

OHIO TURNPIKE COMMISSION

Resolution Authorizing the Executive Director to Enter into an Agreement with The Ohio Department of Transportation for the Reimbursement of Expenses Relating to Noise Mitigation Pilot Program

WHEREAS, the Commission is authorized by Section 5537.02 of the Revised Code to construct, operate and maintain the Ohio Turnpike System for the benefit of the traveling public; and the citizens of this State; and

WHEREAS, Section 5537.04(10) of the Revised Code provides that the Commission may make or enter into all contracts and agreements necessary to the performance of its duties and the execution of its powers; and

WHEREAS, the Commission wishes to begin a pilot program and study of various noise mitigation methods and techniques in response to traffic noise complaints received from various residential communities that abut the Turnpike; and

WHEREAS, the Ohio Department of Transportation (“ODOT”) and the Commission have mutually determined that it is in the public interest to perform a Noise Mitigation Pilot Project whereby the Commission will study the viability of various noise mitigation methods or techniques that may be installed to alleviate traffic noise along the Turnpike; and

WHEREAS, the Ohio General Assembly adopted legislation through the passage of Am. Sub. H.B. 562 of the 127th General Assembly authorizing ODOT to reimburse the Commission for expenses incurred to conduct a pilot program in a total amount not to exceed five hundred thousand dollars (\$500,000) over two fiscal years, or up to two hundred and fifty thousand dollars (\$250,000) in fiscal year 2008 and two hundred and fifty thousand dollars (\$250,000) in fiscal year 2009; which legislation will become effective upon the Governor’s signature; and

WHEREAS, the Commission and ODOT wish to execute an agreement on or before June 20, 2008 to effectuate the terms and conditions of the legislation and commence the pilot project.

NOW, THEREFORE, BE IT

RESOLVED that the Executive Director and General Counsel are hereby authorized to negotiate and execute an agreement with the Ohio Department of Transportation for the purpose of obtaining reimbursement by ODOT for those expenses incurred in conducting the pilot program in an amount not to exceed five hundred thousand dollars (\$500,000); and

FURTHER RESOLVED, the Executive Director is authorized to take any and all actions necessary to carry out the terms of said agreement.

(Resolution No. 20-2008 adopted June 16, 2008)