

**MINUTES FROM THE OHIO RAIL DEVELOPMENT COMMISSION
REGULAR BI-MONTHLY MEETING
NOVEMBER 20, 2019**

CALL TO ORDER

Chairman Policinski called the meeting of the Ohio Rail Development Commission to order at 11:03 a.m. on Wednesday, November 20, 2019.

MEMBERS PRESENT

Chairman Mark Policinski, Commissioners Solomon Jackson, Allen Biehl, Tom Zitter, Kirk Slusher (ODOT), Rachel Near (DSA), Bill Lozier, Eric Richter, and Mark Johnson were present. Senator Manning and Representative Sheehy both had representatives of their offices in attendance as well. Commissioners Dean Hempfling and Tony Reams were unable to attend. Roll call was taken. There were 9 voting members present, therefore a quorum was obtained.

APPROVAL OF THE MINUTES OF THE SEPTEMBER MEETING

Chairman Policinski asked for a motion to approve the minutes of the September 25, 2019 meeting. Commissioner Jackson moved to approve the minutes and Commissioner Biehl seconded the motion. Roll call was taken and the minutes were approved with 9 votes in the affirmative.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Dietrich presented his report to the Commissioners, which can be found on page 9 of the Commission packet. Executive Director Dietrich reported on the status of the At-Grade Rail Crossing Adaptability Study and the second stakeholder workshop which was held in Columbus on October 10. He indicated that things are moving along with the study and staff is working closely with ODOT to look at the data and methodology of the study.

Executive Director Dietrich reported on Resolution 19-11 which the Commission passed at its September meeting. This Resolution authorized the commission to work on the partnership and development of potential Consolidated Rail Infrastructure Safety Improvements ("CRISI") applications for submission to the Federal Railroad Administration by October 2019. ORDC supported two of the three applications that were under consideration; Southwestern Ohio Regional Transit Authority for rehabilitation of the Blue Ash line, and the Village of Greenfield in Highland County for the rehabilitation of the I&O operated and Village-owned line. A collaborative effort between multiple agencies is involved in supporting the Village of Greenfield application.

Executive Director Dietrich showed a video that the state of North Carolina produced to promote crossing safety. The video is titled "Car vs. Train" and illustrates the point of impact when a train crashes with a car. Discussion took place and Commissioner Jackson thanked the Commission for all its efforts to promote safety in Ohio and reiterated Norfolk Southern will continue to be a true partner in ORDC's mission to promote safety at crossings.

FINANCE REPORT

Megan McClory, Secretary-Treasurer, presented the Finance Report to the Commissioners, which can be found on page 12 of the commission packet. Ms. McClory reported that ORDC currently has three outstanding loans, all of which are in good standing.

The 2020 Commission Meeting Schedule has been finalized and can be found on page 23 of the meeting packet. Ms. McClory asked everyone to look at the dates and mark calendars for next year's meetings.

Ms. McClory spoke about the two agreements for consultant services that ORDC has entered into: Bergmann & Associates for up to \$7,200 to provide a benefit cost analysis (BCA) in support of the ORDC CRISI application. The BCA is a required element of the CRISI application; and DiPerna and Company for up to \$10,000 for financial advisory services for our loans. Ms. McClory stated that ORDC will utilize DiPerna and Company to provide advice on the structure of our loans, particularly those loans that are not already known entities of the Commission.

Lastly, Ms. McClory previewed the newly revised ORDC website for the commissioners prior to the site going live the following day. This project was a joint effort with ODOT Communications who was instrumental to the new site's success. Staff worked very hard to streamline the information and make the site more user-friendly and relevant. Ms. McClory encouraged everyone to scroll through the site at their leisure and provide any feedback to staff.

Note: Prior to Resolution 19-12 being presented to the Commissioners, Commissioner Solomon Jackson recused himself from any discussion at 11:22 a.m.

RESOLUTION 19-12 – Indiana Northeastern Railroad Track Upgrade

ORDC staff member Tim Brown introduced Mr. Gale Schultz, President of the Indiana Northeastern Railroad, to speak about his project. Mr. Schultz reported the company plans to upgrade approximately 8 miles of track to Class 2 condition in order to better serve the customers along the line. Mr. Schultz stated the railroad has one interchange in Ohio and all of its traffic from Indiana and Michigan moves over this section of track that contains the interchange. This project is important because a substantial portion of the railroad's traffic consists of grain. The railroad serves Edon Farmers Co-op in Edon, Ohio, which is located along this segment. The project also involves the reconstruction of grade crossings on County Roads 9 and 8.5 in Williams County.

Commissioner Slusher inquired if improvements will be made along their line in Indiana as well. Mr. Schultz responded the company will be making improvements to Class 2 condition in Indiana as he is currently working with some companies in that state to move hazardous material for them. He expects this project to take place within the next two years.

