

MINUTES OF THE 549th MEETING OF THE OHIO TURNPIKE COMMISSION
February 9, 2009

Chairman: Good morning everyone. It's 10:00 a.m. will the meeting please come to order? Will the Assistant Secretary-Treasurer please call the roll?

Assistant Secretary-Treasurer: Chairman Balog

Mr. Balog: Here

Assistant Secretary-Treasurer: Mr. Regula

Mr. Regula: Here

Assistant Secretary-Treasurer: Mr. Kidston

Mr. Kidston: Here

Assistant Secretary-Treasurer: Ms. Teeuwen

Ms. Teeuwen: Here

Assistant Secretary-Treasurer: Senator Patton

Mr. Patton: Here

Chairman: Thank you. Bonnie Teeuwen is here today from ODOT, Senator Tom Patton is also here today he was recently appointed as the Chairman of the Senate Highway and Transportation Committee and appointed to serve on our Commission. And this morning Nikos Kaplanov, Ed Jerse and George Dixon are all unable to attend. Mr. Dixon is ill.

We have a number of guests here today and keeping with past practices I'd like everyone to introduce themselves, we will start with Mr. Steiner.

Those in attendance: Jim Steiner, CFO/Comptroller, Ohio Turnpike; Eric Erickson, Fifth Third; Jennifer Diaz, Legal Department, Ohio Turnpike; Heidi Jedel, Executive Office, Ohio Turnpike; Kathy Weiss, Director of Contracts Administration, Ohio Turnpike; Tony Yacobucci, HNTB; Karen Farkas, Plain Dealer Reporter; Roger Hannay, Ohio State Highway Patrol; Dave Miller, Director of Audit and Internal Control, Ohio Turnpike; Matt Stuczynski, Nat City Investments , PNC; Don Glosser, Crawford, Murphy & Tilly; Marki Johnson, G. Stephens; Bill Dailey, Morgan Stanley; Don Taggart, Operators Union Local 18; Frank Lamb, Huntington Bank; Lauren Hakos, Public Affairs Manager; Ohio Turnpike; Doug Hedrick, Assistant Chief Engineer, Ohio Turnpike; Joseph Disantis, Right of Way Coordinator/Risk Management Coordinator, Ohio Turnpike; Daniel Van Epps, West Virginia University.

Chairman: Thank you. Various reports will be received and we will act on several resolutions, draft copies of these resolutions have been previously sent to the Members and updated drafts are in the Members' folders. The resolutions will be explained during the appropriate reports. Can I have a motion to adopt the Minutes of the January 12, 2009 Commission Meeting?

Mr. Regula: So moved.

Chairman: Is there a second?

Mr. Kidston: Second.

Chairman: Any questions or discussions? Please call the roll.

Assistant-Secretary Treasurer: Chairman Balog

Mr. Balog: Yes

Assistant-Secretary Treasurer: Mr. Regula

Mr. Regula: Yes

Assistant-Secretary Treasurer: Mr. Kidston

Mr. Kidston: Yes

Assistant-Secretary Treasurer: Ms. Teeuwen

Ms. Teeuwen: Yes

Assistant Secretary-Treasurer: The Minutes are approved.

Chairman: Thank you. If there's no questions, we'll proceed with the report of the Secretary-Treasurer, Mr. Dixon and since Mr. Dixon is not here the Assistant Secretary-Treasurer, Mr. Distel, will provide the report.

Assistant Secretary-Treasurer: Thank you Mr. Chairman. The following items have been sent to the Members since the last scheduled meeting of the Commission on January 12, 2009. They include:

1. Minutes of the January 12, 2009 Commission Meeting
2. Total Revenue by Month and Year, December 2008
3. Traffic and Revenue Report – December, 2008

4. Investment Report – December, 2008
5. Traffic Crash Summary Report, December, 2008 and 2008 Annual Report
6. Budget Report, Twelve Months, 2008
7. Financial Statement, December, 2008

Mr. Chairman that concludes the report of the Secretary-Treasurer.

Chairman: Questions? No questions, we'll move into the Executive Director's report, again Mr. Distel.

Executive Director: Thank you Mr. Chairman. Obviously, I think we all realize the last couple weeks weather-wise have been very challenging for the Ohio Turnpike, it's getting to the point now where we internally cringe a bit when it snows because it costs us overtime, and we all know the cost of salt. Staff did an outstanding job keeping the Turnpike clear under some very trying situations. We have four resolutions for your consideration, I'm sure we'll get into various staff members who prepared and will present those resolutions. I'd like to publicly thank the Ohio Department of Transportation, as you know last year we were allowed to participate in ODOT's procurement and we were in desperate need of some calcium chloride and were able to procure that very quickly. Bonnie, so thank you very much.

As the Chairman mentioned, and I'm going to reiterate a little bit, both the House and Senate have now appointed committees and Representative Robert Hagan of the House is Chair of the House of Transportation and Infrastructure Committee and we're glad to have my former colleague and good friend Senator Tom Patton, who was appointed to Chair the Senate Highway and Transportation Committee. Traditionally, these chairs have been appointed to serve on our Commission and I see the Senate has taken that action, but the House as of yet has not. I have called and talked to them both and that I look forward to working with both of them. They're both very capable, conscientious and reasonable individuals. Representative Peter Uvagi has been appointed Chair of the Finance and Appropriations Subcommittee on Transportation in the House, which traditionally conducts hearings on the Turnpike budget and I expect that in the next couple weeks I will venture to Columbus and testify on our last two year budgets, this year's proposed budget and any other items that the Committee may want to discuss. So we're ready to go ahead and do that. Mr. Chairman, that concludes my report, I'd be happy to answer any questions.

Chairman: Any questions or comments for the Executive Director? Thank you. We will move to Chief Engineer, Dan.

Chief Engineer: Thank you Mr. Chairman. I have two resolutions for your consideration this morning. First is award of Invitation No. 4107 for furnishing of approximately 490,000 pounds of joint sealant for use by our Maintenance forces. We

received three bids in response to the invitation. The apparent low bid was submitted by McAsphalt Industries Limited of Toronto, Ontario. This bidder has performed satisfactorily in the past and the total amount of \$165,411.75 is below the estimate for this project. The Director of Contracts Administration has also advised that this bidder complies with the Buy Ohio Bid Preference Policy. If the General Counsel would please read the Resolved?

