turnpike and went through the back entrance.

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; Allan V. Johnson (retired OTC Executive Director); Lou Disantis (retired OTC employee); Tony Yacobucci, HNTB; Bobby Everhart, Mike Burgess, URS; Dan Sokol, Dick Corp.; John Petty, Nat City Investments; Jeff Freese, McDonald Investments; Steven Santo, Public Financial Mgmt.; Howard O'Malley, B & T Express; Stefan Holmes, First Merit Bank; Capt. Bob Ferguson, OSHP; Glenn Stevens, G. Stevens; Floyd Jeffries, Operating Engineers; Tom Travis, HMS Host; Christine Yarborough (Chronicle Telegram).

This is the 491st 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 for its regular 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 a motion to adopt the Minutes of our March 17<sup>th</sup> meeting. Mr. Wilkins moves and Mr. Dixon seconds. Any discussion regarding additions or deletions to the Minutes? If not, please call the roll. (*Note: Mr. Dixon arrived at 10:07 a.m.*)

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

The Chairman said we'll commence with our reports – the Secretary-Treasurer.

Asst. Secretary Treasurer stated the following items have been sent to the members since the last regularly scheduled meeting of the Commission on March 17, 2003:

1. Minutes of the March 17, 2003 Commission Meeting
2. Traffic & Revenue Report, March, 2003
3. Total Revenue by Month & Year, March, 2003
4. Investment Report, March, 2003
5. OTC Budget Report – 3 months, 2003
6. OTC Financial Statements, March 31, 2003
7. General Counsel's Quarterly Report dated April 16, 2003 \*
8. Various News Releases

*\* copy in Members' folders*

Chairman Greenwood asked if there were any questions. He then requested Director Suhadolnik to continue on with your Executive Director's report.

Director Suhadolnik said Mr. Chairman and Members of the Commission, I have a resolution that I'll be asking you to adopt in a moment. But before I get to that I'd just like to make a couple comments about some of the activities which have happened at the Commission since we met last time.

As part of the Governor's initiative, we did collect a number of items for our troops. We had an overwhelming response from the employees of the Turnpike. I believe, we took the items to the USO. Several of us are planning to make a trip a little later this week to Pennsylvania to begin to understand how they are implementing "E-Z-Pass." I don't know if we are or are not going to do that on the Ohio Turnpike, but we think we need to understand more about that. So we're making that trip to learn more about their procedures.

We were honored to have the Chief of Staff, Brian Hicks, was here a few weeks ago. I think he learned a lot. Specifically, for members of the Commission, I won't be here very much next week. I have been called for jury duty. I don't know whether I'll be there all day or all week. It depends but I have been called in Cuyahoga County so that's where I'll be starting next Monday for I believe five days.

The resolution that I would ask that you support – as you may or may not be aware in 2005, Cleveland will be the "host" for the IBTTA (International Bridge, Tunnel & Turnpike Association) convention. It's an international organization of folks who run toll roads, turnpikes, bridges, tunnels and

those types of facilities. Their convention is held around the world and Cleveland was selected for 2005 to honor the 50<sup>th</sup> anniversary of the Ohio Turnpike. One of the people who was instrumental in making that happen was the former Executive Director, Allan V. Johnson, who has been a member of the Board and President of that organization and was Executive Director of the Turnpike for 25 years, did a lot of good things. There are a number of things that will have to be done to make that convention a success and I think that anytime a convention comes to Ohio and a major convention comes to the Cleveland area, we want to showcase Ohio and the Cleveland area and so I think Allan can be very helpful to us in acting as our liaison with the IBTTA and the Convention and Visitors' Bureau, helping us arrange technical tours, tours for some of the guests, speakers. His experience on the Board of IBTTA and as President, he knows what is expected at those conventions and can help us a lot. We are not asking for any compensation, but I think Allan would like to be a part of that. So I'm asking you to adopt the resolution to appoint him as Chairman of our host committee.

Chairman Greenwood stated I'll entertain a motion to introduce the resolution. Mr. Darwish moves and Mr. Wilkins seconds. Any discussion on the resolution?

Director Suhadolnik asked if the Chairman would like our General Counsel to read the Resolved paragraph?

Chairman Greenwood said yes.

