

MINUTES OF THE 507TH MEETING OF THE OHIO TURNPIKE COMMISSION
October 18, 2004

Pursuant to the bylaws, the Ohio Turnpike Commission met for a "regular meeting at the Commission's Administration Building at 10:00 a.m. on October 18, 2004, with members of the staff: Daniel Castrigano, Chief Engineer; James Steiner, CFO/Comptroller; Noelle Tsevdos, General Counsel; W. R. Fleischman, Assistant Chief Engineer; Tim Ujvari, Maintenance Engineer, Stuart May, Mechanical Engineer; Kathleen Weiss, Director of Contracts Administration; Anne Fornshell, Director of Human Resources; Dave Miller, Director of Audit & Internal Controls; Dick Morgan, Director of Information Systems; Sharon Isaac, Director of Toll Operations; Richard Lash, Director of Safety Services; Bob Gahr, Assistant Director of Safety Services; Kerry Ferrier, Traffic Engineer; Kevin Golick, Purchasing Manager; Andrew Herberger, Customer Services Manager; William Keaton, Telecommunications Manager; Lauren Dehrmann, Manager, Public Affairs; Heidi Jedel, Crickett Jones, Tracy Cowley and Diane Pring.

The Chairman called the regular meeting to order.

The Chairman advised that Senator Kirk Schuring was unable to attend today's meeting.

Chairman Noe asked the Assistant Secretary-Treasurer to please call the roll.

Present: Mr. Noe, Mr. Balog, Mr. Dixon, Mr. Regula, Director Proctor and Representative Buehrer

Absent: Senator Schuring

The Chairman said we have a number of guests here today, so I'd like everyone to introduce themselves: Eric Erickson, Fifth Third Securities; Dan Sokol, Dennis Albrecht, Todd Cooper, Dick Corporation; Tony Yacobucci, HNTB; Bobby Everhart, Mike Burgess, URS Corporation; Mo Darwish, ODOT; Brett Neff, R. E. Warner Co.; Larry Davis, Ohio Truckers Association; Howard O'Malley, B & T Express; Larry Woolum, Ohio Trucking Association; Allan V. Johnson (retired OTC); Frank Lamb, Huntington Bank; Capt. Bob Ferguson, OSHP; Brett Neff, R. E. Warner; Matt Stuczynski, Nat City Investments; Glen Stephens, G. Stephens & Associates; Don Glosser, Lichtenstein Investments; Rich Exner, The Plain Dealer; Tom Travis, HMS Host; Richard Fox, Hardee's Food Systems; Kevin Redden, Gladioux Corporation; Jeff Milam, International Union, Operating Engineers

The Chairman welcomed everyone and said this is the 507th meeting of the Ohio Turnpike Commission, and stated we are meeting here in the

Commission's headquarters as provided for in the Commission's Code of Bylaws for a regularly scheduled meeting. 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. These resolutions will be explained during the appropriate reports.

The Chairman asked for a motion to adopt the Minutes of the August 23, 2004 "Special" meeting.

Commissioner Balog moved and Commissioner Regula seconded. All other members voted in the affirmative, and the minutes were adopted.

The Chairman said we'll proceed with the report of the Secretary-Treasurer, Mr. Dixon.

Mr. Dixon said the following items have been sent to the members since the last regularly scheduled meeting of the Commission on August 23, 2004:

1. Minutes of the August 23, 2004 Commission Meeting
2. Traffic & Revenue Report, August and September, 2004
3. Total Revenue by Month & Year, August and September, 2004
4. Investment Report, August and September, 2004
5. Financial Statements, August 31, 2004
6. Financial Statements, September 30, 2004 *
7. Budget Report – Nine Months in 2004 *
8. Traffic Crash Summary Report, August, 2004
9. Legal Department Quarterly Report *
10. Various News Releases

* in Commission Members' Folders

The Chairman asked Mr. Suhadolnik, Executive Director for his report.

The Executive Director said before I present my resolutions, I'd like to mention that our Deputy Executive Director, Jerry Pursley, had triple-bypass surgery on October 13th. All went well, and he's home now. We expect him to be recuperating about six to eight weeks. We have a card which most of our Commission Members have signed. I'll try to pass it around to the audience in case any of you would like to sign the card, too. Also, I'd like to mention that a number of Commission delegates attended the IBTTA conference in Philadelphia. I think we were well received, and we went there primarily to encourage folks to come to Cleveland in September, 2005 when we will be celebrating the 50th anniversary of the Turnpike, and the Cleveland area will host the international IBTTA convention.

I have four resolutions to present Mr. Chairman. The first resolution will set toll rates for our new interchange 140 in Lorain County. We anticipate

opening that interchange on November 30th. We did promise when we broke ground about 1-1/2 years ago that we would open the interchange in November 2004. We'll keep that commitment. These are really the current toll rates, but just pro-rated for that location with one exception. We have a policy at the Turnpike to charge a minimum of \$.50 toll between interchanges. With that exception, the rates are pro-rated. Also, I'd like to add that because we are adding a new interchange, we'll have to make new tickets. Our next tickets will be designed in a new way. As most Commission Members are aware, when you enter one of the toll lanes if you're in an automobile, the ticket spits out at a lower level. If you're in a truck, the tickets spit out at a higher level. We are going to split the ticket and have Classes 1-3 on the lower tickets and Classes 4-9 on the higher tickets. That will leave more room on the ticket which will allow us to put some route numbers next to each one of the interchanges. In that way, it'll be easier for the motorists to see where they are exiting and what their toll should be. It will help them determine what route they are near and make the correct change in many cases. I'll ask our General Counsel to read the Resolved:

General Counsel read the Resolved as follows:

"RESOLVED that the Commission adopts the toll rates for new Interchange 140 and directs that certified copies thereof be filed with the trustee pursuant to Section 4.04(f) of the Commission's Master Trust Agreement dated February 15, 1994."

The Chairman asked, is there a motion?

Commissioner Balog moved and Commissioner Regula seconded.

The Chairman asked if there was any discussion. If not, please call the roll.

The "Resolution Establishing Toll Rates for Interchange 140 in Lorain County" was moved for adoption as follows:

RESOLUTION NO. 48-2004

WHEREAS, the Commission and Director of the Ohio Department of Transportation heretofore, in accordance with law, have designated State Route 58 as a point of ingress to and egress from the Ohio Turnpike; and

WHEREAS, said new interchange has been designed and is currently under construction at Milepost 140.2 of the Ohio Turnpike and State Route 58 near the City of Amherst, in Lorain County, Ohio and is scheduled for completion on or before November 30, 2004; and

WHEREAS, by Resolution No. 29-1996 adopted on April 10, 1996, the Commission adopted the numerical designation of Interchange "7B" and designated the name of "**Amherst-Oberlin**" as the name for said interchange; and

WHEREAS, by Resolution No. 60-1997 adopted December 15, 1997, the Commission adopted "new" numerical designations to coincide with the Turnpike's milepost designations and established the *new* interchange designation **140** for the "Amherst-Oberlin" interchange; and

WHEREAS, the Commission has scheduled the opening of Interchange 140, and it is necessary to establish toll schedules to accommodate this interchange; and

WHEREAS, the Commission's executive director and CFO/Comptroller, in conjunction with the Toll Operations Department, have developed toll rates for Interchange 140; and

WHEREAS, the Schedule of Tolls for Interchange 140 has been prepared and has been submitted to the Commission and is identified as follows: **Ohio Turnpike Commission Toll Rates, Interchange 140** and is incorporated into this resolution by reference as if fully reproduced herein.

NOW, THEREFORE, BE IT

RESOLVED that the Commission adopts the toll rates for new Interchange 140 and directs that certified copies thereof be filed with the trustee pursuant to Section 4.04(f) of the Commission's Master Trust Agreement dated February 15, 1994.

The resolution was adopted with all Members voting in the affirmative. The resolution was identified as No. 48-2004.

The next resolution I'd like to present is a resolution asking the Commission to go on record to keep open what I refer to as the "free" interchange at S.R. 49 in Williams County. With all the changes we're making with speed limits, and toll rates that will be upcoming with some of the future resolutions, the parameters have changed. The reason that we were considering closing it down, as I recommended a couple months ago, was because of diversion. Our hope is with all the changes made, there will be less diversion and the original reason for wanting to close it down now seems to be out of place. In addition, after hearing the testimony, I was convinced, as I believe was Chairman Noe, that trucks want to avoid paying any toll, so even if we closed that interchange, trucks would simply get off farther west in Indiana to avoid the toll road. It really would not have solved the problem for us. I also think it's important for us to pass this resolution now, to provide some certainty for those

folks in that area. I don't know whether there is a lot of development happening in that area, but if there is some company that is considering it, they need to have some certainty whether that interchange will be there or not. We did use the word "indefinitely" in the resolution only because, like a legislative body, a future Commission could decide that it might want to make some changes at that interchange. During the time I'm here, I don't foresee that I'll be recommending to close it any time in the future, but a future Commission could decide that there might be some other reason to do that.