No additional questions were asked. Chairman Policinski asked for a motion to approve Resolution 19-12. Commissioner Zitter moved to approve Resolution 19-12 and Commissioner

Slusher seconded the motion. Roll call was taken and the motion was approved with 8 affirmative votes, one recused.

Commissioner Jackson returned to the meeting at 11:29 a.m.

RESOLUTION 19-13 – Adoption of the State Rail Plan

ORDC staff member Tim Brown presented Resolution 19-13 to the commissioners. Resolution 19-13 can be found on page 56 of the commission packet. Mr. Brown stated the Federal Railroad Administration's (FRA) approval letter of Ohio's State Rail Plan can be found on page 29 of the commission packet. After several rounds of drafts and the required stakeholder comment period, the FRA responded to ORDC with their letter of approval. The final step for the commission to take is formal adoption of the plan via vote.

Chairman Policinski commended Mr. Brown and ORDC staff on the work that was done to create the plan and noted that not only did the FRA approve the plan, but they only had a few minor recommendations to make on future updates. Chairman Policinski stated he is very proud of the work that was done.

Chairman Policinski asked for a motion to approve Resolution 19-13. Commissioner Richter moved to approve the Resolution and Commissioner Johnson seconded. Roll call was taken with 9 votes in the affirmative. Resolution 19-13 was approved as presented.

PROJECT BRIEFING – Ohio Logistics Rail Spur Extension

ORDC Staff Member Tom Burns presented the briefing which can be found on page 50 of the commission packet. Mr. Burns spoke about the challenges the company has had at its current location in Fostoria. He introduced Mr. Chuck Bills, President/CEO of Ohio Logistics, who was present to give an overview of their company and answer any questions about their project.

Mr. Bills stated the company has been in business for greater than 31 years and they currently have more than 400 employees. The warehouse in Fostoria needs a rail spur so the company has access at their location in the warehouse. Ohio Logistics will commit to retaining 20 positions at the site and will hire an additional 10 positions as a result of this project. Mr. Bills also spoke about the benefits of establishing Foreign Trade Zones (FTZ) and reported having already established an FTZ at his warehouse in Fostoria has been very successful for his business.

NOTE: The additional project briefing included in the packet for Church & Dwight originally intended to be heard at this meeting will be postponed to another meeting date in the future.

COMMITTEE REPORTS

Administrative Committee: Chairman Policinski asked Commissioner Jackson to report on the Administrative Committee's activities. Commissioner Jackson asked to turn the reporting over to Megan McClory to give the Commissioners an overview of the status of updating the Commission's bylaws. Commissioner Jackson commended Ms. McClory on her efforts in keeping everyone on task with this important project.

Ms. McClory reported the committee members took another look at ORDC's by-laws. The intent is to be able to present a final draft for review by the Commissioners very soon. Ms. McClory indicated the purpose of this project was to update all outdated information contained in the bylaws. The bylaws themselves permit updates to be considered so long as the draft is presented to the commissioners at least two weeks prior to a vote being requested to adopt the updated information.

Policy Committee

Chairman Policinski requested the Commissioner Zitter provide an update on the activities of the Policy Committee. Commissioner Zitter reported that the Policy Committee reviewed the State Rail Plan at their meeting and that the Plan has already been presented to the Commissioners for approval. ORDC Staff Member Tim Brown did speak about additional funding opportunities becoming available where the State Rail Plan will be instrumental in assisting in developing the applications for these opportunities as well as assisting in the quality of projects we will be able to do. Mr. Brown stated that the Plan will continue to evolve and when the next State Rail Plan is due in four years staff will have a solid foundation on which to prepare the next Rail Plan.

Commissioner Lozier commended staff on the approved State Rail Plan. He also inquired about an objective included in the Plan for a reservoir of projects through CRISI as well as a priority given to intermodal transload facilities. Commissioner Lozier asked if there is a relationship between the two. Executive Director Dietrich responded that CRISI is a broad program and would apply for these types of projects. He mentioned that ORDC has received multiple inquiries for transload projects and stated that staff is committed to being as proactive as possible to assist with any potential projects that are presented to ORDC.

Commissioner Lozier commented about the data in the report that indicated crashes at grade crossings are still continuing to increase. Executive Director Dietrich reported Ohio will continue to focus on educating citizens about the dangers of driving around activated warning devices. ORDC has a program to look at high-hazard crossings that have active warning devices to identify additional engineering improvements. He stated ORDC staff continues to work with ODOT personnel on educating the public and offered examples such as freeway message boards as means to continue this effort.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

PUBLIC COMMENT

There was no public comment.

ADJOURN

Chairman Policinski adjourned the meeting at 12:00 p.m. and Commissioners completed annually-required Fraud and Ethics training.