“RESOLVED that Allan V. Johnson be designated “Chairman” of the host committee representing the Ohio Turnpike Commission in preparing for the International Bridge, Tunnel and Turnpike Association's Annual Meeting and Exposition to be held in Cleveland, Ohio in the year 2005.”

Chairman Greenwood said the only comment I would make would be that Allan, I appreciate your willingness to stop forward and capitalize on your many years of service to the Turnpike and I know you were very active and instrumental in the success of the IBTTA and I couldn't think of a better person to do this which is why I suggested this about a year ago. It took us a while to get around to it.

Allan Johnson said I'm pleased to do it and I'm looking forward to working with everyone. I will see that the meeting will showcase the Ohio Turnpike, the State of Ohio and the Cleveland area. I'm looking forward to it.

Chairman Greenwood inquired if there were any other questions or discussion on this resolution. Please call the roll.

Roll: Mr. Darwish-yes; Mr. Wilkins-yes; Mr. Dixon-yes; Mr. Greenwood-yes. The resolution is adopted and that's all I have Mr. Chairman.

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

Mr. Castrigano said thank you and I have five resolutions this morning for your consideration. The first one is Resolution Awarding Contract No. 59-03-03. This is our third and final resurfacing project for 2003 for resurfacing and drainage repairs to the Turnpike mainline roadway from MP 193.4 to 199.0 in Portage County. We received two bids in response to this contract. The lowest responsive and responsible bidder was The Shelly Company of Twinsburg, Ohio in the amount of \$3,015,287.74. The total amount bid is below the engineer's estimate and this contractor has performed satisfactorily in the past for the Commission. The resolution also contains provisions to assign MS Consultants of Youngstown, Ohio for the purpose of performing construction inspection and Geo-Sci of Berea, Ohio to perform materials testing. Would General Counsel please read the Resolved:

“RESOLVED that the bid of **The Shelly Company**, Twinsburg, Ohio, in the amount of **\$3,015,287.74**, for the performance of Contract No. 59-03-03 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 MS Consultants, Inc. of Youngstown, Ohio, to Contract 59-03-03 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 MS Consultants, Inc.; and

FURTHER RESOLVED that the Commission hereby authorizes and directs the executive director and the chief engineer to assign Geo-Sci, Inc. of Berea, Ohio, to Contract

59-03-03 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 Geo-Sci, Inc.; and

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

Mr. Castrigano recommended that the Commission adopt this resolution.

Chairman Greenwood said he'd entertain a motion to adopt this resolution. Mr. Darwish moves and Mr. Wilkins seconds. Any discussion?

Mr. Dixon inquired if there was any DBE (Disadvantaged Business Enterprise) FBE or MBE participation on this contract?

Mr. Castrigano replied that the Commission has not received their lists of contractors or suppliers yet and at this time we don't know.

Chairman Greenwood asked if there were any more questions. Please call the roll.

Roll: Mr. Darwish-yes; Mr. Wilkins-yes; Mr. Dixon-NO; Mr. Greenwood-yes. The resolution is adopted.

Mr. Castrigano said the second resolution I have this morning is Resolution Awarding Contract Nos. 40-03-01, 40-03-02, 40-03-03 and 40-03-04. This is for maintenance and repainting of 11 structures across the Ohio Turnpike. This contract was divided so a contractor could submit a bid on one or more bids. The apparent low bid was submitted as a combination bid for all four contracts by Vimas Painting Company, Inc. of Campbell, Ohio in the amount of \$1,186,600.00. The total amount is below the engineer's estimate, however, we have not had experience with this contractor in the past. We have checked his references including ODOT, District #6 who advised that this contractor satisfactorily completed two contracts recently. I further recommend that the Commission assign construction inspection as follows: Contract 40-03-01 and 40-03-02 to Safety Controls Technology of Amherst, Ohio and 40-03-03 and 40-03-04 to KTA Tator of Berea, Ohio. Would General Counsel read the Resolved:

“RESOLVED that the combination bid of **Vimas Painting Company, Inc.** of Campbell, Ohio in the amount of \$1,186,600.00 for the performance of Contract No. 40-03-01, Contract No. 40-03-02, Contract No. 40-03-03 and Contract No. 40-03-04 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 Safety Controls Technology, Inc. of Amherst, Ohio to Contract No. 40-03-01 and Contract No. 40-03-02 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 Safety Controls Technology, Inc.; and

FURTHER RESOLVED that the Commission hereby authorizes and directs the executive director and the chief engineer to assign KTA Tator, Inc. of Berea, Ohio to Contract No. 40-03-03 and Contract No. 40-03-04 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 KTA Tator, Inc.; and

FURTHER RESOLVED that Project No. 40-03-01, 40-03-02, 40-03-03 and 40-03-04 are designated System Projects under the Commission's 1994 Master Trust Agreement.