We have an in-depth report that we have distributed to the Members entitled, "Report to the Ohio Turnpike Commission Concerning the Potential Closure of the Interchange at S.R. 49" dated October 18, 2004. We have discussed some of the highlights, and for those reasons I recommend that the interchange remain open. We have drafted a resolution, and I would ask our General Counsel to read the Resolved:

General Counsel read the Resolved as follows:

"RESOLVED that the Commission accepts the Executive Director's recommendation to keep the S. R. 49 interchange open indefinitely and to continue to explore avenues to make travel on the Ohio Turnpike more economical; and

"FURTHER RESOLVED that, to provide incentives for the Ohio Turnpike's commercial operators, the Executive Director should encourage local officials to increase the enforcement of speed and weight limits on the parallel routes and to take any additional measures, as necessary, to respond to the Governor's three-point program approach to move commercial traffic from parallel routes to the Ohio Turnpike. "

The Chairman asked, do we have a motion?

Commissioner Balog moved and Commission Regular seconds.

The Chairman asked, is there any discussion?

Commissioner Balog said in the first Whereas paragraph it talks about public comment on the Commission's intention to close the westbound entrance. I thought we were having public hearings for the purpose of making a decision. I just think the language in the first Whereas where it says: "we held public hearings on the Commission's intention to close" ought to be softened. I think it should reflect that it was our intention to go ahead and investigate it. I would suggest some additional language such as "investigate the potential closure."

Chairman Noe said I think that's a fair comment. Is there any objection to that revision?

Regarding the motion for the proposed amendment, Commissioner Balog moves and Commissioner Regular seconds.

Chairman Noe said before we go any further, I'd like to thank Gary, Kathy Weiss and the rest of the Turnpike staff. This report is nice and complete. It really tells a lot of what happened there, and I think the hearings went very well under some difficult circumstances. Obviously, there were a lot of people who had some strong opinions about that interchange. The more we listened to it, the more I think we are probably helping Indiana and Michigan's development more than we are Ohio's with keeping it open, but that being said, we had more people from Michigan and Indiana who came and testified in favor of it as much as local people did. It was kind of interesting, but I think it is the right decision based on all the recommendations, and I compliment the staff on the way it was handled.

Representative Buehrer said I want to add my thanks to the Executive Director as well as the staff and also to you, Mr. Chairman, for attending the hearings. I know the other Commission Members reviewed materials and talked a lot about it. I just want to commend everybody who was part of the undertaking, what I think became a very thoughtful look at this process. I think the time spent listening to local officials and the Executive Director's responses to numerous letters was time well spent. At the end of the day, you have made some friends in northwest Ohio in terms of the way it was handled. I would also be remiss if I didn't commend the Governor and Director Proctor and all here who were involved in putting together what I think is really a winner in terms of the three-point comprehensive plan that the Governor has brought forward to try to address the commercial traffic on secondary roads. I think by looking at all three points, we are really evaluating the present resolution in conjunction with the pilot project that's been announced. We are going to see some real good things for the future of transportation across the northern corridors. I want to commend all those who were involved in making this possible. Thank you.

The Chairman asked if there was any other further discussion or comments.

The Chairman asked the Assistant Secretary to please call the roll regarding the proposed amendment.

Commissioner Balog moved and Commissioner Regula seconded to revise the first paragraph of the resolution to read as follows:

"WHEREAS, pursuant to Resolution No. 15-2004 adopted April 19, 2004, the Executive Director was authorized to hold public hearings to encourage public comment on the Commission's intention to investigate the potential closure (revised text) of the westbound entrance ramp from State Route 49 onto the Turnpike, and the eastbound exit ramp to State Route 49 from the Turnpike located in Williams County; and

Regarding the adoption of the amended resolution, Commissioner Balog moved and Commissioner Regula seconded.

The "Resolution Relating to the Executive Director's Report Concerning the Partial Closure of S. R. 49 Interchange in Williams County" was moved for adoption as follows:

RESOLUTION NO. 49-2004

WHEREAS, pursuant to Resolution No. 15-2004 adopted April 19, 2004, the Executive Director was authorized to hold public hearings to encourage public comment on the Commission's intention to investigate the potential closure of the westbound entrance ramp from State Route 49 onto the Turnpike, and the eastbound exit ramp to State Route 49 from the Turnpike located in Williams County; and

WHEREAS, two (2) public hearings were held on August 5, 2004, at the Bryan/Montpelier Ramada Inn and Conference Center in the vicinity of Milepost 13.5 of the Ohio Turnpike, which gave the 248 residents and interested parties who attended, an opportunity to speak at the afternoon and/or evening hearings; and

WHEREAS, a transcript of the hearings was prepared and is attached, along with several other exhibits to the Report prepared by the Commission's Director of Government Affairs, concerning the potential closing; and

WHEREAS, it is the Commission's consensus that the "free" S. R. 49 interchange is an escape route for overweight commercial vehicles avoiding weigh scales at the Westgate toll barrier; and

WHEREAS, testimony elicited at the public hearings and letters received by the Commission indicate that the lack of speed and weight limit enforcement on the parallel routes close to the S. R. 49 interchange, coupled with strict enforcement of the speed limit on the Ohio Turnpike, is also a deterrent to commercial truck traffic; and

WHEREAS, although development in the immediate vicinity of the subject interchange over the last twelve years has not been meaningful, traffic counts do show that a significant number of vehicles use this interchange; and

WHEREAS, the overwhelming majority of residents and interested parties attending the public hearings opposed the closure citing that the closure would have a significant negative impact on economic development in the northwest Ohio corridor as well as easy access for personal travel, tourism and agriculture; and

WHEREAS, public officials from Ohio, Michigan and Indiana acknowledged the importance of commerce among the three states as it relates to Ohio residents who have jobs in these other states, and also the production of products in Ohio that are shipped to Michigan or Indiana, and vice versa; and

WHEREAS, local public officials who testified offered their assistance, with the help of their local communities, towards resolving the Commission's problems; and

WHEREAS, testimony was provided by the Office of Ohio State Representative Stephen Buehrer, who expressed concern that closing the interchange would be short-sighted and detrimental to economic development efforts in northwest Ohio; and

WHEREAS, testimony was also offered by Ohio legislators, Senator Lynn Wachtmann and Representative James Hoops, who pointed out that closing the subject interchange would not necessarily resolve the problem of commercial vehicles escaping the Ohio Turnpike; and

WHEREAS, as a result of all the information gathered, including the traffic study, the Ohio State Highway Patrol study and the public hearings, the Commission's Executive Director is now in a position to make a recommendation to the Commission; and

WHEREAS, the Commission's Executive Director concurs with the recommendations in the report to keep the S. R. 49 interchange open, but wishes to seek local assistance, as offered, in attempting to alleviate the problems created by the S. R. 49 escape route for commercial vehicles; and

WHEREAS, the Executive Director further recommends that the Commission should continue to explore avenues to make travel on the Ohio Turnpike more economical, by providing added incentives for commercial operators to use the Ohio Turnpike, as well as encouraging the local enforcement of speed and weight limits on the parallel routes.

NOW, THEREFORE, BE IT

RESOLVED that the Commission accepts the Executive Director's recommendation to keep the S. R. 49 interchange open indefinitely and to continue to explore avenues to make travel on the Ohio Turnpike more economical; and

FURTHER RESOLVED that, to provide incentives for the Ohio Turnpike's commercial operators, the Executive Director should encourage local officials to increase the enforcement of speed and weight limits on the parallel routes and to take any additional measures, as necessary, to respond to the Governor's three-

point program approach to move commercial traffic from parallel routes to the Ohio Turnpike.

The resolution, as amended, was adopted with all Members voting in the affirmative. The resolution was identified as No. 49-2004.

The Executive Director said I have another resolution to introduce. This resolution relates to the proposed temporary toll rate reduction and is entitled, "Resolution Authorizing the Executive Director to Issue Public Notice and Hold Public Hearings Revising the Ohio Turnpike Commission's Schedule of Tolls or Classes 4 thru 9 on a Temporary Basis." This is a major initiative to move trucks to the Ohio Turnpike. Since the time I have been here and before the time I started, there have been constant references made to the toll increases made in the mid-1990's. I think that some comparison ought to be made that we are reducing tolls from the 1990's. You'll see in Class 9, that we are actually reducing the toll rate from the 1990 rate by 126%. The toll rates for a Class 9 vehicle at these rates, if adopted, will be lower than they were in 1995, lower than in 1982 and in fact, only \$1.00 more than toll rates were in 1955 when the Turnpike opened. The reason for this dramatic reduction in Class 9, is because these are heavy vehicles that we know are avoiding the Turnpike because of the toll rates. We also know that, despite increased enforcement efforts, it's going to be difficult to catch every one of these vehicles with CB radios, etc. We wanted to provide the greatest economic incentive for those trucks to remain on the Ohio Turnpike. I would suggest that any trucks in that Class 9 category that avoid the Turnpike, are just opposed to paying any toll.