General Counsel: RESOLVED that the bid of McAsphalt Industries Limited for Invitation No. 4107 is deemed by the Commission to be the lowest responsive and responsible bid received and is accepted, and the Executive Director and Director of Contracts Administration, or either of them, is hereby authorized: 1) to execute a Contract with **McAsphalt Industries Limited of Toronto, Ontario, Canada** in the form heretofore prescribed by the Commission pursuant to the aforesaid Invitation; 2) to incur expenditures under the Contract in the quantities estimated by the Maintenance Department's staff for the purchase of hot-pour, ready-mixed joint sealant; 3) to direct the return to the other bidders of their bid security at such time as McAsphalt Industries Limited has entered into a Contract; and 4) to take any and all action necessary to properly carry out the terms of said Contract.

Chairman: Motion to adopt?

Mr. Kidston: So moved.

Chairman: Is there a second?

Mr. Regula: Second.

Chairman: Discussion or questions about the resolution before us? Bonnie.

Ms. Teeuwen: Mr. Chairman, could you explain to me how this company qualifies for the Buy Ohio Bid please?

Chief Engineer: I'd like to defer to the Director of Contracts Administration.

Executive Director: Mr. Chairman, I could perhaps answer that if that's alright. Kathy can help me if I stumble. McAsphalt Industries, a Canadian firm, has met the domestic preference requirements by the Commission's Buy Ohio Policy. Eighty-five percent is of the joint sealant compounds, 66% of it is asphalt is from Michigan, 19% is a pollimer from Texas. They are domestically produced and in addition, although McAsphalt Industries has no Ohio presence the Commission's Buy Ohio Policy, allows the low bid to be considered because the bid is more than 5% below the next bidder and because 66% of the components are from a border state.

Ms Teeuwen: Thank you.

Chairman: Any further questions on the resolution?

Mr. Regula: Just one Mr. Chairman. How does this compare price wise to what we purchased last time?

Chief Engineer: Mr. Chairman I don't have that information on hand and our Maintenance Engineer is not here today, he's in the field. I can get that for you Mr. Regula.

Chairman: Please call the roll.

Assistant Secretary Treasurer: Chairman Balog

Mr. Balog: Yes

Assistant Secretary Treasurer: Mr. Regula

Mr. Regula: Yes

Assistant Secretary Treasurer: Mr. Kidston

Mr. Kidston: Yes

Assistant Secretary Treasurer: Ms. Teeuwen

Ms. Teeuwen: Yes

RESOLUTION NO. 2-2009

Resolution Awarding a Contract for the Purchase of Hot-Pour, Ready-Mixed Joint Sealant

WHEREAS, the Commission has advertised for bids for Invitation No. 4107 for furnishing to the Commission of approximately 490,000 pounds of hot-pour, ready-mixed joint sealant for a twelve (12) month period; and

WHEREAS, expenditures of the Commission for hot-pour, ready-mixed joint sealant under Invitation No. 4107 will exceed \$150,000.00 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, three (3) bids were received in response to the Invitation; and

WHEREAS, the bids were reviewed by the Maintenance Engineer who has reported that the lowest responsive and responsible bid was submitted by **McAsphalt**

Industries Limited of Toronto, Ontario, Canada and that this bidder proposes to furnish materials and services in accordance with the Commission's specifications; and

WHEREAS, the Maintenance Engineer has recommended award of the Contract to McAsphalt Industries in the amount of **\$165,411.75** (the bid amount plus a five percent manufacturing variance); and

WHEREAS, the Director of Contracts Administration has advised the Commission that McAsphalt Industries qualifies for consideration under the Commission's "Buy Ohio Bid Preference" policy; and

WHEREAS, the Commission has also been advised by the Director of Contracts Administration that all bids for Invitation No. 4107 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of McAsphalt Industries for Invitation No. 4107 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that a bid security in the form of a certified check of good and sufficient surety has been submitted by McAsphalt Industries; and

WHEREAS, the Executive Director has reviewed the reports of the Maintenance Engineer and the Director of Contracts Administration and, predicated upon such analysis, has made his recommendation to the Commission to award the Contract for Invitation No. 4107 to McAsphalt Industries Limited; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of McAsphalt Industries Limited for Invitation No. 4107 is deemed by the Commission to be the lowest responsive and responsible bid received and is accepted, and the Executive Director and Director of Contracts Administration, or either of them, is hereby authorized: 1) to execute a Contract with **McAsphalt Industries Limited of Toronto, Ontario, Canada** in the form heretofore prescribed by the Commission pursuant to the aforesaid Invitation; 2) to incur expenditures under the Contract in the quantities estimated by the Maintenance Department's staff for the purchase of hot-pour, ready-mixed joint sealant; 3) to direct the return to the other bidders of their bid security at such time as McAsphalt Industries Limited has entered into a Contract; and 4) to take any and all action necessary to properly carry out the terms of said Contract.

(Resolution No. 2-2009 adopted February 9, 2009)

Chairman: Your next one Dan.

Chief Engineer: Yes, the final resolution I have is for awarding Contract 64-09-01 for furnishing and installing LED Variable Message Signs at all 31 of our interchanges as part of our new toll collection system. This will be the final contract, final component that we are bringing to the Commission for the construction of the Toll

Collection System. We received six bids in response to the contract. The apparent low bid was submitted by the MC Sign Company of Mentor, Ohio. However, this bidder proposes to furnish equipment that does not comply with the specifications and therefore cannot be considered for award. The apparent second low bid was submitted by Miller Cable Company of Green Springs, Ohio in the total amount of \$4,544,000.00. The total amount is below the Engineer's estimate and this bidder has performed satisfactorily for the Commission in the past. The resolution also includes provisions to assign ms consultants, inc., of Youngstown, Ohio for performing limited construction and administration services such as review of shop drawings. If the General Counsel would please read the Resolved?

