

EMPLOYEE RECOGNITION AND OTHER AWARDS:

Major Dennis Gann recognized Trooper Chris Simpson as the Turnpike Trooper of the Month. He is assigned to the Will Rogers Turnpike. On December 9, 2008, Trooper Simpson and Trooper Steve Hamilton responded to a hostage situation south of the town of Locust Grove on State Highway 82. While in route, they were advised that Lieutenant Buddy Lambert, who was on the scene, had taken gunfire from the suspect and had to retreat from his disabled unit to a ditch. When Troopers Simpson and Hamilton arrived, the suspect was still firing at officers. Displaying extreme bravery and courage, both Troopers went into the scene of the gunfire on foot to provide assistance. During the exchange of gunfire, the suspect was shot in the abdomen and was apprehended. Troopers Simpson and Hamilton showed extreme courage under dangerous circumstances and should be commended.

NEW BUSINESS:

FINANCE COMMITTEE ITEM(S)

TAB 1 9699. Consider, take action and vote for the approval or disapproval of the Payment Register for the periods of May 1, 2009 to and including May 31, 2009 and June 1, 2009 to and including June 30, 2009.

Ms. Wendy Smith presented this item stating that staff recommended approval as presented.

It was moved by Mr. Ken Fergeson and seconded by Mr. Mike Leonard that the Authority approve this item as presented.

The motion carried by the following vote:

YES: Burrage, Ellis, Fergeson, Leonard, Riebel

ENGINEERING AND CONSTRUCTION COMMITTEE ITEM(S)

TAB 2 9700. Consider, take action and vote for the approval or disapproval of the following Change Order(s)/Supplemental Agreement(s) Under \$50,000:

	<u>Project No.</u>	<u>Contractor</u>	<u>Amount</u>	<u>Time</u>
1.	WR-MC-108, C.O. #3 New OHP Building Vinita, OK Will Rogers Turnpike	Jim Cooley Construction	\$23,570.89	0 Days

Consider, take action and vote for the approval or disapproval of the following Change Order(s)/Supplemental Agreement(s) Over \$50,000:

<u>Project No.</u>	<u>Contractor</u>	<u>Amount</u>	<u>Time</u>
2.	WR-MC-110, S.A. #2 Pavement Rehab MP 302.4 – 312.7 Will Rogers Turnpike	\$59,540.74	10 Days

Mr. Gordon Johnson presented this item stating that it was reviewed by the Engineering and Construction Committee and staff recommended approval as presented.

It was moved by Mr. Hal Ellis and seconded by Mr. Ken Ferguson that the Authority approve this item as presented.

The motion carried by the following vote:

YES: Burrage, Ellis, Ferguson, Leonard, Riebel

TAB 3 9701. Consider an item for establishing a new toll structure.

Mr. Phil Tomlinson presented this item stating that it was reviewed by the Finance Committee. He stated that the national economy had affected traffic on the interstates and particularly the commercial traffic that travels the interstates. Staff had been watching the trends since late 2007 and it became obvious earlier this year that OTA would have to address this issue because we were developing a shortfall for 2009 of approximately \$21 million from expected revenue. Mr. Tomlinson stated that this shortfall would dramatically affect the Authority's capital program, which maintains and improves the Turnpike System and keeps it in good condition and repair. With the System being over 50 years old, it becomes more critical to continue to do capital improvements and maintenance. Mr. Tomlinson also stated that the shortfall would affect the obligations OTA has with its Bondholders to maintain certain cash balances and debt coverage ratios. Wilbur Smith Associates, OTA's Traffic Engineer Consultant, was asked at the end of January to complete a study regarding the proposed toll increase. He asked Mr. Christopher Mwalwanda with Wilbur Smith Associates to summarize their findings.

Mr. Mwalwanda stated that OTA approached Wilbur Smith Associates (WSA) in January to assess the likelihood of doing a toll rate increase. WSA has been OTA's Traffic Engineer Consultant since inception, and has the data related to all previous toll rate increases. He stated that they looked at the previous information and combined it with what they were seeing at the national level in terms of the decline in vehicle miles traveled. They also looked at it in terms of the growth rate of the state and what the traffic profiles were for each turnpike and then assessed a range of what the likely revenue increases would be from 12.5% all the way to what the consumer price index would have been, which was a 25% increase since the last toll increase in 2001. He stated that on a national level, many of the turnpikes are assessing their needs from a bonding capacity perspective, and in order to meet their debt service they are implementing more generous increases in the range of 25% to 50%. Mr. Mwalwanda stated that their findings from the study conducted showed that a 16% increase in tolls would allow OTA to meet its bond coverage.