In Class 8, the largest category in terms of vehicle miles traveled, we are reducing tolls 59% from the rates established in the 1990's. In Class 7, the other larger category, we are reducing tolls 58% from the rates established in the 1990's. As you can see from the chart, the rates will be the same for classes 4 and 5, 6 and 7, and 8 and 9, but for the pilot program, we are going to keep the six categories. Somewhere down the road when we talk about ongoing toll rates, we will then combine some of the categories. Although we won't see E-Z Pass on the Ohio Turnpike tomorrow, E-Z Pass some day will likely come to the Turnpike. To facilitate that, we would then prefer to count axles instead of weighing vehicles. By combining the weight categories, this will facilitate that move some time in the future.

Also, in terms of the individual toll rates, while the rates shown on our chart represents a trip across the entire Turnpike, you are considering a resolution today that will specify the rates between all the various interchanges. We have rounded them to quarters. As the Commission is well aware, we purchased a couple of automatic toll machines to try in a pilot program. We think

they will be successful, but by rounding these rates to quarters, it will make it easier for the toll collectors to collect tolls and make change, and further it will be easier when we decide to expand that program and have more machines in place. I would ask our General Counsel to read the Resolved:

General Counsel read the Resolved as follows:

"RESOLVED, that the Commission hereby authorizes the executive director or his designee to issue public notice and to conduct any public hearings required by law regarding its intention to make the attached temporary changes to the current schedule of toll rates for Classes 4 through 9 for a period of up to eighteen (18) months in an effort to encourage more commercial trucks to utilize the Turnpike instead of adjacent state routes; and

"FURTHER RESOLVED, that the Commission further authorizes the executive director, general counsel and bond counsel to negotiate an agreement with the Ohio Department of Transportation whereby the Commission will receive a payment of approximately \$15.6 million dollars per year or approximately \$23.4 million for the eighteen (18) month trial period to cover lost revenues that may result from the temporary change in the current schedule of toll rates for Classes 4 thru 9, or such other financing arrangement whereby the Ohio Department of Transportation reduces the annual debt service obligations of the Commission by the amount of approximately \$15.6 million dollars per year; and

"RESOLVED, that the executive director shall prepare a report to the Commission after issuing public notice and holding the public hearings required by law, and after negotiating an agreement with the Ohio Department of Transportation."

The Executive Director said in anticipation of a positive vote on the resolution, we have prepared public notices to the news media setting the first public hearing that will be published this week in the appropriate newspapers.

We have scheduled the first public hearing to be held here at the Ohio Turnpike Commission Administration Building on Monday, October 25. That will start the 90-day clock.

The Chairman asked, is there a motion?

Commissioner Balog moved and Commissioner Regula seconded.

The Chairman said is there any discussion?

The Chairman said he wants to personally thank Governor Taft, Jim Samuel in the Governor's office, Gordon Proctor and his staff and Gary and our Turnpike staff. This is monumental, in my opinion. This is a great start and we can only hope that it is as successful as the actuarial tables are looking and that possibly in 18 months when we sit down and look at making this permanent, we might even have the ability to lower tolls more, if at all possible. I think it's important that we work hard to try and get more trucks and commercial vehicles on the Turnpike and off the parallel routes. Driving over here today, I think the speed limit is already making a difference. I definitely saw more trucks coming over today than I remember seeing the last few times. Everyone should be commended for all the hard work and it's nice to see ODOT, the Turnpike and

the Governor's office and all the public media working well together trying to get this done, and I appreciate everyone's help on that.

If there are no other discussions or comments, would you please call the roll.

The "Resolution Authorizing the Executive Director to Issue Public Notice and Hold Public Hearings Revising the Ohio Turnpike Commission's Schedule of Tolls or Classes 4 thru 9 on a Temporary Basis" was moved for adoption as follows:

RESOLUTION NO. 50-2004

WHEREAS, the Commission, by Resolution 38-1955, established a schedule of tolls and classifications of weight which was effective October 1, 1955, which is attached hereto and incorporated herein by reference; and

WHEREAS, the Commission by Resolutions 40-1956, 16-1981, 16-1995, 18-1995, 56-1995 and 59-1995, has adopted several different revisions in the schedules of toll rates which imposed changes in the schedules of toll rates then in effect; and

WHEREAS, the 1994 Master Trust Agreement allows the Commission to make a temporary change to the schedule of tolls that it deems to be necessary and proper, so long as the Comptroller/Chief Financial Officer certifies that the Commission will not fail to comply with the debt service requirements; and

WHEREAS, the Commission desires to implement a temporary change to the schedule of tolls for Classes 4 thru 9 vehicles for a period of up to eighteen (18) months, as reflected in the attached proposal, in an effort to attract more commercial carriers to utilize the Turnpike instead of using state routes that are located adjacent to the Turnpike; and

WHEREAS, the Ohio Department of Transportation has agreed to make one or more supplemental payments to the Commission in order to assist in the funding of this temporary change to the current schedule of toll rates and in order to offset lost revenues that may result from the temporary change in the schedule of tolls for Classes 4 thru 9, including the payment of up to \$23.4 million dollars for the eighteen (18) month trial period of the reduction in tolls or the defeasance or refinancing of Commission revenue bonds, whereby the Commission's debt service requirements would be reduced by approximately \$15.6 million dollars per year; and

WHEREAS, the Ohio General Assembly enacted an amendment to the provisions of Ohio Revised Code Section 5537.26, through the passage of H.B. 335 effective October 17, 1996, which statute requires the Commission to issue notice and conduct a series of public hearings prior to taking any action to change the current toll rate structure.

NOW, THEREFORE, BE IT

RESOLVED, that the Commission hereby authorizes the executive director or his designee to issue public notice and to conduct any public hearings required by law regarding its intention to make the attached temporary changes to the current schedule of toll rates for Classes 4 through 9 for a period of up to eighteen (18) months in an effort to encourage more commercial trucks to utilize the Turnpike instead of adjacent state routes; and

FURTHER RESOLVED, that the Commission further authorizes the executive director, general counsel and bond counsel to negotiate an agreement with the Ohio Department of Transportation whereby the Commission will receive a payment of approximately \$15.6 million dollars per year or approximately \$23.4 million for the eighteen (18) month trial period to cover lost revenues that may result from the temporary change in the current schedule of toll rates for Classes 4 thru 9, or such other financing arrangement whereby the Ohio Department of Transportation reduces the annual debt service obligations of the Commission by the amount of approximately \$15.6 million dollars per year; and

RESOLVED, that the executive director shall prepare a report to the Commission after issuing public notice and holding the public hearings required by law, and after negotiating an agreement with the Ohio Department of Transportation.

The resolution was adopted with all Members voting in the affirmative. The resolution was identified as No. 50-2004.

The Executive Director said I have one more resolution to present. This resolution will amend our contract with Panera Bread Company at the Great Lakes and Towpath Service Plazas. These are service plazas, which are just east of the Cleveland area in the Broadview Heights/Brecksville area. All our plazas are making a profit and doing well, but because of this particular location so close to the Cleveland area, it appears that many people are continuing towards their destination and not stopping for that last cup or coffee or refreshments. As a result, some of our vendors are having a difficult time at those two locations. You may recall earlier in the year, Wendy's moved out of their two stores, and were replaced by Burger King. Panera is experiencing difficulty there, so we have re-negotiated our agreement with them.

The renegotiation involved three areas of the contract. First, we have agreed to reduce the Common Area Maintenance (CAM) charge (cleaning floors,

restrooms, etc.). We assess a percentage against each of the vendors so that they, in effect, cover half of the cost of the CAM charge and the Turnpike assumes the other half. We're reducing their percentage because, in the case of Panera, they have their own eat-in area that they clean, so most of their customers don't use the common area. Sometimes, a family may come in and choose a different vendor and bring their sandwiches to Panera's area as well, so we thought there was a reason to reduce their CAM charge from 31% to 25%. We are also reducing their minimum annual rent from \$60,000 to \$35,000 per year. We are also adding additional provisions in their rent agreement if food sales reach certain levels, such that Panera will pay rent increases each time certain plateaus are reached. If there are more questions, I would ask our Director of Contracts Administration, Kathy Weiss, to address those questions.

General Counsel read the Resolved paragraph:

"RESOLVED that the Commission hereby authorizes the executive director and director of contracts administration to take the appropriate action necessary to execute the contract modifications with **Dalcan Limited Liability Company, dba/Panera Bread Company** of Warren, Ohio, for the operation of the Unit #4 food concession utilizing the "Panera Bread Company" concept at the Commission's Great Lakes and Towpath Service Plazas."

The Chairman asked, is there a motion?

Commissioner Balog moved and Commissioner Regula seconded.

The Chairman asked if there was any discussion.

Commissioner Balog asked Kathy Weiss, if we pass this contract and go forward and reduce Panera Bread CAM charges, etc., do we anticipate that the other vendors in the service plazas will be knocking on our door and say, we saw what happened with Panera, it affects us also. Is this just the beginning of two or three reductions? Do we anticipate that?