General Counsel: RESOLVED that the bid of MC Sign Company is deemed non-responsive and is rejected; and

FURTHER RESOLVED that the bid of **Miller Cable Company of Green Springs, Ohio**, in the total amount of **\$4,544,000.00**, for the performance of Contract No. 64-09-01 is, and is by the Commission, determined to be the lowest responsive and responsible bid received, and that the Chairperson and Executive Director, or either of them, hereby are authorized to: 1) at the earliest time permitted under the Bidding Documents or, in the event objections are filed with the Director of Contracts Administration by the rejected bidder, only after the Commission's affirmation of the rejection, execute a Contract with Miller Cable Company in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security, when appropriate, and 3) 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 **ms consultants, inc., of Youngstown, Ohio**, to Contract No. 64-09-01 for the purpose of performing construction administration services, with such assignment in accordance with the Engineering Design Services Agreement specific to this Project between the Ohio Turnpike Commission and ms consultants, inc.; and

[FURTHER RESOLVED that Project No. 64-09-01 is designated a System Project under the Commission's 1994 Master Trust Agreement.]

Chairman: Motion to adopt?

Mr. Regula: So moved.

Chairman: Is there a second?

Ms. Teeuwen: Second.

Chairman: Any questions for the Chief Engineer or Director of Contracts Administration? Especially in the light of the fact we are taking the second bidder and not the lowest bidder. Bonnie.

Ms. Teeuwen: I guess I'll go again. Could you explain to me the process that you went through to verify that the low bidder was not qualified?

Chief Engineer: Mr. Chairman, Commission Member Teeuwen, with the bid package there was a questionnaire and requirements that were to be submitted with the bid. An initial review of that, in order to determine which items were either inconclusive or non-compliant with the specifications, we then sent a clarification question packet to the bidder for answers, those answers were reviewed by our design consultant, engineering staff and also our overall toll system consultant, Jacobs Group.

Ms. Teeuwen: And the biggest concern was with what area?

Chief Engineer: The biggest concern we had with this one is the non-compliance with NTCIP Protocol or National Transportation Communications for ITS Protocol. We got a letter from our General Toll Collection Systems Consultant, which we received this late Friday, I don't believe it made it into the packages, but we will give this to you. Basically, just their conclusion on this is: "it is our professional recommendation that the Commission should not relax its requirement to procure an NTCIP Compliant VMS System as it provides the best solution for having a scalable, adaptable, and sustainable signage system. When sign controllers and controller software are NTCIP compliant, any NTCIP compliant system sign can be integrated into the system. Having this capability would be critical in the event that the Commission wishes to take advantage of other sign products from other manufacturers in the future."

Ms. Teeuwen: Thank you.

Chairman: Any further questions? Please call the roll?

Assistant Secretary Treasurer: Chairman Balog

Mr. Balog: Yes

Assistant Secretary Treasurer: Mr. Regula

Mr. Regula: Yes

Assistant Secretary Treasurer: Mr. Kidston

Mr. Kidston: Yes

Assistant Secretary Treasurer: Ms. Teeuwen

Ms. Teeuwen: Yes

RESOLUTION NO. 3-2009

Resolution Awarding Contract No. 64-09-01

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for LED Variable Message Signs to be installed at 31 Interchanges in Williams, Fulton, Lucas, Wood, Ottawa, Sandusky, Erie, Lorain, Cuyahoga, Summit, Portage, Trumbull & Mahoning Counties as part of the new Toll Collection System; and

WHEREAS, expenditures for the award(s) to be made under Contract No. 64-09-01 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 said Contract award; and

WHEREAS, on January 26, 2009, the Commission received bids from six bidders for the performance of Contract No. 64-09-01; and

WHEREAS, said bids have been reviewed and analyzed by the Commission's Consultant for this Project and the Chief Engineer, whose report concerning such analysis is before the Commission; and

WHEREAS, the Commission's Consultant has reviewed the apparent low bid and has reported to the Chief Engineer that the bid, as submitted by **MC Sign Company of Mentor, Ohio**, in the total amount of **\$4,419,522.50**, does not comply with the Specifications set forth in the Contract Documents for this Project and, therefore, is non-responsive; and

WHEREAS, the Commission's Consultant has reviewed the apparent second low bid and has reported to the Chief Engineer that the bid, as submitted by **Miller Cable Company of Green Springs, Ohio**, in the total amount of **\$4,544,000.00**, conforms with the Specifications set forth in the Contract Documents and, therefore, is the lowest responsive and responsible bid received; and

WHEREAS, the Commission has been advised by the Director of Contracts Administration that all bids for Contract No. 64-09-01 were solicited on the basis of the same terms and conditions and the same specifications, that the lowest responsive and responsible bid of Miller Cable Company for Contract No. 64-09-01 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that a performance bond with good and sufficient surety has been submitted by said bidder; and

WHEREAS, the Director of Contracts Administration has further advised that, pursuant to the Bidding Documents for Contract No. 64-09-01 and Ohio Revised Code Section 5537.07 (A), the Commission expressly reserves the right to reject any and all bids, and that the Commission may reject the bid of MC Sign Company as non-responsive; and

WHEREAS, the Director of Contracts Administration has also indicated that, as provided for in the Bidding Documents and pursuant to Ohio Revised Code Section 9.312, only after the opportunity for objections by the rejected bidder has passed or the Commission affirms the rejection after the conduct of a meeting that may be requested by the rejected bidder, may the Commission then legally enter into a Contract with Miller Cable Company for Contract No. 64-09-01; and

WHEREAS, the Commission's Executive Director has reviewed the reports of the Chief Engineer and the Director of Contracts Administration and, predicated upon such analysis, has made his recommendation to the Commission that the bid submitted by MC Sign Company be rejected, and that, when appropriate, a Contract be awarded to the lowest responsive and responsible bidder, Miller Cable Company, for Contract No. 64-09-01 in the amount of \$4,544,000.00; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of MC Sign Company is deemed non-responsive and is rejected; and

FURTHER RESOLVED that the bid of **Miller Cable Company of Green Springs, Ohio**, in the total amount of **\$4,544,000.00**, for the performance of Contract No. 64-09-01 is, and is by the Commission, determined to be the lowest responsive and responsible bid received, and that the Chairperson and Executive Director, or either of them, hereby are authorized to: 1) at the earliest time permitted under the Bidding Documents or, in the event objections are filed with the Director of Contracts Administration by the rejected bidder, only after the Commission's affirmation of the rejection, execute a Contract with Miller Cable Company in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security, when appropriate, and 3) 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 **ms consultants, inc.** of **Youngstown, Ohio**, to Contract No. 64-09-01 for the purpose of performing construction administration services, with such assignment in accordance with the Engineering Design Services Agreement specific to this Project between the Ohio Turnpike Commission and ms consultants, inc.; and

[FURTHER RESOLVED that Project No. 64-09-01 is designated a System Project under the Commission's 1994 Master Trust Agreement.]