Mr. Mwalwanda stated that on a national level, WSA has seen a decline since 2007. Most of that decline was precipitated by the increase in fuel prices that happened in late 2007 and early 2008. When the fuel prices started to decline, we saw a decrease in traffic due to the financial crisis and the economic crisis. This toll increase will help bring the revenues back in line with the 2006 estimates. Mr. Tomlinson stated that Mr. Mwalwanda would be available after the meeting to answer any questions.

Mr. Tomlinson continued his presentation and referenced three charts he had posted for review. The first chart showed the toll revenue shortfall. It also showed the projected toll revenues through 2010 with a 16% toll increase. The second chart showed the OTA Capital Program needs required to maintain the System through 2010. The last chart showed a history of toll increases on the System by percent since inception. Mr. Tomlinson stated that this would be the eighth increase in 56 years. It has been eight and a half years since the last toll increase. The last increase was in 2001 and was 16% for cars and 30% for commercial vehicles. The average toll increase over the life of this System has been 18%. Mr. Tomlinson also commented that about 50% of the toll revenues for the System come from out-of-state users. Oklahoma's tolls are approximately 30% below the national average. He also stated that traditionally, previous administrations and the legislatures have strived to keep the tolls in the Oklahoma System as low as possible and still be able to adequately maintain the debt obligations and keep the system well maintained. Mr. Tomlinson stated that staff recommended approval of this item as set out in the Resolution.

At this time, Mr. Riebel recognized Ms. Kellie Glass, a visitor from Yukon, Oklahoma, who asked to express her views on the toll increase.

Ms. Glass stated that she took her lunch hour to come and voice her views. She stated that she worked at a physical therapy company on Memorial and Portland in Oklahoma City and that everyone at her office and most of their patients took the toll road every day. With the economy affecting their business and their own pocketbooks, she felt she should take the time to attend the OTA meeting and see if there was a possibility in putting off the toll increase until the economy got better. She also stated that the people in her office decided that if the OTA approved the toll increase, they would turn in their PIKEPASSes and take a different route to work, even if it meant leaving 30 minutes earlier and dealing with the I-40 construction.

Mr. Riebel told Ms. Glass that he appreciated her point of view and opinions and thanked her for taking the time to come and address the Authority.

Mr. Riebel asked for further discussion from the Board on this item. There was no further discussion from the other Board Members. Mr. Riebel made a comment, speaking only for himself and not on behalf of the Authority, that he had watched the revenue decline since 2007 and it was very difficult for him, personally, to consider a toll increase. He stated, "I would certainly prefer that we did not have to, but I think to be responsible to not just our Bondholders but our customers and users of our System that we must approve this toll increase."

There was no further discussion regarding this item.

It was moved by Mr. Ken Fergeson and seconded by Mr. David Burrage that the Authority approve this item as presented.

The motion carried by the following vote:
YES: Burrage, Ellis, Fergeson, Leonard, Riebel

REPORTS:

Item #1. Operating Results

Ms. Wendy Smith stated that the Operations Report had been distributed by the Controller's Division for the month of May 2009. She stated that toll revenues continued to be down for the year and were below last year by 3.8%, mostly due to a significant drop in truck traffic. She stated that truck traffic continued to be down about 11% throughout the first part of the year.

Mr. Riebel thanked Ms. Smith for all her hard work on the preparation of the toll increase.

Item #2. Consulting Engineer Report

Mr. Jimmy Sparks of The Benham Companies presented the Consulting Engineer Report for the month of June 2009. Concerning the trust requirements, Mr. Sparks stated that Benham had completed all bridge, drainage structure, and pavement inspections for 2009. This information would be used in determining capital improvement and maintenance needs for the turnpike pavements. He stated that their recommendations would be contained in the Draft Report due August 1st.

