

## MINUTES OF FOURTH MEETING

JANUARY 3, 1950

Pursuant to call of the Chairman, the Ohio Turnpike Commission met in open session in Room 1012 A, State Office Building, Columbus, at 1:00 o'clock P. M. on January 3, 1950, with members of the press; Mr. Kinneary, First Assistant to the Attorney General of Ohio; Mr. Gillmor of the Ohio Contract Carriers Association, and representatives of certain investment interests also in attendance.

The meeting was called to order by the Chairman and the roll was called and the attendance was reported to be as follows:

Present: Shocknessy, Teagarden, McKay, Seasongood, Kauer  
Absent: None

Whereupon the Chairman announced that a quorum was present.

The minutes of the third meeting were read. There being no objections or corrections, the Chairman declared the minutes to be approved as read.

Thereupon, the Secretary-Treasurer reported as to activities of his office for the period since the preceding meeting, summarized as follows:

- a. The Attorney General has agreed to assist in preparation of By-laws for the Commission, and has assigned Mr. John R. Pierce to the mission.
- b. It has been determined that Community Facilities Service is the Federal agency responsible for financial grants, under the provisions of Public Law 352 of the 81st Congress, for planning of public works. Request has been made to the Columbus office of Community Facilities Service for advice as to the eligibility and availability of funds for the purpose of conducting engineering and other studies to determine the feasibility of an Ohio turnpike project.
- c. In anticipation of a possible need to disperse traffic from the Pennsylvania turnpike over existing Ohio state highways, aerial photographs have been taken over a considerable area of Mahoning and Columbiana counties and portions of Western Pennsylvania adjacent to those counties. Staff engineers of the Department of Highways

will study these aerial photographs in a preliminary way in order to be prepared to meet such a problem. This photographic coverage will serve a secondary purpose in the study of the location of the juncture between the Pennsylvania and Ohio turnpikes if and when engineering studies for an Ohio turnpike may be carried to completion.

- d. After advice from the Attorney General of Ohio against the incorporation of any part of the Great Seal of Ohio therein, the Seal previously accepted by the Commission has been revised.
- e. On December 20, 1949, an amended Petition in Mandamus was filed in the Supreme Court of Ohio to make the Auditor of State a party in the action previously filed and to insure a complete determination of the questions involved in that case.
- f. A meeting of the Ohio Turnpike Commission with the Pennsylvania Turnpike Commission has been arranged for January 10, 1950, at Harrisburg.
- g. The staff of the Director of Highways is now studying a considerable amount of available information as to qualifications of consulting engineers and other consultants, leading to the selection of a General Consultant for the preparation of an engineering report and a consultant for the preparation of a traffic and revenue report. Cooperation of the Commission is solicited in order to insure that such consultants will be acceptable to the Commission prior to being chosen by the Director of Highways.

There being no objections, the report of the Secretary-Treasurer was accepted as read.

Thereupon, the Chairman entertained discussion as to meeting with the Pennsylvania Turnpike Commission. The tentative arrangement for January 10, 1950, was confirmed, and it was determined that Mr. Shocknessy, Mr. McKay, and Mr. Kauer would attend.

Drawings of the proposed revised Seal were thereupon reviewed by the Commission. It was agreed that the elements objected to by the Attorney General of Ohio had been eliminated. A motion was made by Mr. Shocknessy, seconded by Mr. Teagarden, that the revised Seal be accepted, subject to

the approval of the Attorney General. A vote by ayes and nays was taken and all members responded to roll call and voted aye. The vote was as follows:

Ayes, Shocknessy, Teagarden, McKay, Seasingood, Kauer  
Nays, None

The Chairman announced the motion adopted.

Thereupon, the Chairman requested the Director of Highways to discuss the matter of selection of engineering and other consultants. It was the opinion of Mr. Kauer, based upon extensive study of the qualifications of many consulting firms and upon the experience of the Pennsylvania Turnpike Commission, that a General Consultant should be retained for the preparation of an Engineering Report, and that a consultant should be separately retained for the preparation of a Traffic and Revenue Report. He recommended that the Commission meet in special sessions to interview a number of qualified and experienced prospective General Consultants.

It was agreed that the Chairman would call such special sessions for January 17 and 18, 1950, and that the Director of Highways would schedule the several interviews. It was also agreed that the business of these special sessions would be confined to the single subject of interviews with consultants.

Thereupon, a letter from the Ohio Contract Carriers Association was read by the Secretary-Treasurer, and Mr. Gillmor, President of the organization, added his remarks in the matter of constructing spurs from an East-West toll turnpike to connect with Cleveland and Toledo. The Chairman directed that the letter from the Ohio Contract Carriers Association be a part of these minutes.

Representatives of a syndicate which has been formed with the view to participating in the financing of an Ohio Toll Turnpike were thereupon received by the Chairman. They included

Mr. D. E. Murphy, Vice-President, The Ohio Company, Columbus  
Mr. James G. Couffer, Vice-President, B. J. Van Ingen & Co., New York  
Mr. T. Henry Boyd, Vice-President, Blyth & Co., New York  
Mr. Stanley McKie, Weil, Roth and Irving Company, Cincinnati

Statements of the several representatives are summarized as follows:

A group of approximately 160 leading investment dealers in revenue bonds, including 18 in Cleveland, 27 in Cincinnati, 4 in Toledo and 2 in Columbus, has been formed to give consideration to any financing which the Commission may propose. Large Ohio representation is believed important because of

the intense interest of every Ohioan in the development of his State, and widespread ownership of Turnpike Bonds will create interest in its success.

Members of the syndicate headed the underwriting accounts for Pennsylvania Turnpike issues. The group has been made national in scope in order to insure sound bond issues and a good market. The group has no formal proposals to offer, but commends the wisdom of the Ohio Turnpike Commission in seeking an early determination of the legality of the Turnpike Act.

Five major considerations were submitted as contributing to successful operation of the Commission. These included able administration, able counsel, selection of acceptable traffic and revenue consultants, selection of qualified consulting engineers, and sound financing procedures.

Upon conclusion of the remarks by the several representatives of the syndicate, members of the Commission entered into detailed discussion in the matter of qualifications for consultants, experience of other States in revenue financing, and the employment of bond counsel. The Chairman thereupon expressed the appreciation of the Commission for the advice offered by those present, and stated that any group which may wish to discuss financing will be entertained by the Commission.

The Chairman thereupon inquired of Mr. Kinneary as to the status of current litigation pertaining to the Turnpike Act. Mr. Kinneary reported that the Auditor of State has been made a party to the case now in process; that the Auditor of State will be represented by the Attorney General of Ohio; that all possible issues will be raised in behalf of the Auditor of State. He also stated that report would be submitted at a later date with respect to By-laws for the Commission.

There being no further business to come before the meeting, the motion was made by Mr. Teagarden, seconded by Mr. McKay, that the meeting adjourn. A vote by ayes and nays was taken and all members present responded to roll call and voted aye. The vote was as follows:

Ayes, Shocknessy, Seasongood, McKay, Teagarden, Kauer  
Nays, None

The Chairman declared the meeting adjourned. The time of adjournment was 3:15 o'clock P. M.

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



T. J. Kauer  
Secretary-Treasurer

2-7-50