Mr. Castrigano recommended the adoption of this resolution.

Chairman Greenwood said he'd entertain a motion to adopt the resolution. Mr. Darwish moves and Mr. Wilkins seconds. Discussion on the motion to adopt?

Mr. Dixon is there any MBE, FBE or DBE participation?

Mr. Castrigano said yes, Safety Controls Technology is an FBE company.

Mr. Dixon asked how much of the contract does that represent?

Mr. Castrigano advised that this is an as-needed contract for construction testing.

Chairman Greenwood asked if there were any further questions or comments?

Mr. Darwish inquired if Safety Controls was doing the paint inspection? Have you used them before?

Mr. Castrigano replied yes. This is the first time we have used Safety Controls as the prime inspector. However, it's an off-shoot of KTA Tator.

Mr. Darwish said we were looking for someone else besides KTA Tator. Because KTA does all our paint inspection.

Mr. Castrigano stated that's the reason we wanted to split this contract up – to bring in another inspection team and hopefully we'll get competition in this market.

Mr. Greenwood asked if there were any more questions on the motion? Please call the roll.

Roll: Mr. Darwish-yes; Mr. Wilkins-yes; Mr. Dixon-yes; Mr. Greenwood-yes.

The third resolution this morning is a Resolution Awarding Contract No. 46-03-01 for application of retro-reflective pavement markings on the Ohio Turnpike between MP 0.0 and MP 241.3. This contract was set up as Group I and Group II. The contractor could submit a bid on one or both groups. The apparent low bid was submitted as a combination bid by Oglesby Construction, Inc. of Norwalk, Ohio in the amount of \$445,442.10. The total amount bid is below the engineer's estimate and this contractor has performed satisfactorily in the past. Again, I would also like the Commission to consider assigning Quality Control Inspection, Inc. of Bedford, Ohio for performing construction inspection services for both Groups of this contract. Would General Counsel read the Resolved:

“RESOLVED that the combination bid of **Oglesby Construction, Inc.** of Norwalk, Ohio, in the amount of **\$445,442.10** for the performance of **Contract No. 46-03-01** 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 bids; (2) to direct the return to the other bidder of its 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 Quality Control Inspection, Inc., Bedford, Ohio, to Contract No. 46-03-01 for the of performing construction inspection. Such assignment shall be in accordance with the 2003-2004 Engineering Services Agreement between the Ohio Turnpike Commission and Quality Control Inspection, Inc.; and



FURTHER RESOLVED that Project No. 46-03-01 is designated a System Project under the Commission's 1994 Master Trust Agreement."

Mr. Castrigano recommended adoption of the resolution. Chairman Greenwood said he would entertain a motion to adopt the resolution. Mr. Darwish moved and Mr. Wilkins seconds. Discussion on the motion?

Mr. Dixon inquired if there was any DBE, FBE or MBE participation.

Mr. Castrigano said Oglesby Construction is an MBE company.

Chairman Greenwood asked if there were any questions? Roll please.

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

Mr. Castrigano said the fourth resolution is a Resolution Awarding a contract for the purchase of (8) front-end loaders under Invitation 3925-C. This equipment is for use by the Commission's Maintenance Dept. The contract also has provisions for accepting in-trade (8) used front-end loaders.

Six bids were received in response to this bid invitation. The apparent low bidder was submitted by the McLean Company of Hudson, Ohio in the total net bid price of \$480,000.00. The total amount bid is below the engineer's estimate. If General Counsel would read the Resolved, please:

"RESOLVED that the bid of **The McLean Company** of Hudson, Ohio, in the total net bid price, less trade-in allowance, of \$480,000.00 under Invitation No. 3925-C is, and is by the Commission deemed to be the lowest responsive and responsible bid received and is accepted and the chairperson and executive director, or either of them, is hereby authorized (1) to execute a contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid invitation; (2) to direct the return to the other bidders of their bid security at such time as The McLean Company 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."

