

**MINUTES OF THE OHIO RAIL DEVELOPMENT COMMISSION
REGULAR BIMONTHLY MEETING
SEPTEMBER 13, 2007**

CALL TO ORDER AND ROLL CALL

The meeting of the Ohio Rail Development Commission was called to order by Chairman James Betts at 9:10 a.m. on Thursday, September 13, 2007. Members present included: Chairman James Betts, Larry Sowers, Tom McOwen, Solomon Jackson, Kimberly Gibson (arrived just after roll call), Barbara Bennett, Herk Wolfe, Director James Beasley, Representative Larry Flowers and Senator Capri Cafaro. Members absent included: Dan Roberts, Jim Hartung, Senator Larry Mumper and Robert Hagan. Eight voting members were present and two non-voting members were present. Two voting members and two non-voting members were absent.

APPROVAL OF THE MINUTES OF THE JULY MEETING

Chairman Betts asked for approval of the minutes of the July 12, 2007 commission meeting. Commissioner Sowers moved to approve the minutes and Commissioner Bennett seconded the motion. The minutes are approved as presented.

PROJECTS

Resolution 07-11 - Panhandle Rail Line Long Term Lease – Matt Dietrich

Matt Dietrich reported Resolution 07-11 establishes an advisory committee to review/evaluate a long term lease of the Panhandle Rail Line. Mr. Dietrich explained this resolution is in response to a directive from the commissioners at the Staff Retreat in August. This resolution formalizes the process to establish the committee to review all aspects of a long term lease of the rail line. Mr. Dietrich explained this committee is not for the purpose of entering into discussions or negotiations with the railroad.

Commissioner Jackson indicated he feels the resolution is a good idea but requested a timetable be imposed upon the committee so a decision can be brought forth before the commission in a timely manner. Commissioner Jackson does not want to see the commission “still discussing this issue one year from this point.” Commissioner Sowers agreed with Commissioner Jackson regarding adding a timetable to the resolution.

Commissioner Jackson made a motion to amend the current resolution with the addition of language that would include a timeline. Commissioner Gibson seconded the motion. Chairman Betts reiterated the resolution will be amended to include “the committee will be prepared to present a decision to the full commission for consideration at the meeting scheduled in January” (January 10, 2008). Chairman Betts asked for a motion to approve the resolution. Commissioner Sowers moved to approve the motion and Commissioner Gibson seconded the motion. Roll call was taken with eight votes in the affirmative.

Chairman Betts reported he asked Commissioner McOwen to Chair the committee and indicated he has already spoken to Commissioners Gibson and Hartung regarding being a part of the committee as well. He asked Commissioner Jackson at the meeting if he would be available to participate. Commissioner Jackson responded by indicating he would be available to take part in the committee meetings.

It was decided that the first committee meeting would take place immediately following the commission meeting.

Resolution 07-12 – Wheeling & Lake Erie Railway Robertsville Tunnel Repairs – Bev Lee
Ms. Beverly Lee, ORDC Planner, presented the Wheeling & Lake Erie Railway's request for a grant of up to \$150,000 to provide gap financing necessary to conduct repairs of the Robertsville Tunnel which has been closed due to two cabooses becoming stuck in the tunnel and needing to be removed.

Ms. Lee reported Mr. Bill Callison, President of the Wheeling & Lake Erie, was present to answer any questions the commission may have. Mr. Callison briefly spoke on the situation and reported what his company has done to stabilize the tunnel. Chairman Betts inquired how they have worked around not being able to use the track due to the blockage. Mr. Callison reported the company obtained an emergency agreement with Norfolk Southern and are currently working to terminate that agreement and re-establish direct service.

Chairman Betts asked for a motion to approve Resolution 07-12. Commissioner Wolfe moved to approve the motion and Commissioner Sowers seconded. Roll call was taken with eight votes in the affirmative. The motion was approved.

NOTE: Chairman Betts acknowledged Director Beasley's presence at the meeting, thanking him for making the time to be there. He asked if Director Beasley cared to make any comments. Director Beasley responded he was happy to be able to attend and intends to take a "multi-modal approach" toward transportation.

OLD BUSINESS

Resolution 07-13 – Appointment of Matthew R. Dietrich as ORDC Executive Director

Chairman Betts read Resolution 07-13 which formalizes Matt Dietrich's appointment to Executive Director. Chairman Betts asked for a motion to approve the Resolution. Commissioner Bennett moved to approve the motion and Commissioner Wolfe seconded the motion.

Commissioner Sowers commented that he wanted to be the first to congratulate Matt on his appointment. Commissioner Jackson raised the issue of the lack of goals and objectives in writing so Mr. Dietrich has a clear set of guidelines; identifying he felt it is for Mr. Dietrich's benefit to guide his success. Chairman Betts agreed and commented on Mr. Dietrich's professional growth over the past year and indicated he is looking forward to working with him. Roll call was taken with eight votes in the affirmative.

NOTE: Senator Cafaro arrived at 9:35 a.m.

EXECUTIVE DIRECTOR/FINANCE REPORT – Matt Dietrich

Mr. Dietrich reported the Secretary/Treasurer position, a Fiscal Officer 3 position, has posted on the ODOT website and will remain posted until September 21st.

Mr. Dietrich spoke about Capital Partnerships' personal service contract and indicated the contract has been extended through December 31, 2007. Chris Vineis has been working on several initiatives for ORDC including the Ohio Hub.

Mr. Dietrich reported ORDC was invited to speak at the All Aboard Ohio board meeting and indicated it was a good forum to open dialogue regarding passenger rail issues in Ohio.

Mr. Dietrich commended both Gloria Howard and Evelyn Winkfield in their efforts with regard to the new state accounting system (OAKS).

NEW BUSINESS

Chairman Betts spoke about the retreat and indicated it was a good forum but the portion on passenger rail was not given the time it needed for staff to have answers to some of the questions identified in the packet. Therefore, Chairman Betts raised the question of whether a committee of the commission should be formed to specifically address these passenger rail questions.

Commissioner Sowers echoed Chairman Betts' thoughts on creating a committee to look at passenger rail issues. Chairman Betts reported he and Mr. Dietrich intend to meet with the Commission's legislative members to review how best to utilize their expertise within the House and Senate.

PUBLIC COMMENT

Mr. Bill Strawn, President of Ohio Central Railroad System, was present to thank the commission for its support in reviewing the potential for the long term lease of the Panhandle Rail Line. Mr. Strawn also thanked the commissioners for partnering with the railroad over the years and for the Commission's leadership.

Mr. Greg DiDonato, Dennison Depot, was present to thank the commission for its service and reiterated his concern in resolving the issue with the Polar Express prior to consideration of a long term lease to Ohio Central Railroad.

Mr. Rick Platt, Executive Director of the Heath, Newark, Licking County Port Authority, thanked the commission for taking steps to review all aspects of the lease prior to making a decision. Mr. Platt reported the Port Authority has invested \$10 million along this line and has a vested interest in this decision.

Chairman Betts announced he had submitted a letter of resignation to the Governor's Office regarding his position as Chairman of the Commission. He thanked everyone for their support over the years and indicated he would stay as long as the Governor's office deemed necessary. He reported he has enjoyed his time with the Commission and he hopes the Commission will continue its good work after he is gone.

Members of the commission and audience acknowledged Chairman Betts' with applause.

ADJOURNMENT

Chairman Betts asked for a motion to adjourn the meeting. Commissioner Gibson moved to approve the motion and Commissioner McOwen seconded the motion. The meeting was adjourned at 10:10 a.m.