(Resolution No. 3-2009 adopted February 9, 2009)

Chairman: So we have rejected the, by passing that resolution, rejected the lowest bidder and we hired the second lowest bidder calling that the best bid.

Chief Engineer: That's correct.

Chairman: Anything further Dan?

Chief Engineer: That's all I have this morning Mr. Chairman.

Chairman: Thank you. Next would be General Counsel, Noelle.

General Counsel: Good morning Mr. Chairman and Commission Members. I have a proposed resolution for your consideration that would authorize me, if necessary, to initiate legal proceedings against the property owners of Permanent Parcel Nos. 06-00259.00 and 06-00260.00 which is located at Milepost 124.4 in Berlin Heights, Ohio. These parcels were previously referred to as OTC Parcel 101D. By way of background, the Ohio Turnpike Commission previously adopted and declared a policy in 1952 that seeks to restrict and discourage the placement and erection of commercial advertising devices or billboards on the properties that abut the Ohio Turnpike, which are intended and designed to attract the attention of the traveling motorists on the Turnpike. The purpose of the policy is to enhance the safety of the traveling public by minimizing this type of distraction to motor vehicle drivers. The Commission declared its intention to follow this policy through the adoption of Resolution No. 99-1952 adopted on December 2, 1952, which resolution is attached to the current proposed resolution. The policy was implemented and in effectuated by the Turnpike through the purchase and acquisition of restrictive covenants and easements from property owners who sold those properties that were necessary to construct the Turnpike. As the Commission acquired these necessary parcels of land, it acquired and purchased restrictive covenants, legally binding agreements that extend to the remaining residue parcels of land that abut the Turnpike and which prohibit the erection of these commercial advertising devices that are visible from the Turnpike. You may be aware that the Federal Government and the Ohio Department of Transportation follows a similar policy that restricts these types of commercial advertising devices along the interstate and federal aid highway system. The Commission's property records reflect that the prior owner of these parcels conveyed by warranty deed restrictive covenants that prohibit the current property owners from permitting or authorizing the construction of billboards on their property. We became aware in the last few months that billboard support structures were erected on the property and at that time we corresponded with the property owners and the advertising company that we believe constructed and paid for the construction of the billboard structures to notify them of the restrictive covenants that the Commission purchased at the time of the original construction of the Turnpike. We've also undertaken a title examination to insure that the restrictive covenants are contained within the chain of title of the property owner's property. Although its my hope we can avoid litigation, it may be necessary for the Commission to file suit in order to effectuate the restrictive covenants that we believe extend to the property and we have good reason to believe are legally enforceable at this time. We've also consulted with outside counsel on this matter

and made them aware of all of our record checks and title examinations. With your permission Mr. Chairman I'll read the Resolution.

Chairman: Please.

General Counsel: RESOLVED that the General Counsel is authorized to take those steps necessary to initiate legal proceedings as may be necessary against the current property owners of Permanent Parcels 06-00259.00 and 06-00260.00 to enforce the restrictive covenant acquired by the Commission by warranty deed and the Commission's declared policy restricting the use of commercial advertising devices intended to attract the attention of motorists traveling on the Ohio Turnpike.

Chairman: Motion to adopt?

Ms. Teeuwen: So moved.

Chairman: Is there a second?

Mr. Kidston: Second.

Chairman: Discussion or questions?

Mr. Kidston: Mr. Chairman, I'm not against us enforcing our covenant here, but I'm wondering though have we looked at this as a possible revenue source for the Turnpike of picking select areas and allowing signs to be erected?

General Counsel: Mr. Chairman, Commission Member Kidston, we have not in the past looked at it as a revenue enhancement for the Commission. Mostly because Ohio law restricts billboards along interstate highways and the Commission is deemed an interstate highway. Notwithstanding that the Commission, Ohio Department of Transportation does issue permits to billboards that meet the restrictions and guidelines in their policy and in Ohio law. I think Ohio is one of the states that opted into the federal program that as long as the State of Ohio through ODOT is restricting the erection of these kinds of billboards and commercial advertising devices, ODOT gets additional monies from the federal government as an enhancement to participate in the program. We have issued permits that comply with ODOT's guidelines; I believe we've got nominal fees for those permits for the billboards that comply with ODOT's statute and policy.

Mr. Kidston: Well the, so what you're saying is, as long as we abide by the format for the billboard, we wouldn't jeopardize ODOT's federal funding in that regard. Is that correct?

General Counsel: Correct.

Mr. Kidston: I just think we ought to investigate looking at and possibly placing some signs. I know it seems to be a lucrative business and we're looking for additional revenue from the Commission standpoint, I think that's something we should investigate. I don't want to drive down the highway and see billboards every ten feet, but I think in some select areas, especially out where I'm from, a couple more billboards wouldn't take away from the scenery of the highway and may be a revenue source for us.

Executive Director: Mr. Chairman if I might just jump in here.

Chairman: I am just going to say one thing on it, I don't necessarily agree with your concept, your idea, but independent of that I think all we're trying to do with this resolution is enforce a right that we have. I mean, when you look at the deed, it specifically says shall not establish or maintain or permit any natural legal person to establish or maintain from the remaining lands any billboards, sign notice or post advertisement or display which is visible from the Turnpike. So I think just on the straight legalities of it, we need to go forward with the resolution. I think your issue is a separate issue that the Commission probably ought to just sit and talk about and say do we want to do that, everybody has their opinion on it. I would ask Bonnie a question. Does the State of Ohio secure revenue from the exiting, where you have an exit, and it says that there's food and lodging and gas, isn't there a per listing charge to the companies that advertise on those signs at the exits?

Ms. Teeuwen: Just within the last year, we've changed the contract to allow us to obtain a revenue from that. Previously, it was just a service that a company provided and we gave them a permit to do that. However, the previous Director Beasley, in his infamous wisdom figured out that we could use it as a revenue source, so we bid the contract out and we gave it to the highest bidder in this case to obtain a revenue from that.

Chairman: You know; I'd probably look at something like that. I just find driving down the interstate where you see the billboards and signs, and once you start that process you know how far do you go? You know the African Lion Safari and the Gatorland and everything else; I think a sign that is a convenience for the travelers that are using the road so they know as they come to an exit that there's a Holiday Inn or Best Western or there's additional food besides our toll plazas, I think that would be good. But I'm not sure I want to see billboards, that's just my personal opinion. It's a Commission decision naturally.