Kathy Weiss said I think it is definitely conceivable that the other operator out there, HMS, would come to us with a question about whether we could re-negotiate portions of their contract. I would like to add to what the Director said, that we presently take in about \$375,000 a year in both revenue and CAM charges from this particular contract. Panera is a key anchor concept for us both at Great Lakes and Towpath and also at Middle Ridge and Vermilion Valley. It's very important for us to keep them there at Great Lakes and Towpath. But what we are giving back in terms of re-negotiation is not a full boat. They have indicated to us that if things do not change, they will probably lose between \$120,000 and \$130,000 next year. What we are giving back in terms of re-negotiation that the Director described to you is approximately \$58,000 per year. With all the things that are going on today; the increase in the speed limit, the diesel program which you recently approved, the toll reduction that's coming, and signage we are going to install out there, we didn't feel that going the whole way

would be the appropriate thing to do. So, we are going to give this a try and see how it works. We are certainly open to discussion with our other operators out there if they wish to express any concerns to us.

Commissioner Balog said thank you and said he agrees that Panera Bread is more of a meal-type restaurant versus a fast-food type sandwich operation. Not that we are knocking Burger King, Wendy's, or McDonalds, but this is more traditionally a concept where you can purchase a meal or salad. I was just curious what you expect from the other vendors. Do you have an indication of how they have been doing financially?

Ms. Weiss said actually we will be meeting with them this week and will have some serious discussions about issues that are at that set of plazas. No, I couldn't tell you specifically what their numbers are, but I think the Great Lakes/Towpath sales are generally as the Director described, a bit of a concern to us as compared to the rest of the service plazas.

Commissioner Balog asked, so we'll probably see something from them?

Ms. Weiss replied, it's hard to say, but I know they are here today listening.

Chairman Noe said if there are no questions or discussion, please call the Roll.

The "Resolution Directing the Executive Director to take Immediate Action Concerning Modification of Food Concession Contract No. TR-8B (Unit #4) was moved for adoption as follows:"

RESOLUTION NO. 51-2004

WHEREAS, pursuant to Resolution No. 36-1999 adopted on August 30, 1999, the Commission awarded Contract No. TR 8-B (Unit #4) to **Dalcan Limited Liability Company, d/b/a Panera Bread Company ("Dalcan")** of Warren, Ohio, for the operation of the food concession utilizing the "Panera Bread Company" concept at the Commission's Great Lakes and Towpath Service Plazas; and

WHEREAS, said contract provided for an initial term of seven (7) years and also provided that the contract may be extended for not more than five (5) successive three (3) year periods at the sole discretion of the Commission; and

WHEREAS, restaurant and retail sales volumes at the Great Lakes and Towpath Service Plazas have been a concern to the Commission, as well as the Operators; and

WHEREAS, at the request of Dalcan, the Commission's deputy executive director, director of contracts administration and customer services manager have extensively reviewed the current contractual arrangement, and have met with Dalcan to renegotiate three specific areas of the current contract; and

WHEREAS, the Commission does not wish to be in a position of having to replace a key anchor concept such as "Panera Bread Company"; and

WHEREAS, the Commission has been pleased with the services rendered by Dalcan over the years, and both parties are agreeable to a modification of the existing contract, which terms and conditions are summarized in the letter to the Commission dated October 18, 2004, which is attached hereto; and

WHEREAS, the Commission's director of contracts administration has reviewed the proposed modified terms and has advised the executive director that the Commission has full legal authority to enter into this proposed contract modification with Dalcan.

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby authorizes the executive director and director of contracts administration to take the appropriate action necessary to execute the contract modifications with **Dalcan Limited Liability Company, d/b/a Panera Bread Company** of Warren, Ohio, for the operation of the Unit #4 food concession utilizing the "Panera Bread Company" concept at the Commission's Great Lakes and Towpath Service Plazas.

The resolution was adopted with all Members voting in the affirmative. The resolution was identified as No. 51-2004.

The Executive Director said that concludes my report, Mr. Chairman.

The Chairman said thank you very much. Dan, I believe you have a few resolutions for us?

The Commission's Chief Engineer, Dan Castrigano, said I also have four resolutions for your consideration this morning. The first one is a "Resolution Awarding Contract No. 43-04-01" which is for the reconstruction of the Norfolk & Southern Railroad Bridge at Milepost 183 in Summit County. You will recall in August of this year, the Commission rejected the bids received in response to this contract due to a plan order error and we re-advertised it. Briefly, as our third lane program nears its completion, we currently have third lane in place and open from Milepost 71 in Wood County to Milepost 219 in Mahoning County, with the exception of seven (7) miles in Summit County, which is where the location of this structure is located. This bridge must be re-constructed to allow for the construction of the third lane in this area. We received five bids in response to

the contract. The apparent low bid was submitted by Ruhlin Company of Sharon Center, Ohio in the amount of \$9,610,067.99. The total amount bid was below the construction estimate and this contractor has performed satisfactorily for the Commission in the past. I'd just like to make a note that, with the plan error we had on the structural steel last time around, if we would have issued a Change Order and gone ahead with the contract, we would have spent approximately \$400,000 more for the contract. So, it was beneficial to re-bid the contract.

This resolution also contains provisions for testing by Geo-Sci, Inc. of Berea, Ohio, and also authorizes the Executive Director to enter into an agreement with Norfolk & Southern Railway Company for reimbursement of costs associated with relocation of the tracks and communication lines. You should also notice that this resolution does not include provisions for construction inspection, however, construction inspection and program management services will be performed by URS Corporation, which has previously been assigned this work under a resolution for third-lane construction adopted in 1995. Would the General Counsel please read the Resolved?

General Counsel read the Resolved as follows:

"RESOLVED that the bid of **The Ruhlin Company**, Sharon Center, Ohio, in the amount of **\$9,610,067.99** for the performance of Contract No. 43-04-01 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 the executive director and the chief engineer to assign **Geo-Sci, Inc.**, of Berea, Ohio, to Contract 43-04-01 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 Geo-Sci, Inc.; and

"FURTHER RESOLVED that the Commission authorizes the executive director to enter into an agreement with Norfolk Southern Railway Company for reimbursement of costs associated with relocation of tracks, communication and signal lines and related expenses; and

"FURTHER RESOLVED that Project No. 43-04-01 is designated a System Project under the Commission's 1994 Master Trust Agreement."

The Chairman asked, is there a motion?

Commissioner Balog moved and Commissioner Regula seconded.

The Chairman asked, are there any discussion or questions? If not, will the Assistant Secretary-Treasurer please call the roll.

The "Resolution Awarding Contract No. 43-04-01" was moved for adoption as follows:

RESOLUTION NO. 52-2004

WHEREAS, pursuant to Resolution No. 46-2004, adopted on August 23, 2004, the Commission rejected the bids received on August 12, 2004, in response to the subject Invitation and directed the Commission to re-advertise for bids for Contract No. 43-04-01; and

WHEREAS, the Commission has duly re-advertised according to law for bids upon a contract for reconstruction of the Norfolk & Southern Railroad Bridge over the Ohio Turnpike located at Milepost 182.0 in Summit County, herein designated Contract No. 43-04-01; and

WHEREAS, the Commission has received bids from five (5) bidders for the performance of said contract; and

WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer and the director of contracts administration, and they have submitted reports concerning such analysis and their reports are before the Commission and the Commission's executive director has made his recommendation to the Commission predicated upon such analysis; and

WHEREAS, all bids for said contract were solicited on the basis of the same terms and conditions and the same specifications, and the bid of The Ruhlin Company of Sharon Center, Ohio, in the amount of \$9,610,067.99 for the performance of Contract No. 43-04-01 has been determined by the Commission to be the lowest responsive and responsible bid received; and

WHEREAS, the Commission has been advised by its director of contracts administration that said bid conforms to the requirements of Section 5537.07, Section 9.312 and Section 153.54, all of the Revised Code of Ohio, and that a performance bond with good and sufficient surety has been submitted by The Ruhlin Company.

NOW, THEREFORE, BE IT

RESOLVED that the bid of The Ruhlin Company, Sharon Center, Ohio, in the amount of \$9,610,067.99 for the performance of Contract No. 43-04-01 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 the executive director and the chief engineer to assign Geo-Sci, Inc., of Berea, Ohio, to Contract 43-04-01 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 Geo-Sci, Inc.; and

FURTHER RESOLVED that the Commission authorizes the executive director to enter into an agreement with Norfolk Southern Railway Company for reimbursement of costs associated with relocation of tracks, communication and signal lines and related expenses; and

FURTHER RESOLVED that Project No. 43-04-01 is designated a System Project under the Commission's 1994 Master Trust Agreement.

The resolution was adopted with the following members: Mr. Balog, Mr. Regula, Mr. Noe and Mr. Dixon voting in the affirmative. Director Proctor voted nay. The resolution was adopted and was identified as No. 52-2004.