The capital plan project summary was provided in the Consulting Engineer's monthly report.

Item #3. Highway Patrol Report

Major Dennis Gann presented the OHP Report for the month of June 2009. Troopers made 9,460 violator contacts, assisted 1,128 motorists, and investigated 84 motor vehicle collisions. There were 13 fatalities reported. The Turner, Indian Nation, and H. E. Bailey Turnpikes each reported one fatality. The Will Rogers Turnpike reported a decuple (10) fatality collision.

Special emphasis troopers worked 21 shifts and had 338 violator contacts. Turnpike aircraft flew a total of 71 hours during the month of June with 305 enforcement contacts. In addition, troopers dedicated 729 hours toward toll enforcement, which resulted in 123 citations, 929 warnings, confiscation of 36 PIKEPASSes, and 65 toll violation letters issued.

At the request of Director Tomlinson, Major Gann asked Captain Scott Horton, Troop Commander on the Will Rogers Turnpike in charge of the investigation of the 10 fatality accident, to give a brief summary of the accident.

Captain Horton stated that on June 26, 2009, there was a seven vehicle collision that occurred about eight miles east of Miami on Interstate 44. An initial collision occurred as a result of a sleepy driver who had side-swiped another semi on the shoulder. The driver then swerved into the center barrier wall becoming disabled. As a citizen stopped in the roadway to help her move her vehicle to the shoulder, traffic began to back up quickly about a half mile due to the time of day and being a Friday afternoon. Another semi driver was apparently unable to detect that traffic had stopped, and rear-ended the back of the initial backup. As a result of this collision, there were 10 fatalities. Captain Horton stated that the driver of the semi was 76 years of age and had been working since 3:00 a.m. that morning. Due to his age and the fact that he had been unloading much of his own product, fatigue could be a factor. The National Transportation Safety Board (NTSB) also responded to the Will Rogers Turnpike with seven investigators. They are subpoenaing information regarding the driver's medical records and also his cell phone usage to see if distraction played a part in the collision. Captain Horton also noted that the NTSB did not find any defects with the vehicle and that the cruise control was set on 71 mph. There were also no engineering issues detected through NTSB's investigation related to the turnpike road.

Captain Horton stated that a tragic footnote to this collision was that there were three children that survived where the parents were either killed or they were unable, due to their injuries, to care for the children. OHP personnel took care of these children until other family members were able to come and care for them. He also stated that the emergency response was tremendous. He thanked the OTA Maintenance Division for providing remarkable assistance. There was approximately a mile and a half of backed up traffic in 104 degree heat. The Maintenance Division supplied water and checked on the motorists that were in the back up.

Mr. Tomlinson asked Captain Horton to recount the issue they had with livestock as an example of unexpected issues OHP encounters during emergency situations.

Captain Horton stated that they encountered many issues during the course of this initial response. One issue was a trailer carrying 11 sheep, eight of which were severely injured in the collision. Three of the sheep escaped from the trailer when it was torn open, jumped the barrier wall and ran into westbound traffic. Not only did OHP have to deal with the major fatality collision, they now had to look at secondary collisions occurring from the escaped livestock. OHP took the appropriate action to dispose of the livestock before they could cause further collisions, injuries or deaths. Captain Horton stated that they also had a medical emergency at one of the diversion points. There was a pregnant woman having panic attacks and had no air conditioning in her vehicle. A trooper was dispatched to that location and took the woman to the Miami toll booth where she was met by an ambulance.

Mr. Fergeson asked Captain Horton if this was the worst fatality collision in his memory or in Oklahoma history. Captain Horton stated that this was the worst incident of his career as a law enforcement officer. However, the Department of Transportation had informed him that 14 people were killed in a chain reaction collision on I-40 in 1973 where there was smoke over the roadway.

Item #4. Director's Report

Mr. Tomlinson had nothing further to report.

ADJOURNMENT:

The meeting adjourned at 11:58 a.m. until September 16, 2009 at 11:30 a.m. at the Oklahoma Turnpike Authority, Neal A. McCaleb Building, at 3500 Martin Luther King Avenue, Oklahoma City, Oklahoma.

ATTEST:

Ken Fergeson
Secretary/Treasurer

Doug Riebel
Chairman