General Counsel: Mr. Chairman, Commission Members, actually the Commission does do that already through the travel boards agreement. We have a marketing firm actually located in Solon that does work with our PR and Marketing Department that sells space on the travel boards and the Maintenance Department works in conjunction with the marketing firm to put the logos on the signs. So we sell space because those are permitted under the federal and our advertising policy we advertise hotels, gas stations, food and lodging. We also sell advertising space at the service plazas

to promote different travel destinations and he is working, Gary Evans, aggressively on our behalf to sell some of that. Because it is travel related information.

Chairman: Back on our resolution, we have a warranty deed that says they won't put a sign up, they have a sign up, and we want to take the sign down even if we support your concept and establish signs, we still need to go ahead and enforce our rights under this thing and what you're asking for is authorization to with the anticipation since they have stopped work, that it might not come to litigation, but if it does we need to go ahead and protect ourselves.

General Counsel: Correct.

Chairman: Senator Patton?

Senator Patton: As I understand it Noelle, we receive currently federal funding for not putting signs up?

General Counsel: ODOT does, correct. Because they opted into the program.

Senator Patton: Okay, but does that stream of funding not make its way into the Commission coffers?

General Counsel: I'm going to defer to the Right-of-Way Coordinator. I don't think we get the money. Just to be clear, ODOT does have the ability to issue permits, typically they check with us, but sometimes there's a gap. They issue permits that comply with the state law. On those properties where we don't have a restrictive covenant, but those billboards permitting process goes through ODOT and I think they get the permit funds.

Senator Patton: As a follow up to that, is this part of a five part package that we get ODOT would receive funding if no signs, notice of rest areas what have you, and if we don't comply with one we lose funding, like the whole deal is off? So I'm just, I would not necessarily expect an answer to that now. And I know the purpose of this vote that you will be taking is on this resolution so I'm going to defer, but in the event that I am not present when you have your next discussion about signage on the highway, I think it's, I appreciate the thought of revenue, we're all looking for revenue, everybody's looking in the couch cushions looking for coins, so if you can get it you get it. Having said that, think about worst case scenario, there's a gentleman's club with a big billboard being advertised, how do you say no to them? When it might just be African Safari at one exit, Joe's Cabaret live, even with the terms that could say nude dancers, or top, or whatever. I'm just wondering that, if you open up the can the proverbial worms are going to come flying out and I think that's something, and if I'm not here when you have that discussion I just wanted to make that comment before you have your vote.

Chairman: Thank you Senator.

Mr. Regula: Question Mr. Chairman. So, can I make the assumption these deed restrictions were put on all the properties purchased from the eastgate to the westgate when the original Turnpike was built? And then my next question would be is how wide are they?

Chairman: It dealt with the residue of the property. So if there was a hundred acre farm and we were buying ten acres on say the southern end, or ten acres right through the middle for that matter we had the ability then in negotiations to control the other 90 acres and put a deed restriction saying the other 90 acres as part of the consideration we are paying you for the ten acres, the other 90 acres will not have a sign on it. So that is what we have right here, that's how that restriction comes about. We can go to the property right next door to this property where we bought say three acres, and the guy only had three acres, we bought all of his property and we didn't touch his neighbor immediately to the north, that neighbor doesn't have this restriction because we didn't make any deal with him.

Mr. Regula: So what you're saying is on the north, south side of our strip of property then, someone maybe 20 feet to the north and then there's no restriction, so it changes the whole way down through.

Chairman: Correct.

Mr. Regula: All right, the next question would be is, was that property recently transferred?

General Counsel: I'm going to say Mr. Chairman, Commission Member Regula, within the last several years.

Mr. Regula: Did those deed restrictions, did the title company pick up the deed restrictions when it was transferred?

General Counsel: How can I say this artfully, the title company did not pick up the deed restriction. However, the purpose of our title examination was to confirm that it should have been. It is in the chain of title, meaning the property owners and the title company more importantly, had constructive notice of the deed restrictions and my assumption at this point, and I'm not a real estate attorney, is that the title insurance policy will kick in and defend the owners against our claim because it should have been reflected in the deed.

Chairman: The deed from the property owners to the Turnpike back in the 50's after the prohibition says this covenant shall run with the land. So that should have been picked up by the title policy for any subsequent transaction regarding the original land that is subject to the warranty deed.

Mr. Regula: This has taken place in other situations in regards to waterways and dams with their restrictions in terms of housing and where title companies have not

picked it up, it got dropped, fifty years later their pushing water on your property, it's really not the fault of the property owners, it's in fact the title company didn't bring it up. So, I'm assuming then the owners will go back to the title company for restitution on this.

General Counsel: I believe they've done that already.

Chairman: You know the way it comes about is the deed transfers the property to the Turnpike, it doesn't, generally, it doesn't have anything that goes ahead and flags the residue and that's what the issue is. There's ways to go ahead and do that, you can be more careful, this original deed didn't do that so the residue, when the title company does the research we're not dealing with a piece that was transferred, we're dealing with residue and so there's nothing dealing with the residues deed that says they've agreed to it in our deed.

Mr. Regula: And I would assume the signage company is also pleading ignorance in regards to, oh gee we didn't know that this was deed restricted.

General Counsel: Mr. Chairman, Commission Member Regula, that's exactly what they are doing. They're claiming that they relied on the erroneous title report issued.

Ms. Teeuwen: Just for clarity, we receive revenue from the blue logo signs and not from the billboards. Just so everybody understands there is a difference between the billboard signs that are along our interstates versus the blue logo signs that are actually within our right of way at the exits.

Chairman: And those are very helpful to people as they're traveling because as you are coming up there and your gas gauge is at E you look at the sign and see if gas is listed at that particular area.

Mr. Regula: If I could ask Bonnie then, and I would assume for a historic sites or any of those, there's no income produced off them. Are those kind of gratis from the state aspect?

Ms. Teeuwen: The brown signs?

Mr. Regula: Yes, whether it be the McKinley Museum or ...

Ms. Teeuwen: Currently, yes.

Mr. Kidston: So which state agency licenses the billboards if ODOT does not receive revenue?