Mr. Castrigano recommended adoption of this resolution. I'll entertain a motion to adopt this resolution. Mr. Wilkins and Mr. Dixon seconds. Any discussion on this resolution?

Mr. Dixon asked if the Commission made any attempt to purchase this equipment through the Ohio Co-operative Purchase Program?

Mr. Castrigano responded and said as a matter of fact I was talking to the Maintenance Engineer about this this morning. We checked after our bids were opened for comparable equipment on the state contract and I have been advised by our Maintenance Engineer that our purchase for this equipment is substantially below the contract is on the GAS contract.

General Counsel Noelle Tsevdos asked if she could update the Commission Members on this matter. We have been researching the Commission participating in both the DAS Co-operative Purchase Program and also DAS state purchase program. Right now, we have requested a legal opinion whether or not under the provisions of both statutes the Commission can participate. There was some language in the statute that I had questions about and I did ask for a legal opinion from the Atty. General's Office.

Mr. Dixon said so we are waiting for that opinion?

General Counsel said yes, and when we receive that opinion, we will report back to you.

Director Suhadolnik said it was explained to me that there was a question whether, in fact, because of the unique structure of the Turnpike, we are one of the agencies that actually qualifies as it talks about the kind of government agencies which do qualify. We may not fit that description.

Chairman Greenwood said it's sort of academic if we got it cheaper than the State. Was the reason why we got it cheaper is because the State puts so many specs on there it makes it difficult for these contractors to come up with a reasonable price discount?

Mr. Castrigano replied that Tim Ujvari, our Maintenance Engineer, is in the audience. Tim, did you speak to them directly or was there a reason why our bid was lower.

Mr. Ujvari said he spoke to the vendor, McLean, we actually visited the site to make sure the equipment met our specifications. What they indicated to me was once they saw the contract was for 8 units they really sharpened their pencils. According to them, their pricing was 30% below the list price whether it was for one or ten units. The specifications were very specific and the quantity were exact.

Chairman Greenwood asked if there was any other discussion. Please call the roll.

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

Mr. Castrigano said the final resolution this morning relates to the award of contract for furnishing and applying of herbicide on the Turnpike right-of-way from Milepost 0.0 to Milepost 241.2. Again, this contract was set in two groups. Contractors could submit a bid on one or both groups. The apparent low bid for Group I was submitted by DeAngelo Brothers, Inc. of Hazelton, PA. in the total amount of \$97,760.00. The lowest responsive, responsible bid for Group II was submitted by Chemi-Trol Chemical Co. of Gibsonburg, OH in the total amount of \$125,500.00. Both contractors have performed satisfactorily for the Commission in the past. The total amount bid is below the engineer's estimate. Would General Counsel please read the Resolved:

“ RESOLVED that the bid of **DeAngelo Brothers, Inc.** in the total amount of \$97,760.00 for Group I and the bid of **Chemi-Trol Chemical Company** in the total amount of \$125,500.00 for Group II of Invitation No. 3921 is, and is by the Commission deemed to be the lowest responsive and responsible bids received and are accepted and the chairperson and executive director, or either of them, is hereby authorized (1) to execute a contract with each successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid invitation; (2) to direct the return to the other bidders of their bid security at such time as DeAngelo Brothers, Inc. and Chemi-Trol Chemical Company have 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.”

Mr. Castrigano recommended adoption of this resolution.

Chairman Greenwood said he'd entertain a motion for adoption of the resolution. Mr. Dixon moves and Mr. Darwish seconds. Discussion?

Mr. Dixon said just by looking at this contract I can see there would be little opportunity for subcontracting or any situation like that, but refresh my memory. On past conversations we had at open meetings, I remember we said that we can't ask a question as to the make-up of the work force of a company like DeAngelo? Right? Minorities, females, whatever?

Mr. Castrigano responded by saying: yes, I believe that conversation was at a Commission Meeting with the previous General Counsel. I believe he was having that Legal Department implement that procedure.

Mr. Dixon said in the past we have agreed that we wanted our contractors to understand that although we can't mandate it, we are looking for openness and inclusiveness. They work for us and in other areas, maybe that would be a consideration we give for other contracts. Correct?

Mr. Castrigano said Correct.