Mr. Castrigano said the next resolution relates to the award of Contract No. 3986. As the Commission is aware, the OTC is currently under orders from the OEPA for the collection and disposal of slag leachate wastewater resulting from the construction of the I-77 Turnpike interchange. We received two (2) bids in response to this invitation. The apparent low bid was submitted by AKE Laboratory, Inc. of Bedford, Ohio. This bidder is the current provider for the services and the total amount is below the estimated quantity. We are recommending establishing a blanket contract order in the amount of \$250,000.00. Under this contract, they are paid on the actual amount of wastewater collected. If the General Counsel would read the Resolved, please?

General Counsel read the Resolved as follows:

"RESOLVED that the bid of **AKE Laboratory, Inc.** in the amount of \$197,500.00 under Invitation No. 3986 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 blanket order contract in the amount of **\$250,000.00** 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 AKE Laboratory, Inc. 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."

The Chairman asked, is there a motion?

Commissioner Balog moved and Commissioner Regula seconded.

The Chairman asked, are there any questions? Please call the roll.

The "Resolution Concerning Award of Contract pursuant to Invitation No. 3986" was moved for adoption as follows:

RESOLUTION NO. 53-2004

WHEREAS, the Commission has advertised for bids for Invitation No. 3986 for furnishing to the Commission all services for removal, transportation, disposal and testing of slag leachate wastewater from three (3) locations along the Ohio Turnpike, under Invitation No. 3986; and

WHEREAS, although the Commission is continuing with remediation activities to resolve problems associated with leachate run-off via a hydrogen peroxide treatment method, it will take some time to determine the effectiveness of this remediation effort and, in the meantime, the Commission must continue disposing of slag leachate wastewater until it is certain that the ruff-off problem has been resolved; and

WHEREAS, two (2) bids were received in response to Invitation No. 3986, and such bids have been reviewed by the Commission's staff; and

WHEREAS, it is anticipated that the expenditures of the Commission for disposal of slag leachate wastewater under Invitation No. 3986 shall exceed \$150,000 and, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for the award of such contract; and

WHEREAS, the two (2) bids received in response to the Invitation were reviewed by the maintenance engineer who has stated that the lowest responsive and responsible bid was submitted by **AKE Laboratory, Inc.** of Bedford, Ohio in the amount of \$197,500.00, and that this bidder proposes to furnish services in accordance with the Commission's specifications; and

WHEREAS, the maintenance engineer has stated that, due to the potential for large fluctuations of precipitation during the term of the contract, it is possible that the estimated quantity may be exceeded, and he recommends that a blanket order dollar amount be established at \$250,000.00 under Invitation No. 3986; and

WHEREAS, the maintenance engineer recommends that the Commission authorize the executive director to award a blanket order contract in the amount of \$250,000.00 to AKE Laboratory, Inc.; and

WHEREAS, the Commission's director of contracts administration has reviewed the bids received and has advised the Commission that the procedure followed by the Commission in advertising for Invitation No. 3986 is in accordance with Sections 5537.07, 9.312 and 154.53 of the Ohio Revised Code, and that the bid of AKE Laboratory, Inc., Bedford, Ohio is the lowest responsive and responsible bid received, and that the Commission may legally enter into a contract with AKE Laboratory, Inc. to furnish all service for removal, transportation, disposal and testing of slag leachate wastewater from three (3) locations along the Ohio Turnpike, in accordance with Invitation No. 3986; and

WHEREAS, the executive director has reviewed the bids received and has recommended to the Commission that a blanket order contract in the amount of \$250,000.00 be awarded to the lowest responsive and responsible bidder, AKE Laboratory, Inc.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **AKE Laboratory, Inc.** in the amount of \$197,500.00 under Invitation No. 3986 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 blanket order contract in the amount of **\$250,000.00** 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 AKE Laboratory, Inc. 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.

The resolution was adopted with all Members voting in the affirmative. The resolution was identified as No. 53-2004.

The next resolution concerns the award of Invitation No. 3989 for the purchase of seven current model dump truck cab and chassis and the associated snow plow and dump body equipment. This is for use by our Maintenance Department. The contract was set up with two groups. The first group was for the furnishing of the cab and chassis and the second group is for the dump bodies, wing plows, hydraulic equipment. We received six bids in response to this Invitation. The lowest responsive and responsible bidder in response to Group I was submitted by Wise International Trucks of Ohio of Cleveland, Ohio in the total amount less trade-in of \$321,900. The lowest responsive and responsible bidder for Group II was submitted by Ace Truck Equipment Company of Zanesville, Ohio in the total amount of \$463,512.00. Both of these bidders have performed similar services for the Commission in the past successfully. Would General Counsel please read the Resolved:

" RESOLVED that the bid of **Wise International Trucks of Ohio** of Cleveland, Ohio for Group I in the total net bid price, less trade-in allowance, of **\$321,900.00** under Invitation No. 3989 and the bid of **Ace Truck Equipment Company** of Zanesville, Ohio, for Group II in the total amount of **\$463,512.00** under Invitation No. 3989 are, and are 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 Wise International Trucks of Ohio and Ace Truck Equipment 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."

The Chairman asked is there a motion?

Commissioner Balog moved and Commissioner Regula seconded.

The Chairman asked if there was any discussion or questions.

The Chairman said, I noticed in the back-up memorandum we were not going with the low bid, because the low bid was not responsive to the Invitation.

Mr. Castrigano said that's correct. For the cab and chassis bid, the low bidder was out-of-spec on five items - most significant was the gross vehicle weight rating of the truck. They missed it by 11%, and the rear axle, which was 18%.

The Chairman said I just wanted to make sure it was on the record.

Commissioner Dixon asked if this purchase qualified for the Ohio Cooperative Purchase Program.

Mr. Castrigano said it did not. Our snow and ice equipment is specialized equipment. This type of equipment is not on the ODAS list with the side-mount wing plows.

Commissioner Regula asked if we looked at another way of getting rid of our older equipment and/or possibly using internet services for used trucks. He said he talked to Director Proctor as to how the State gets rid of their vehicles. I guess my only concern is that we're getting the most trade-in dollars for these vehicles. The State offers its vehicles to the municipalities first if what you told me is correct, Director Proctor. Secondly, the State puts them up for bid, whether it's a live bid or if it's going to a dealer to have them put on their internet servicing. I would assume that most of our equipment is in fairly good shape, and I realize that we have to keep it modernized, but I would like to see us net the most dollars out of our equipment. Perhaps we can explore this option in the

future by looking at other means of getting rid of our equipment versus just taking a straight trade-in on the equipment.

Mr. Castrigano said we typically do trade in all our equipment when we purchase new equipment. However, that isn't exclusively how we do it. We do put some of it out to bid as you stated. If you recall earlier this summer when we purchased the skid-steer loaders off the state contract. There are no provisions in the state contract for the trade-ins, so we did put those out and bid them directly and took the highest bid on that equipment. I'm sure we can have our Purchasing Department do some investigation on that and we can report back to you.

Commissioner Balog asked what type of response did we get through the bidding process? How much interest was there on the skid-loaders?

Mr. Castrigano said, I'm not sure how many responses we received. I can check and get back to you on that.

Representative Buehrer asked, what is the life of this type of equipment? Either the ones we are turning in or what we expect for the new equipment.

Mr. Castrigano said the old equipment is from 1995 and has been through ten seasons. The delivery date on this equipment is approximately six months, so we're going to use the old equipment for eleven winters.

Commissioner Regula asked Mo Darwish from ODOT if he had any idea what the approximate mileage is that ODOT gets out of its equipment before it is traded in. You are working under similar conditions as we are here.

Mr. Darwish said we go by the hours, but fifteen years is the average and then we auction them.

Commissioner Regula asked, is there a lot of interest by the municipalities buying ODOT's equipment?

Mr. Darwish replied yes, the townships, villages local cities, etc.

Commissioner Regula said that's something I'd like the Commission to take a very hard look at. Also, from glancing on the amount of mileage on the vehicles that we are turning back in, I think there is a lot of economic life in them. I understand we have a super highway we are running, but I would like to see a study done and to look at similar situations where these vehicles are being used and ask whether we could get a little more life or whether it makes economic sense to keep them longer. These are approximately nine years old with approximately 150,000 miles, but trucks are wearing much better than they used

to. I'm not questioning your decision to update, but it's certainly something I think from a money standpoint that we should look at in the future.

Mr. Castrigano said Mo brings up a good point. The limiting factor on this equipment is the hours. When we acquired these trucks back in 1995, we did not have hour meters installed on them. All our new equipment does. It's typically the hours on the engines that would limit this equipment.

The Chairman said good discussion. Will the Assistant Secretary-Treasurer please call the Roll?