Ms. Teeuwen: We issue the permit for the billboard but we do not receive a revenue from that, we just issue the permit.

Chairman: Any other questions? Please call the roll.

Assistant Secretary Treasurer: Chairman Balog

Mr. Balog: Yes

Assistant Secretary Treasurer: Mr. Regula

Mr. Regula: Yes

Assistant Secretary Treasurer: Mr. Kidston

Mr. Kidston: Yes

Assistant Secretary Treasurer: Ms. Teeuwen

Ms. Teeuwen: Yes

RESOLUTION NO. 4-2009

**Resolution Directing that Legal Proceedings be Initiated
Against Property Owners of Permanent Parcel Nos. 06-00259.00 and 06-00260.00
in Berlin Heights, Ohio at Milepost 124.4**

WHEREAS, the Commission is authorized by Section 5537.04 of the Ohio Revised Code to take all actions necessary to operate, maintain and regulate the use of the Turnpike, including, but not limited to the filing of legal actions to carry out its powers; and

WHEREAS, the Commission by Resolution No. 99-1952 adopted on December 2, 1952 declared its policy of taking any and all reasonable and lawful actions to discourage the construction of commercial advertising devices and billboards on properties that abut Turnpike Project No. 1 that were designed or intended to attract the attention of motorists traveling on the Ohio Turnpike, which Resolution is attached hereto and incorporated by reference;

WHEREAS, the Commission has consistently followed its declared policy by taking those actions necessary to enforce its policy by acquiring easements, covenants or other restrictions from the grantors or owners of property from whom the Commission has acquired property for the operation, maintain or construction of Turnpike Project No.1;

WHEREAS, the General Counsel has advised the Commission that it acquired restrictive covenants prohibiting the construction or erection of commercial advertising devices that are visible to motorists traveling on the Turnpike as it relates to the use of property located at Milepost 124.4, which restrictive covenants are reflected in the

attached warranty deeds obtained from the prior owners of Permanent Parcels 06-00259.00 and 06-00260.00 or OTC Parcel 101D, located in Berlin Heights, Ohio, which covenants run with the land;

WHEREAS, the General Counsel has reported to the Commission that the property owners of Permanent Parcels No. 06-00259.00 and 06-00260.00, located in Berlin Heights, Ohio at Milepost 124.4 have authorized or permitted the construction of two (2) billboard support structures in contravention of the restrictive covenants that prohibit the erection of such advertising devices on their property, which restrictions were purchased by the Commission on or about March 5, 1955 as reflected in the warranty deeds issued on or about that date;

WHEREAS, the Commission wishes to effectuate its policy of taking those reasonable and lawful actions necessary to restrict the construction of commercial advertising devices that are intended to attract the attention of motorists traveling on the Turnpike property in order to promote the safety and security of vehicles traveling on the Turnpike;

WHEREAS, the Commission has requested in writing through its Right of Way Coordinator and outside counsel that the property owners remove each billboard structure in conformity with the restrictive covenant that runs with the property in question; however, the billboard structures have not been removed as of the present date;

WHEREAS, the General Counsel has advised the Commission that the initiation of legal proceedings may be necessary to seek the enforcement of the restrictive covenants that so restrict the use of Permanent Parcels 06-00259.00 and 06-00260.00 in Berlin Heights, Ohio by the current property owners.

NOW, THEREFORE, BE IT

RESOLVED that the General Counsel is authorized to take those steps necessary to initiate legal proceedings as may be necessary against the current property owners of Permanent Parcels 06-00259.00 and 06-00260.00 to enforce the restrictive covenant acquired by the Commission by warranty deed and the Commission's declared policy restricting the use of commercial advertising devices intended to attract the attention of motorists traveling on the Ohio Turnpike.

(Resolution No. 4-2009 adopted February 9, 2009)

Chairman: Anything further Noelle?

General Counsel: No, thank you Mr. Chairman.

Chairman: Thank you. Comptroller, Jim?

Mr. Steiner: Good morning Mr. Chairman, Commission Members. The Commission currently has approximately \$660 million in bonds outstanding. Of these, only the 1998 Series B bonds totaling about \$200 million are currently callable. They became callable last August and since that time our financial advisor, Eric Erickson and I have been closely monitoring interest rates looking for an opportunity to realize sufficient savings to warrant refinancing all or some portion of these bonds. Recently, interest rates have declined sufficiently to offer such an opportunity.

This chart compares the coupon rates on the outstanding 1998 Series B bonds to the current yields on the tax exempt bonds. The spread between the two lines on this chart represents the potential savings. It should be noted that bond yields are constantly changing in response to market forces. As an example, if tax exempt interest rates start to rise, as is reflected on this chart, much of the potential savings might evaporate. However, interest rates are not expected to change dramatically in the next few months and this appears to be an opportune time to consider a bond refinancing. With your permission Mr. Chairman, Eric Erickson will provide a general overview of bond refundings and some alternative structures that the Commission might want to consider.

Chairman: Mr. Erickson, please.

Mr. Erickson: Thank you very much Mr. Chairman. I have before you a fairly complicated chart, but I want to try and simplify it for you. Essentially there's two types of refundings; there's an advance refunding and a current refunding. As Jim has indicated, the 1998 bonds are callable as of last August. Most tax exempt bond issues have call protection, that is to say they are non-callable, you can't refinance them, or you can't basically restructure them for a ten year period. To the extent that your bonds are callable, we can do or accomplish what effectively as current refunding, which is nothing more than a refinancing, like in your home mortgage. If the bonds, such as the 2001's are not callable until 2011, we can advance refund those bonds. So on the 98 bonds we take basically what amounts to the upper chart up there, current refunding bonds are sold, proceeds are used to pay off those bonds and new bonds are issued that are effectively at a lower interest rate. On the 2001 issue for example, we would have to advance refund the bonds, the proceeds are deposited to an escrow account. That escrow account is invested in a special class of securities called U.S. Government Securities State and Local Series, the acronym are SLUGS. Maybe you've heard that term in the past. Those bonds that are currently outstanding in the escrow are basically rated AAA and secured by U.S. Government bonds they're no longer an obligation of the Turnpike. They're defeased, under technical terms.