Mr. Dixon said in the spirit of those past conversations, I turn to legal counsel, I don't remember precisely – were we going to create a document or did we have a document that we were going to make sure we included in our bid packages where we asked that question and where we made sure the contractor understood the spirit by which we were operating under?

General Counsel said I could be corrected by the Chief Engineer but I believe we are including information in the bid documents regarding our policy of encouraging MBE, FBE contractors and we do ask them for information regarding the make-up of their workforce. However, that is voluntary in nature.

I understand but I want to make sure they understand the spirit with which we are working so they would know we look favorably upon that. Is that being in tuned with that?

Mr. Castrigano said General Counsel has advised yes, so I would agree with General Counsel.

Mr. Dixon said good, I just wanted to make sure it is being done. So one day I'm going to ask to see it.

Mr. Castrigano said we'll go get it after the meeting if you want to.

Mr. Chairman - (You don't trust all these white people up here?)

General Counsel said I'd be happy to update all the Commission Members on what information we include.

Chairman Greenwood said I think that's important. Next month, perhaps you can, and at one of the meetings we discussed this at some length – Mr. Dixon raised the question and I think your predecessor was going to do some research. I don't think I ever seen it and perhaps in the transition from prior legal counsel to you and no one would expect you to go back and read through all the minutes. I think it's important to emphasize this issue and we probably ought to have that legal in the background and also make sure we are doing everything that we can here at the Turnpike within the law to actively pursue that because I know from private discussions with others who have been on the Commission as well as the prior Executive Director, that was always emphasized. It's important and I would appreciate an interim update in the next one or two meetings.

Mr. Dixon commented and said when I ask these questions they are more of an education for me than anything else because as you know this agency is different than any public agency I worked with. It has some funny little nips to it. We do things differently here so when I ask these questions it's to educate myself so that I know what we can and cannot do. It helps me so please don't misunderstand my questions. OK?

Chairman Greenwood said that was the point. You had raised the question before and I think in the transition you didn't get, in the terms of what we were looking for, as a Commission, led by Mr. Dixon, were brought to our attention. I think we still have a motion, is there any further discussion on the motion to award the herbicide contract? If not, please call the roll.

Roll: Mr. Dixon-yes; Mr. Darwish-yes; Mr. Greenwood-yes; Mr. Wilkins-yes.

Mr. Castrigano said thank you. The final item on my report this morning is a brief construction update. All of our construction projects are back in progress this spring. Anyone who tried to use the Turnpike to get into the building this morning could see that our only third-lane project is currently under construction. It's gearing up and we will be in this shifted traffic pattern throughout the summer months. This project is scheduled for completion in November of this year.

The same for both of our resurfacing projects from Milepost 62 to 70 and from MP 132 to 144. Both of these projects are scheduled to be completed prior to the July 4<sup>th</sup> holiday weekend.

Work continues at the CSX RR Bridge just west of us. Work has been completed on the new tracks. We'll be shifting the rail traffic back onto the permanent structure within the next few weeks and at that time we'll demolish the temporary structure and clear the way for the third-lane construction in that area.

Our largest area, the Cuyahoga River Bridge, we'll begin placing the deck within the next couple weeks. That will continue during the summer months also.

An update on our S.R. 58 interchange, at MP 140 in Lorain County, that contract is currently in the bidding process and it is scheduled for a bid opening date of May 14<sup>th</sup>. If things proceed as schedule we will be prepared to present a resolution to the Commission in either May or June, 2003 for the award of that contract. That completes my report, Mr. Chairman.

Chairman Greenwood asked if there were any questions for Mr. Castrigano? Thank you. Any reports from our financial advisor, Mr. Erickson?

No report, Mr. Chairman.

Chairman Greenwood advised that our trustee, Mr. Frank Lamb, was unavailable to attend today's meeting. Highway Patrol, Capt. Ferguson?

Capt. Ferguson advised that the only thing I have to report on is our fatality count for this year has climbed to 4 fatal crashes with 4 people killed. That compares to 3 fatal crashes with 3 people killed at this time last year.