The "Resolution Awarding a Contract for the Purchase of Current Model Truck Cab and Chassis under Invitation No. 3989" was moved for adoption as follows:

RESOLUTION NO. 54-2004

WHEREAS, the Commission has advertised for bids for Invitation No. 3989 for the furnishing to the Commission of seven (7) current-model truck cab and chassis, and accepting in-trade, six (6) used dump trucks (*Group I*); and furnishing and installing seven (7) each dump bodies, front and wing plows, central hydraulic and control systems and lighting systems (*Group II*); and

WHEREAS, two (2) companies submitted bids in response to that Invitation under Group I, and four (4) companies submitted bids in response to Group II, and the bids have been reviewed by the Commission's staff;

WHEREAS, it is anticipated that the expenditures of the Commission for the above-described current-model truck cab and chassis, under Invitation No. 3989, shall exceed \$150,000 and, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for the award of such contract;

WHEREAS, the six (6) bids received in response to the Invitation were reviewed by the maintenance engineer who has stated that the lowest responsive and responsible bid for **Group I** was submitted by **Wise International Trucks of Ohio**, of Cleveland, Ohio, in the total net bid price, less trade-in allowance, of \$321,900.00, without the bidder's proposed suspension option, and the lowest responsive and responsible bid for **Group II** was submitted by **Ace Truck Equipment Company** of Zanesville Ohio, in the total amount of \$463,512.00, (\$494,746.00 minus the quoted \$31,234.00 Group II option for the automatic lubrication system), and notwithstanding slight deviations from specifications for the minimum GVWR (*Gross Vehicle Weight Rating*) of 44,000 lbs. and the GAWR (*Gross Axle Weight Rating*) of 27,150 lbs. by Wise International, these bidders propose to furnish equipment and services in accordance with the Commission's specifications;

WHEREAS, the Commission's director of contracts administration has reviewed the bids received and has advised the Commission that the procedure followed by the Commission in advertising for Invitation No. 3989 was conducted in accordance with Sections 5537.07, 9.312 and 153.54 of the Ohio Revised Code, and that the bid of Wise International Trucks of Ohio, is the lowest responsive and responsible bid received in response to Group I to furnish the Commission with seven (7) current-model truck cab and chassis, and accepting in-trade, six (6) used dump trucks, and the bid of Ace Truck Equipment Company is the lowest responsive and responsible bid received in response to Group II to furnish and install seven (7) each dump bodies, front and wing plows, central hydraulic and control systems and lighting systems and the Commission may legally enter into a contract with each bidder; and

WHEREAS, the executive director has reviewed the bids received and has recommended to the Commission that the contracts be awarded to the lowest responsive and responsible bidders, Wise International Trucks of Ohio and Ace Truck Equipment Company.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **Wise International Trucks of Ohio** of Cleveland, Ohio for Group I in the total net bid price, less trade-in allowance, of **\$321,900.00** under Invitation No. 3989 and the bid of **Ace Truck Equipment Company** of Zanesville, Ohio, for Group II in the total amount of **\$463,512.00** under Invitation No. 3989 are, and are 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 Wise International Trucks of Ohio and Ace Truck Equipment 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.

The resolution was adopted with all Members voting in the affirmative. The resolution was identified as No. 54-2004.

Mr. Castrigano said my final resolution is "Resolution Awarding Contracts for Cleaning and Janitorial Services at the Commission's Toll Plazas and OSHP Posts 89,90 and 91 under Invitation No. 3993." This invitation relates to the cleaning and janitorial services to the Commission's thirty-one toll plazas and three (3) OSHP Posts. The contract is divided into three separate groups -- geographically the western, central and eastern portions of the State.

The apparent low bid in response to Group I was submitted by Jean & Park Enterprises, Inc. of Toledo, Ohio in the total annual fee of \$73,200. This vendor has satisfactorily performed in the past for the Commission. The apparent low bids in response to both Groups II and III were submitted by American Maintenance Services, Inc. from Youngstown for a total annual fee of \$60,000 and \$67,200, respectively. Although this bidder has not performed for the Commission in the past, references were investigated with satisfactory results. Would General Counsel please read the Resolved?

"RESOLVED that the following bids:

<u>Group</u>	<u>Company</u>	<u>Monthly Fee</u>	<u>Annual Fee</u>
I	Jean & Park Ent., Inc. dba/ ServiceMaster Professional Services Toledo, Ohio	\$6,100.00	\$73,200.00
II	American Maintenance Services, Inc. Youngstown, Ohio	5,000.00	60,000.00
III	American Maintenance Services, Inc. Youngstown, Ohio	5,600.00	<u>67,200.00</u>
Total Award			\$200,400.00

Under Invitation No. 3993 are, and are 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 contracts 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 the above-mentioned bidders have entered into a contract and furnished the performance bond required thereby; (3) to renew said contracts for a one (1) year period after completion of a satisfactory performance review by the Toll Operations Department; and (4) to take any and all action necessary to properly carry out the terms of said contract."

The Chairman asked, is there a motion?

Commissioner Balog moved and Commissioner Regula seconded.

The Chairman asked is there any discussion?

Commissioner Balog said we said we would advertise in some different areas so we would have a broader spectrum of bidders, specifically, minority, female companies. I see that the *Call & Post* was, in fact, included in the bid process. Do we have any knowledge of any minority/female contractors and did we have any minority/female bidders?

Mr. Castrigano said American Maintenance Services, Inc. is a minority-owned business.

Commissioner Balog said I see that one bidder had a five cents difference.

Mr. Castrigano said that's correct. It was five cents. Also, the low bidder, American Maintenance Services included a 5% term discount with their bid. So when you figure the 5% on top of that, it's a little bit better.

Representative Buehrer asked about the scope of services. Is this just inside the building or does it include the cleaning of grounds, trash pick-up, etc.?

Mr. Castrigano said this is just for the interior of the utility buildings, the interior of the toll booths and the interior of the OSHP Posts. Exterior is done by our maintenance forces.

The "Resolution Awarding Contracts for Cleaning and Janitorial Services at the Commission's Toll Plazas and OSHP Posts 89,90 and 91 under Invitation No. 3993" was moved for adoption as follows:

RESOLUTION NO. 55-2004

WHEREAS, the Commission advertised for bids for Invitation No. 3993 for furnishing all service and material for cleaning all the Commission's thirty-one (31) Toll Plazas and Ohio State Highway Patrol Posts 89, 90 and 91; and

WHEREAS, this Invitation was divided into the following groups: **Group I** (*Interchanges 2 through 91 and Swanton Patrol Post 89*); **Group II** (*Interchanges 110 through 173 and the Milan Patrol Post 90*); and **Group III** (*Interchanges 180 through 239 and the Hiram Patrol Post 91,*) and bidders were given the option to submit bids for any or all Groups; and

WHEREAS, the Commission received two (2) bids in response to Group I, four (4) bids in response to Group II and three (3) bids in response to Group III, and these bids have been reviewed by the Commission's staff; and

WHEREAS, it is anticipated that the expenditures by the Commission for furnishing all service and material for cleaning all the Commission's Toll Plazas and Ohio State Highway Patrol Posts 89, 90 and 91 under Invitation No. 3993 will exceed \$150,000.00, and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for the award of such contracts; and

WHEREAS, the bids received in response to the Invitation were reviewed by the director of toll operations who has stated that the lowest responsive and responsible bids were submitted by the following companies:

<u>Group</u>	<u>Company</u>	<u>Monthly Fee</u>	<u>Annual Fee</u>
I	Jean & Park Ent., Inc. dba/ ServiceMaster Professional Services Toledo, Ohio	\$6,100.00	\$73,200.00
II	American Maintenance Services, Inc. Youngstown, Ohio	5,000.00	60,000.00
III	American Maintenance Services, Inc. Youngstown, Ohio	5,600.00	<u>67,200.00</u>
Total Award			\$200,400.00

WHEREAS, by memorandum dated October 13, 2004, the Commission's chief engineer concurs with the above-mentioned recommendation of the Commission's director of toll operations; and

WHEREAS, the above-mentioned bidders propose to furnish materials and services in accordance with the Commission's specifications; and

WHEREAS, the Commission's director of contracts administration has reviewed the bids received and has advised the Commission that the procedures followed by the Commission for Invitation No. 3993 were in accordance with Sections 5537.07, 9.312 and 153.54 of the Ohio Revised Code, and that the bids of Jean & Park Ent., Inc., dba/ ServiceMaster Professional Services for Group I and of American Maintenance Group for Groups II and III are the lowest responsive and responsible bids received and that the Commission may legally enter into contracts with said bidders to furnish all service and material for cleaning all the Commission's Toll Plazas and Ohio State Highway Patrol Posts 89, 90 and 91 under Invitation No. 3993; and

WHEREAS, the executive director has reviewed the bids received and has recommended to the Commission that contracts be awarded to the above-mentioned lowest responsive and responsible bidders.

NOW, THEREFORE, BE IT

RESOLVED that the following bids:

<u>Group</u>	<u>Company</u>	<u>Monthly Fee</u>	<u>Annual Fee</u>
I	Jean & Park Ent., Inc. dba/ ServiceMaster Professional Services Toledo, Ohio	\$6,100.00	\$73,200.00
II	American Maintenance Services, Inc. Youngstown, Ohio	5,000.00	60,000.00
III	American Maintenance Services, Inc. Youngstown, Ohio	5,600.00	<u>67,200.00</u>
Total Award			\$200,400.00

under Invitation No. 3993 are, and are 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 contracts 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 the above-mentioned bidders have entered into a contract and furnished the performance bond required thereby; (3) to renew said contracts for a one (1) year period after completion of a satisfactory performance review by the Toll Operations Department; and (4) to take any and all action necessary to properly carry out the terms of said contract.