The new issue, which is theoretically at a lower interest rate, and thus, lower debt service, is basically what you would effectively pay. So, we have effectively two issues to look at, the 98 issue which is a current refunding, 2001 which is an advance refunding. There's a saving threshold that we really feel that the Turnpike ought to consider, and that is to say if the savings, the stream of savings, on a present value basis is equal to or greater than 3% of the bonds outstanding, then it does make sense to move forward with an advance refunding or a current refunding. Also, the nominal dollars should make

sense as well. And in this case the nominal dollars are well over \$100 million of savings. Excuse me, \$5 million in fact. If you turn to the next chart, right here, this amounts to the total debt service on all your series of issues, currently outstanding about \$55 to \$56 million annually. After a refunding of just the 98 issue, it'll lower the debt service on an annual basis about a half million dollars a year. It's kind of hard to see in this chart right here, but there'd be a 2009 issue, the proceeds of which would go to refund the 98 issue which would lower the debt service about a half million dollars a year. It's not a significant amount of the life of the issue. However, if you look at it on the next chart, what we could do is theoretically take some of that savings over the next couple of years; then it would be much more meaningful. It would amount to about \$5 million in say 2010. That's a fair amount of money and we recognize that with traffic being down, the way to approach this maybe is take the savings next year or the year after and really help lower that debt service in a larger way for the next couple years and get a little or take a little pressure off of the Commission's revenue stream.

Mr. Steiner: Mr. Chairman, Commission Members, the first step in the process of refinancing some of these bonds is to issue a request for qualifications for underwriting services. If the Commission would so authorize, the staff is prepared to issue the RFQ immediately and we would plan to recommend underwriters for consideration by the Commission at its March meeting. It would then proceed as expeditiously as possible with the hope of preparing a recommended refunding plan for consideration by the Commission at the May meeting. Mr. Chairman there is a proposed Resolution in your materials and with your permission I would like to ask the General Counsel to please read the Resolved.

General Counsel: RESOLVED, that the Executive Director and CFO/Comptroller in consultation with the Commission's Financial Advisor are authorized to issue a Request for Qualifications from those companies interested in furnishing underwriting services for the potential refunding of all or a portion of the 1998 Series B Revenue Bonds and/or such other series of revenue bonds that the Commission may consider refunding if market conditions permit a sufficient and appropriate savings; and

FURTHER RESOLVED, that the Executive Director, CFO/Comptroller and the Commission's Financial Advisor shall prepare a report and recommendation regarding the proposals received to provide underwriting services to the Commission.

Chairman: Motion to adopt?

Mr. Regula: So moved.

Chairman: Is there a second?

Ms. Teeuwen: Second.

Chairman: Questions for Mr. Steiner or Mr. Erickson? Eric, your comment that you made, there's actually two ways you can go ahead, I think collectively it makes sense for us to do this since the bonds are callable at this point in time. Even with the advance funding of the 2001, because that's a short enough period in advance and interest rates are probably as low as they've ever been or will be during the time most of us will serve on this Commission. But I guess my question is, is the philosophy of taking it as an upfront cash payment, or an upfront reduction versus taking it over time. I mean, it's kind of a philosophical difference. Did you say the savings, I realize the savings will change depending on what the interest rate is, so we have the options of either taking it upfront which would generate like today's number about a \$5 million number and I think it's actually a little bit higher than that at today's number, or we can go ahead and save half a million a year throughout the life of the 2009 bonds, so that would be say through 2021. Am I correct on that?

Mr. Erickson: That's correct Mr. Chairman. I guess, again, it's a policy decision on your part, but I think the staff and myself would encourage you to take the larger number quicker if you will. Capture the savings when you can at a time you need it as opposed to spread a smaller amount over a longer period of time. I just think philosophically I would encourage that. Again, it's a policy decision.

Chairman: Again what comparison are we talking about? Are we talking about \$5 million for one year versus a half a million for 12 years?

Mr. Erickson: Yea, approximately, let's see...

Mr. Steiner: Approximately 11 years Mr. Chairman.

Mr. Erickson: Right.

Mr. Steiner: Of course, when we actually refund these bonds in May it could be a larger issue there could be additional years it could extend until 2023, for example, we could be refunding instead of \$100 million worth of bonds, it may be \$125 million. So, it just depends on what happens with interest rates, the lower interest rates go the larger the refunding could be potentially with providing additional savings. The reason that we're considering, recommending to the Commission taking the savings upfront is due to the current budget situation that we're facing. As you know traffic has been down, we reduced our budget by \$13 million last year, I have some traffic numbers that I'll be presenting shortly that will indicate that traffic is continuing to drop. We've had some additional expenses this year with the heavy snow fall with overtime, salt and we've also had some additional one time cost associated with the implementation of the EZ-Pass system, so there's a lot of pressure with the current year's budget so, I think it's something that the Commission should take a close look at to possibly capturing most, if not all of the savings within the next year or two, rather than spread the savings over 10, 12, 13 years.

Chairman: I just want to make sure I understood it, so that's not a question we're deciding today, all we're doing is proposing this resolution to hire a, we're going out for the request for proposals.

Mr. Steiner: That's correct Mr. Chairman.

Chairman: Any questions or anything?

Mr. Regula: If I could Mr. Chairman, under our proposed toll increase, given traffic being what it currently is, what additional revenues do you anticipate raising with that increase over the course of the year?

Mr. Steiner: I think overall we said that by 2010, when the rates are scheduled to be in place for a full year, it's probably about a \$20 million increase compared to 2007, but that was based on earlier projections before we saw the dramatic decline in traffic. So, I'm assuming it would be substantially less than that at this point our traffic consultant, Bobby Everhart will be updating those projections shortly.

Chairman: On a weekly or monthly basis when we get those we're down like 10% or I've seen that in the commercial vehicles. Anything further?

Mr. Regula: No. Thanks.

Chairman: Please call the roll.

