

OHIO TURNPIKE COMMISSION

Resolution Authorizing the Executive Director To Implement Temporary Flat Toll Rate in the Event of an Emergency

WHEREAS, the 1994 Master Trust Agreement, as amended and supplemented by fourteen supplemental trust agreements, 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 was directed to a prepare a Continuity of Operations Plan pursuant to the Governor's Cabinet Advisory No. 06-235 in order to ensure the continuous provision of essential services by all State Departments, Boards and Commissions in the event an emergency is declared pursuant to the provisions of Ohio Revised Code Section 5502.24; and

WHEREAS, the Commission's staff prepared a Continuity of Operations Plan that sets forth policies and procedures to be followed in the event an emergency is declared in order to ensure that the Turnpike System is open and operational, and in order to assure the safety and security of customers on the System; and

WHEREAS, the Executive Director has advised the Commission that it may be necessary to implement a flat toll rate in the event an emergency is declared under the provisions of Ohio Revised Code Section 5502.24, and he deems it necessary in order to keep the Turnpike open and operational as outlined in the attached schedule of emergency flat toll rates, and only for such period of time as may be necessary to resume minimum staffing levels or until the next regular or special meeting of the Commission is held; and

WHEREAS, the provisions of Ohio Revised Code Section 5537.26(D) permit the Commission to implement a temporary reduction in the schedule of tolls upon issuing a public notice and holding a public meeting regarding its intent to implement a temporary reduction in the toll rate schedule; and

WHEREAS, the Executive Director has reported that a public meeting was held on August 15, 2006 at 10:00 AM at the Administrative Building of the Commission in Berea, Ohio, after public notice of the meeting was published in *The Plain Dealer* (Cuyahoga County), the *Akron Beacon Journal* (Summit County), the *Tribune Chronicle* (Trumbull County), *The Vindicator* (Mahoning County), *The Toledo Blade* (Lucas County), and the *Bryan Times* (Williams County) in accordance with the requirements of Ohio Revised Code Section 5537.26(D), and that no members of the public attended the meeting as reflected in the transcript of proceedings; and,

WHEREAS, the CFO/Comptroller has reported that the implementation of the emergency flat toll rates set forth in the attached proposal will not result in the Commission failing to comply with the debt service requirements;

NOW, THEREFORE, BE IT

RESOLVED, that the Commission hereby authorizes the Executive Director to implement the flat toll rates set forth in the attached schedule of emergency toll rates in the event an emergency is declared under the provisions of Ohio Revised Code Section 5502.24, and he deems it necessary in order to keep the Turnpike open and operational and in order to assure the safety and security of customers using the System.

(Resolution No. 35-2006 adopted August 28, 2006)

**Ohio Turnpike Commission
Emergency Flat Rate Plan**

A Continuity of Operations Plan has been developed that will ensure that the Ohio Turnpike remains open and operational in the event of an emergency. In the event of an emergency, the Commission is prepared to implement the following flat toll rates regardless of the distance traveled:

Passenger vehicles (Ready Toll/Charge Cards only)	\$.50
Passenger vehicles (cash)	\$1.00
Single unit trucks and buses	\$5.00
Tractor-trailers and LCV's	\$10.00

Charge account and Ready Toll customers may continue to use their cards, but will be charged according to the above rates. The detailed report that will accompany the charge account invoice or Ready Toll statement will not indicate the entry point or weight class of the vehicle, but will include the location, date and time of exit, along with the appropriate toll from the categories listed above. Although drivers may still use their charge cards, the Commission prefers that tolls be paid in cash to facilitate the movement of traffic.

If customers experience any difficulty entering or exiting the Turnpike system during an emergency, they should contact the Commission's administrative offices at (440) 234-2081 for assistance, or the Ohio State Highway Patrol at (440) 234-2096 in the case of an emergency.

I, Gary C. Suhadolnik, Executive Director 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 August 28, 2006, at which a quorum was at all times present and voting.

WITNESS my hand and the seal of the Ohio Turnpike Commission on this 28th day of August, 2006.

Gary C. Suhadolnik
Executive Director