The winter weather has held its teeth on us right through the end of March – on March 31<sup>st</sup> we had another freezing rain period and had our last fatal traffic crash that occurred on that date at 5:36 a.m. in Sandusky County near MP 81 (westbound.) It actually involved three vehicles. A panel van driven by a man from Norwalk was traveling westbound diversing a bridge overhead which was frozen. He lost control spun out, hit the median wall and came to rest against the median wall facing eastbound. The driver of that truck remained in it. A second vehicle driven by a woman came over the same overpass, lost control spun out to the right, struck a guardrail and came to rest partially on the right berm in the right lane. Everything stabilized there. Then a third vehicle a straight truck traveling westbound driven by a man from Cheboygan, WI viewed the woman who had spun out, tried to take evasive action to the left. He also lost control, ended up striking the median wall, spinning around and the rear of his truck then struck the front of the van that had previously been involved in his crash and that impact fatally injured the driver of the van. That's the fourth fatality for this year compared to three at this time last year. That completes my report.

Chairman Greenwood asked if there were any questions for Capt. Ferguson. Thank you. Mr. Yacobucci?

Mr. Yacobucci stated we have just started the annual inspections of the Turnpike facilities. We have about 20% of the bridges and culverts completed. We have not started anything on the actual building facilities or the roadway, but as far as reporting, there is nothing major of any concern on our behalf so everything is going quite well.

Chairman Greenwood asked if there were any questions from the Commission Members for Mr. Yacobucci. Thanks. General Counsel, do you have a report?

General Counsel replied, yes, I have included in all your folders and I tried to get it out to Commission Members on Thursday afternoon, a quarterly report which gives you an update on administrative matters in the Legal Dept. I have one new staff assignment for the Workers' Compensation Staff Attorney and also a position, in conjunction with the Executive Director, we created the position, Director of Contract Administration/Governmental Affairs to consolidate the governmental affairs functions and the contract review functions that are currently being performed by the Legal Department. Also, I have given you an update on all of our significant litigation matters including Workers' Compensation cases. I don't know if the Commission Members have had an opportunity to review it, but in the event you have any question, please feel free to give me a call.

Chairman Greenwood said OK, any other comments for the good of the order, other than myself, Senator Schuring. I'm sorry, report on budget and financial matters? I skipped over that. My wife says when I skip over checkbook entries and stuff, too. You had your report from the Secretary-Treasurer and went into the Executive Director's report – Mr. Steiner?

Commission CFO, James Steiner, reported that our passenger traffic during the month of March totaled 2,866,000 cars falling short of the record reached last year by 15,000 or 0.5%. If Easter had been in March as it was last year, our traffic for the month would have actually lightly exceeded the volume from last year.

Our commercial traffic during March totaled 719,000 vehicles falling short of the level reached last year by just 2,000 vehicles or 0.3%. Total traffic during March totaled 3,585,000 vehicles falling short of the level reached last year by 17,000 vehicles or again 0.5%. Passenger car traffic during the quarter totaled 7,790,000 vehicles falling short of the level reached last year by 36,000 cars or 0.5%.

Commercial traffic during the first quarter of the year totaled 2,052,000 exceeding the volume reached last year by 22,000 vehicles or 1.1% and despite the adverse weather conditions that we have experienced this year, our total traffic for the first quarter of the year totaled 9,842,000 vehicles falling short of the level reached last year by just 14,000 vehicles or 0.1%.



The lower traffic has resulted in lower than anticipated toll and concession revenues. Our total General Fund Revenues during the first quarter of 2003 were approximately \$870,000 less than the amount we had budgeted and the severe winter weather has caused higher than anticipated costs for snow and ice overtime, salt, vehicle maintenance, fuel and utilities. Our total operating maintenance and administrative expenses for the quarter were approximately \$1.1-M more than we had budgeted and we are currently reviewing the budget and looking for opportunities to trim costs during the remainder of the year. Mr. Chairman, that completes my report and I'd be happy to respond to any questions.

Thanks Jim, do you have any questions from the Commission Members for Mr. Steiner? Senator Schuring, welcome to our Board. If you have any questions or anything, by all means contact me or any Commission Member. I'm sure I speak on behalf of the Commission Members as well as the staff and Executive Director, we look forward to having you on board.

Any other matters for the good of the order? If not, we stand adjourned until May. Please call the roll.

Roll: Mr. Darwish-yes; Mr. Wilkins-yes; Mr. Dixon-yes; Chairman Greenwood-yes. (*Time: 10:50 a.m.*)

/dsp

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