

## OHIO TURNPIKE COMMISSION

### **Resolution Authorizing the Executive Director to Enter into an Agreement with Ohio Gas Company for Gas Service to The Tiffin River and Indian Meadow Service Plazas**

WHEREAS, Section 5537.04(10) of the Ohio 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, Section 5537.28 of the Revised Code authorizes the Commission to use toll revenues for the purpose of making infrastructure improvements to existing service plaza facilities in order to carry out its duties, powers and functions; and

WHEREAS, the Commission adopted Resolution No. 9-2007 on April 9, 2007 in which it declared its intention to replace and rebuild the Tiffin River and Indian Meadow Service Plazas located in Williams County, and contracts were awarded for the construction of said service plazas pursuant to Resolution No. 10-2010 adopted on March 21, 2010; and

WHEREAS, the expenditures by the Commission to provide for the construction of necessary infrastructure improvements to extend natural gas utility service to the Tiffin River and Indian Meadow Service Plazas 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 to enter into such agreement; and

WHEREAS, the Ohio Gas Company has offered to construct the necessary infrastructure improvements in order to extend natural gas service to the Tiffin River and Indian Meadow Service Plazas in an amount being negotiated by the parties, but likely to exceed the amount of \$150,000.00 under terms and conditions that are mutually acceptable to both the Utility and the Commission; and

WHEREAS, the Chief Engineer has recommended that the Commission continue to negotiate an agreement with Ohio Gas Company in lieu of continuing to maintain underground heating fuel oil tanks at the newly constructed service plazas; and

NOW, THEREFORE, BE IT

RESOLVED that the Executive Director and the General Counsel are hereby authorized to negotiate and execute an agreement with The Ohio Gas Company for the purpose of obtaining gas service to the Tiffin River and Indian Meadow Service Plazas, which agreement may include the Commission reimbursing the Ohio Gas Company for those infrastructure improvements necessary to extend such service to service plazas; and

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

**(Resolution No. 21-2010 June 21, 2010)**