Assistant Secretary Treasurer: Chairman Balog

Mr. Balog: Yes

Assistant Secretary Treasurer: Mr. Regula

Mr. Regula: Yes

Assistant Secretary Treasurer: Mr. Kidston

Mr. Kidston: Yes

Assistant Secretary Treasurer: Ms. Teeuwen

Ms. Teeuwen: Yes

RESOLUTION NO. 5-2009

Resolution Authorizing the Issuance of an RFQ for Underwriting Services for the Potential Refunding of Prior Revenue Bonds

WHEREAS, the Commission is authorized by Section 5537.08 of the Ohio Revised Code to issue revenue bonds for the purpose of refunding previously issued revenue bonds;

WHEREAS, the Commission previously issued 1998 Series B Bonds that may be refunded by the Commission;

WHEREAS, the Commission's Financial Advisor, Fifth Third Securities, Inc. of Columbus, Ohio has issued a written recommendation to the Commission that it consider refunding all or some portion of the 1998 Series B Revenue Bonds and/or such other series of revenue bonds if market conditions permit a sufficient and appropriate savings to the Commission;

WHEREAS, the CFO/Comptroller and Financial Advisor have recommended that the Commission issue a Request for Qualifications to solicit proposals from investment banking firms to serve as either senior managing or co-managing underwriter on one or more potential transactions, and the Commission's Executive Director concurs in said recommendation.

NOW, THEREFORE, BE IT

RESOLVED, that the Executive Director and CFO/Comptroller in consultation with the Commission's Financial Advisor are authorized to issue a Request for Qualifications from those companies interested in furnishing underwriting services for the potential refunding of all or a portion of the 1998 Series B Revenue Bonds and/or such other series of revenue bonds that the Commission may consider refunding if market conditions permit a sufficient and appropriate savings; and

FURTHER RESOLVED, that the Executive Director, CFO/Comptroller and the Commission's Financial Advisor shall prepare a report and recommendation regarding the proposals received to provide underwriting services to the Commission.

(Resolution No. 5-2009 adopted February 9, 2009)

Chairman: Mr. Steiner?

Mr. Steiner: Mr. Chairman, Commission Members, I do have a very brief update on our January traffic and toll revenue. This first chart shows the monthly passenger car miles traveled on the Ohio Turnpike! over the past two years. Due to the slumping economy and high fuel prices during the peak summer driving season, passenger car traffic has been down for the last 12 months and the severe winter weather

that I have mentioned has exacerbated the situation. Vehicle miles traveled by passenger cars in January were 4.5% below last January's total. Commercial traffic has also generally been down the last 12 months and dropped precipitously in January in part due to the severe weather. Commercial vehicle miles traveled in January fell 18.7% below the total from last January. This final chart shows the January toll revenues during each year this decade. Toll revenues in January fell 14.4% below the amount from January 2008. That completes my report Mr. Chairman. I'll be happy to respond to any questions.

Chairman: Comments, questions? Thank you. Financial Advisor, Mr. Erickson, anything further?

Mr. Erickson: No report.

Chairman: Thank you. Trustee, Mr. Lamb?

Mr. Lamb: No report Mr. Chairman.

Chairman: General Consultant?

Mr. Yacobucci: No report Mr. Chairman.

Chairman: Thank you. Highway Patrol?

Captain Hannay: Thank you Mr. Chairman, Commission Members. This is just a brief report. We've had a very difficult month; we had two fatalities on the Turnpike over the last month. In January, out in the Portage, Summit County area at Milepost 186 we had a separate crash that led to a second crash when the passenger of, the driver of the second crash vehicle got out and left her vehicle, she decided she needed to turn back to get her purse. She did that, upon trying to walk away from the vehicle, again a commercial vehicle went to the berm to miss the two crashed vehicles in the roadway and struck the pedestrian and killing her. We've taken that to the prosecutor's office, we'll be guided by what the prosecutor says in regards to where we go criminally on that.

The second fatality occurred out here by the Great Lakes Plaza, eastbound. That was last week, it involved our Maintenance Department. One of our maintenance employees was struck. His legs were hit; he did not sustain serious injury that I am aware of, however the driver of the vehicle is deceased. We have since learned that at one time she was a part-time employee of the Ohio Turnpike Commission. So, very unfortunate.

Chairman: The second vehicle was responding; there was an accident up ahead on that one also right?

Captain Hannay: Yes sir, that is correct. Extreme weather conditions, very cold, the left lane had froze back over. Maintenance had arrived at the previous crash and

was actually helping by putting fuses out to protect traffic. The driver, the deceased, came out of the middle lane into the left hand lane, not giving herself a chance to respond, or react to what was ahead of her, lost control, slid sideways into the back of the pickup truck.

Chairman: Any comments or...?

Captain Hannay: Thank you; that completes my report.

Mr. Regula: Just one quick question, is there any, just for my own personal knowledge, from what you've seen out there over the years, is there any safety rule from a standpoint that if your involved, your vehicle is involved in an accident, you always stay in the vehicle with your seatbelt on or is there any definitive answer to where is the safest place to be? Get out and get as far away as you can? Would you recommend anything?

Captain Hannay: Commission Members, Mr. Chairman, Mr. Regula, it's going to be pretty much up to you. If your vehicle is drivable on an interstate highway, I would get it to a safe location. Try to get it off of the traveled portion, get it out of the way. Let law enforcement worry about how it happened, where it happened and collect the evidence once we get there. If your vehicle is not drivable and your capable of moving, you're going to have to make that call. If traffic is heavy I would think you're safer in the vehicle, strapped in and hope that everybody sees you. Once you get out of the vehicle your body is not going to protect you very much against traffic.

Mr. Regula: So from a standpoint of accident investigation, if your vehicle is drivable, you can recreate the accident without my vehicle being where the accident happened?

Captain Hannay: I should be able to do that sir, based on your information; you the driver provide me and the evidence that would be available on the highway. I should be able to reproduce what occurred.

Mr. Regula: Generally speaking then, you'd recommend getting out of the line of traffic?

Captain Hannay: Yes sir I would. On an interstate highway, if my car is drivable; I want to get out of the line of traffic.

Mr. Regula: I appreciate that, thank you.

Chairman: Thank you. Any further business? If we don't have any further business I will accept a motion to adjourn until our next meeting which is set for Monday, March 16th, at 10 a.m. Is there a motion to adjourn?

Mr. Kidston: So moved.

Chairman: Second.

Mr. Regula: Second.

Chairman: Please call the roll.

Assistant Secretary Treasurer: Chairman Balog

Chairman: Yes

Assistant Secretary Treasurer: Mr. Regula

Mr. Regula: Yes

Assistant Secretary Treasurer: Mr. Kidston

Mr. Kidston: Yes

Assistant Secretary Treasurer: Ms. Teeuwen

Ms. Teeuwen: Yes

Meeting adjourned at 10:50 a.m.

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

George F. Dixon, Secretary-Treasurer