The resolution was adopted with all Members voting in the affirmative. The resolution was identified as No. 55-2004.

The Chairman asked the Commission's CFO, Jim Steiner if he had a report.

Mr. Steiner said yes. The truest measure of our traffic is the number of vehicle miles. Throughout last year our passenger car miles traveled on the Ohio Turnpike have been almost flat compared to prior twelve months. In contrast the miles traveled by commercial vehicles have increased over the past twelve months. The primary reason is the somewhat improved economy. Another contributing factor is the fact that, effective February 1st of this year, the maximum weight limits for Class 8 vehicles and the minimum weight limits for Class 9 vehicles were each increased by 2,000 pounds. In addition, this past spring we implemented a program in conjunction with the Ohio Trucking Association that allows smaller trucking companies to pool their mileage and thus obtain volume discounts that were previously available only to the larger firms. Our passenger car miles traveled during the first nine months of 2004 were just

½ of 1% higher than during the corresponding period from last year. Year-to-date commercial vehicle miles traveled were up 7.5% over the previous year, but we are still only 1.5% higher than during the first nine months of calendar year 2000.

This report shows year to date revenues, expenditures and transfers to the General Fund. As a result of the growth of commercial traffic our toll revenues during the first nine months of 2004 were 3% higher than budgeted. While it is encouraging that our commercial traffic has begun to improve, it's important to keep it in perspective. As I just mentioned, our commercial traffic is just 1.5% higher than it was four years ago. Due to lower investment earnings, our total year-to-date revenues are still lower than they were during the first nine months of 2000. With those lower revenues than we had four years ago, it's no surprise that our expense budget is so tight. As I'll explain in a few minutes, our year to date operating maintenance and our administrative expenses were 0.8% higher than budgeted. On July 19th, the Commission voted to pledge certain concession and other revenues to further secure the repayment of our outstanding bonds. This was done to improve our debt coverage ratio and to help retain our current "AA" bond rating. In order to reflect the pledge of those revenues and the associated expenses, it is necessary to amend the Commission's 2004 budget. As part of that amended budget, I recommend that we also address the revenue and expense variances from the first nine months of this year.

On the screen is the original 2004 budget adopted by the Commission on December 15, 2003, and I mentioned we need to amend this budget to recognize the additional pledged revenues and the associated expenses. The first column on this slide shows the total original 2004 budget and the next three columns show the proposed amendments. The second column shows the amendment necessitated by the pledge of the concession revenues and the associated expenses. Our Master Trust Agreement requires that we add 1/12th of those expenses or \$784,000 to the Expense Reserve Fund. In addition, the \$108,000 budgeted investment earnings on prior years accumulated concession revenues should be added to the non-trust fund.

The third column shows the proposed increase in our toll revenue budget of \$5,362,000 to reflect the increased commercial traffic. As a result of this increased traffic and scheduling changes mandated by an unfavorable arbitration decision, toll collector overtime costs have exceeded the amount budgeted. We are recommending that \$1.2 million be added to the budget to cover these costs. With the Commission's approval, the balance of \$3,270,000 will be added to the General Reserve. When I present the preliminary 2005 budget next month, I'll be recommending that we use these funds to help retire the remaining 1994 outstanding bonds next February when the call premium on those bonds will drop to 1%. Our financial advisor has estimated this will save us about \$200,000 in interest expense. However, I am not asking the Commission to authorize early

retirement of those bonds at this time. For now, these funds will simply be added to the general reserve and will remain available for any future use as determined by the Commission.

The remaining proposed amendments to the 2004 budget are the result of comments from our bond rating agencies. They recommend that certain expenditures currently included in our Capital Budget be transferred to the Operating Budget. These expenditures totaling \$1,225,000 include computers and other peripherals, with unit costs under \$1,000, as well as pavement striping and repairs. These expenditures do not qualify for capitalization and, therefore, should be included in the operating budget. I want to emphasize that these expenditures were previously authorized by the Commission. We are simply requesting approval to transfer these expenditures from the capital budget to the operating budget. With the changes we are proposing, the amended 2004 budget will increase by 2.6% over the original budget to a total of \$208,226,000.

The next slide separates the amended 2004 budget into pledged and non-pledged funds. You'll notice that the concession and other miscellaneous revenues, other than the amount to be added to the service plaza capital improvement reserve along with the associated expenses are now included with the other pledged amounts.

Mr. Chairman, there is a proposed resolution in your folders, and I'd like to ask our General Counsel to read the Resolved:

General Counsel read the Resolved as follows:

"RESOLVED that the Commission hereby adopts the following as its amended annual budget for the year 2004 and the executive director or the CFO/Comptroller are directed to transmit a copy of the budget to the appropriate officials set forth in Section 5537.17(F) and to The Huntington National Bank, Trustee, under the Commission's Trust Agreement as is provided in Section 5.01(c):

The Chairman, asked is there a motion?

Commissioner Balog moved and Commissioner Dixon seconded.

The Chairman asked if there was any discussion.

Commissioner Balog said Jim, you indicated we had a right to pre-pay bonds in February 2005, and we'll have a 1% premium to pay at that time. What would the amount of that fee be?

Mr. Steiner said we will have approximately \$6.3 million worth of 1994 bonds outstanding as of February 15, 2005. There are two maturities – one in 2006 that I believe has a coupon rate of 5.1% and another maturity in 2007. Each maturity has approximately \$3.1 or \$3.2 million and the 2007 maturity has a

coupon rate of 5.2%. With the federal funds rate of 1.75%, we believe it would be prudent to retire those bonds early on February 15th.

The Chairman asked if there were any other questions or comments. If not, please call the roll.

The "Resolution Adopting Amended Annual Budget for the Year 2004 and Providing for Deposits Required under the 1994 Trust Agreement during said Year" was moved for adoption as follows:

RESOLUTION NO. 56-2004

WHEREAS, the Commission by Resolution No. 51-2003 (copy attached) on December 15, 2003, adopted its annual budget for the year 2004 and on December 18, 2003 the budget was submitted to the Governor, the presiding officers of each Chamber of the General Assembly, the Director of Budget and Management, and the Legislative Budget Office of the Legislative Service Commission in accordance with the provisions of Section 5537.17(F) of the Revised Code of Ohio; and

WHEREAS, Section 5.01(c) of the Master Trust Agreement (Trust Agreement) dated February 15, 1994, between the Commission and the Huntington National Bank (Trustee) provides that the Commission may at any time adopt an amended annual budget; and

WHEREAS, the Trust Agreement provides that the Commission shall file a copy of any amended annual budget with the Trustee; and

WHEREAS, the Commission's executive director, CFO/Comptroller and other members of the Commission's staff have completed a detailed review of the annual budget and have made certain adjustments thereto and the amended budget, including such adjustments, is now before the Commission;

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby adopts the following as its amended annual budget for the year 2004 and the executive director or the CFO/Comptroller are directed to transmit a copy of the budget to the appropriate officials set forth in Section 5537.17(F) and to The Huntington National Bank, Trustee, under the Commission's Trust Agreement as is provided in Section 5.01(c):

OHIO TURNPIKE COMMISSION
2004 AMENDED BUDGET - REVENUES, EXPENDITURES AND TRANSFERS

	<u>PLEGDED</u>	<u>NON-PLEGDED</u>	<u>TOTAL</u>
REVENUES:			
TOLL	\$ 189,662,000	\$ -	\$ 189,662,000
INVESTMENT	983,000	138,000	1,121,000
CONCESSION	13,290,000	390,000	13,680,000
FUEL TAX	-	2,800,000	2,800,000
OTHER	963,000	-	963,000
TOTAL REVENUES	<u>\$ 204,898,000</u>	<u>\$ 3,328,000</u>	<u>\$ 208,226,000</u>
EXPENDITURES:			
OPERATION, MAINT. & ADMINISTRATION:			
ADMINISTRATION & INSURANCE	\$ 8,227,400	\$ -	\$ 8,227,400
MAINT. OF ROADWAY & STRUCTURES	31,973,800	-	31,973,800
SERVICES & TOLL OPERATIONS	46,675,700	-	46,675,700
TRAFFIC CONTROL, SAFETY & PATROL	13,306,400	-	13,306,400
TOTAL OPERATION, MAINT. & ADMIN.	<u>\$ 100,183,300</u>	<u>\$ -</u>	<u>\$ 100,183,300</u>
DEBT SERVICE PAYMENTS	<u>55,964,000</u>	<u>-</u>	<u>55,964,000</u>
TOTAL EXPENDITURES	<u>\$ 156,147,300</u>	<u>\$ -</u>	<u>\$ 156,147,300</u>
TRANSFERS:			
EXPENSE RESERVE	\$ 1,021,000	\$ -	\$ 1,021,000
NON-TRUST FUND	-	108,000	108,000
FUEL TAX FUND	-	2,830,000	2,830,000
SERVICE PLAZAS CAPITAL IMP. RESERVE	-	390,000	390,000
RENEWAL & REPLACEMENT FUND	8,000,000	-	8,000,000
SYSTEM PROJECTS FUND	36,459,700	-	36,459,700
GENERAL RESERVE	3,270,000	-	3,270,000
TOTAL TRANSFERS	<u>\$ 48,750,700</u>	<u>\$ 3,328,000</u>	<u>\$ 52,078,700</u>
TOTAL EXPENDITURES & TRANSFERS	<u>\$ 204,898,000</u>	<u>\$ 3,328,000</u>	<u>\$ 208,226,000</u>

I, Gary C. Suhadolnik, Assistant Secretary-Treasurer of the Ohio Turnpike Commission, do hereby certify that the above is a true copy of the aforesaid resolution which was duly adopted at a meeting of the Commission, duly called for and convened and held on October 18, 2004, at which a quorum was at all times present and voting.

WITNESS my hand and the seal of the Ohio Turnpike Commission on this 18th day of October, 2004.

Gary C. Suhadolnik
Assistant Secretary-Treasurer

The resolution was adopted with all Members voting in the affirmative. The resolution was identified as No. 56-2004.

Mr. Steiner said that completes my report, Mr. Chairman, but there is one additional resolution in your materials authorizing a contract for auditing services. With your permission, I'd like to ask Dave Miller, our Director of Audit and Internal Controls to present that resolution.

Mr. Miller said the Commission's five-year contract with Deloitte & Touche expired with the fiscal year 2003. The Auditor of State oversees our independent public accounting services relationship. Therefore, over the last several months, the Commission's staff has worked very hard and very closely with local representatives of the Auditor of State to put together a Request for Proposal (RFP) for an independent public accountant. The RFP for the next five years, from 2004 through fiscal 2008, was released August 18, 2004. Proposals were received from three (3) firms. It seems that the impact of legislation such as the Sarbanes-Oxley Act and the general drain on public accounting firms in general coupled with our tight timing of requiring the report to be completed in April of each year somewhat limited the response that we might have expected on this RFP. Technical proposals and costs from each proposing firm were evaluated by myself as well as Jim Steiner, our CFO/Comptroller and Kathy Weiss, our Director of Contracts Administration. Ciuni & Panichi, Inc. of Beachwood, Ohio received the highest overall score. Ciuni & Panichi is considered a regional accounting firm. They are well known to the Ohio Turnpike Commission. They have done work for us in the past and in fact, they have a contract with us presently to perform agreed upon procedures with respect to contract compliance services.

The total proposed five-year (5) costs for this new contract for the Commission is \$384,000. In comparison, the total five-year cost of the contract that just expired with Deloitte & Touche was approximately \$380,000. The very modest increase from the 1999 contract reflects the difference between a regional firm and a "Big Four" accounting firm. It's worth noting that the Auditor of State requires at least 15% of the new contract to be set aside each year for participation by qualified minority business enterprises. For example, the 2004 fiscal year audit is anticipated to encompass 960 staff hours of which 145 hours has been set aside for minority participation.

On behalf of myself, Jim Steiner and Kathy Weiss, we made a formal recommendation to the Auditor of State for the award to go to Ciuni & Panichi and the Auditor of State has concurred with our recommendation. I believe there is a resolution in your folders concerning this matter. With you permission, I'd like to ask our General Counsel to read the Resolved.

General Counsel read the Resolved as follows:

"RESOLVED that the Commission hereby approves the award of a contract covering the audit periods over the next five (5) fiscal years (**January 1, 2004, through December 31, 2008**) to the firm of **Ciuni & Panichi, Inc.** of Cleveland, Ohio, and authorizes the executive director to enter into a formal agreement between the Auditor of State, the Ohio Turnpike Commission and Ciuni & Panichi, Inc. for such services to be performed in accordance with the proposal submitted by Ciuni & Panichi, Inc., and further authorizes the executive director to take any and all action necessary or appropriate to carry out the terms and conditions of such agreement."

The Chairman asked is there a motion?

Commissioner Balog moved and Commissioner Regula seconded.

The Chairman asked if there was any discussion.

The Chairman said it appears that really the Auditor of State awards the contract and then we kind of concur with it or rubber-stamp it? I'm trying to figure out how this process works.

Mr. Miller said we approve it as well. Essentially, we make a recommendation and the Auditor of State has final say. The contract, which is produced is a three-party contract between ourselves, the Auditor of State and Ciuni & Panichi, the successful bidding firm.

The Chairman said so they already have approved and we are agreeing with their approval. I'm just making sure how this process works. Are there other discussion or questions? If not, please call the roll.

The "Resolution Awarding Contract for Auditing Services" was moved for adoption as follows:

RESOLUTION NO. 57-2004

WHEREAS, a Request for Proposals (RFP) for Contract Audit Requirements for fiscal years: January 1, 2004, through December 31, 2008, was issued by the Auditor of State's Office on August 18, 2004; and

WHEREAS, on September 9, 2004, three accounting firms submitted proposals to the offices of the Auditor of State and the Ohio Turnpike Commission in response to the subject RFP; and

WHEREAS, the proposals were evaluated by the CFO/Comptroller, Director of Audit and Internal Controls and the Director of Contracts Administration, and by memorandum dated October 1, 2004, the Director of Audit and Internal Controls notified the executive director and the Cleveland office of the Auditor of State, that the firm of **Ciuni & Panichi, Inc.**, of Cleveland, Ohio,

had received the highest evaluation score and recommended that the contract for auditing services be awarded to that firm; and

WHEREAS, by letter dated October 12, 2004, the Auditor of State, Betty Montgomery, acting through Robert Greenwalt, Chief Auditor, Administration, advised Ciuni & Panichi, Inc. that the contract is being awarded to that firm; and

WHEREAS, the Commission's director of contracts administration advises that the award of a contract for professional auditing services is in compliance with Ohio Revised Code Section 5537.17; and

WHEREAS, the Commission's trustee for the bondholders concurs that the selection of Ciuni & Panichi, Inc. is acceptable under the Commission's Trust Agreement with Huntington National Bank dated February 15, 1994; and

WHEREAS, the Commission has received the aforesaid recommendations and concurs in such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby approves the award of a contract covering the audit periods over the next five (5) fiscal years (**January 1, 2004, through December 31, 2008**) to the firm of **Ciuni & Panichi, Inc.** of Cleveland, Ohio, and authorizes the executive director to enter into a formal agreement between the Auditor of State, the Ohio Turnpike Commission and Ciuni & Panichi, Inc. for such services to be performed in accordance with the proposal submitted by Ciuni & Panichi, Inc., and further authorizes the executive director to take any and all action necessary or appropriate to carry out the terms and conditions of such agreement.

The resolution was adopted with all Members voting in the affirmative. The resolution was identified as No. 57-2004.

The Chairman said thank you, Dave – good job.

The Chairman said I was chatting earlier, and it was called to my attention, as I was looking around the room, that I left two important cogs in that wheel out in the toll reduction program. One was the Ohio Trucking Association. I want to thank Larry Davis and all the people at Ohio Trucking and also the OSHP; who spent a lot of time on this also. Obviously, the only way we're going to truly get all the trucks and everybody to be law abiding citizens is to work with the OSHP on the parallel routes as well as on the Turnpike. I did not want either of those organizations to think I was slighting them. It was my fault in not including them in my accolades because they certainly deserve as much as everybody else.

The Chairman asked Jim if he had anything else to present concerning the financial side.

Mr. Steiner said no.

The Chairman asked General Counsel if she had any report.

Noelle Tsevdos said no report, Mr. Chairman.

The Chairman asked Eric Erickson, our financial advisor if he had a report.

Eric replied no.

The Chairman asked Tony Yacobucci for his report.

Mr. Yacobucci said we have completed all the inspections across the Turnpike with the exception of those in active work zones, which will be completed in November. In addition to that, we have completed our report and submitted that in accordance with the Master Trust Agreement at the end of September.

Thank you, Tony. Mr. Lamb?

Mr. Lamb said no report.

The Chairman asked Captain Ferguson of the OSHP if he had a report.

Captain Ferguson said no report, Mr. Chairman, but we are here to serve.

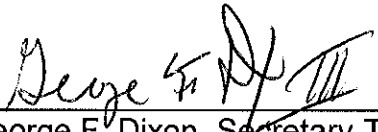
The Chairman said thanks and is there anything else for the good of the order from anyone? Once again, my thanks to everyone and their respective staffs. I think the August meeting with the raising of the speed limit and this meeting with the lowering of the tolls is monumental for the future of the Turnpike and the State and hopefully it will also help ODOT out on the parallel routes.

The Chairman said if there is no further business, I'll accept a motion to adjourn until Monday, November 15th.

Commissioner Balog moves and Commissioner Dixon seconds. All remaining members voted in the affirmative to adjourn.

Time of adjournment was 11:00 a.m.

Approved as a correct transcript of
the proceedings of the Ohio Turnpike Commission



George F. Dixon, Secretary-Treasurer