

## MINUTES OF TENTH MEETING

JULY 14, 1950

Pursuant to call of the Chairman, the Ohio Turnpike Commission met in special open session in Room 1012 A, State Office Building, Columbus, Ohio, at 1:30 o'clock p.m. on July 14, 1950, with members of the press; Senator Winter of the Ohio General Assembly; Mr. Kinneary of the office of the Attorney General of Ohio; members of the staff of the Director of Highways, and representatives of two firms of consulting engineers 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, Seasongood, McKay, Teagarden, Kauer  
Absent: None

Whereupon the Chairman announced that a quorum was present.

The Secretary-Treasurer thereupon presented the minutes of the special meeting of May 26, 1950. Mr. Seasongood offered a correction to add the words "if and when issued" to the resolutions adopted in connection with engineering studies being undertaken by the Director of Highways. A motion was made by Mr. McKay, seconded by Mr. Shocknessy, that in the absence of objection, the minutes be approved as submitted and corrected. 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, Teagarden, McKay, Seasongood, Kauer  
Nays, None

The Chairman announced the motion adopted.

The Secretary-Treasurer thereupon reported that in the interim since the preceding meeting, copies of agreements which had been executed between the Director of Highways and the consulting firms for the engineering studies on the Ohio Turnpike had been forwarded to the several members of the Commission; that partial reports of progress had been made to the Chairman of the Commission; that the Attorney General of Ohio had approved the form of the resolutions which were adopted at the ninth meeting of the Commission; and that by Opinion No. 1949, the Attorney General of Ohio had informed the Commission that an annual report covering the activities of the Commission for the period from September 8, 1949 through December 31,

1949, is required under the provisions of Section 1218 of the General Code. A motion was made by Mr. McKay, seconded by Mr. Teagarden, that the report of the Secretary-Treasurer be accepted. 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, Teagarden, McKay, Seasingood, Kauer  
Nays, None

The Chairman announced the motion adopted.

The Chairman thereupon invited the Director of Highways to report to the Commission and the Director of Highways reported as follows:

"The Ohio Turnpike Commission at its meeting of May 26, 1950, approved my selection of two firms of consulting engineers to conduct the necessary studies to determine the feasibility of an Ohio turnpike project. Since that date the Department of Highways has moved with dispatch to place these two firms under contract and to initiate the work.

"On June 1 and again on June 12 and June 15, joint conferences were held by key members of the J. E. Greiner Company and the firm of Parsons, Brinckerhoff, Hall and Macdonald with the key members of my staff, to determine procedure for the studies and to make information available from the Department of Highways to assist in those studies.

"On June 10, 1950, the Attorney General of Ohio approved the legal form of the contracts which had been prepared, and on June 14 the agreements were signed and became effective.

"In order to insure accuracy and thorough coordination of the information which the Department of Highways is furnishing to the consultants, I have named several of my staff as a special committee on turnpike matters. As the studies progress, that committee will be responsible for the review of the findings and reports submitted by the consultants.

"On June 16, 1950, authority was obtained from the Ohio Program Commission for the release of technical information which had been made available to its Highway Committee by the Highway Department in connection with a study of highway needs now in progress. The release of this information will expedite the studies.

"It will be evident, therefore, that a great mass of technical information has been placed at the disposal of the engineering consultants. This material includes maps and highway studies previously prepared by the Department of Highways, standard plans, project plans, aerial photographs, design and construction specifications, cost experience, advance highway construction programs, physical inventory of the State Highway System, criteria for highway improvements, traffic surveys and traffic counts, origin and destination tabulations, urban area traffic studies, and many other items. The consultants are now actively engaged in the collation of the material which has been furnished to them.

"A progress schedule for the work of the J. E. Greiner Company has been submitted and approved. An initial report of progress has been received from that firm and is a part of this report. It indicates that the Greiner Company is already slightly ahead of its own proposed schedule for the work. The Greiner Company has selected the Air Survey Corporation of Washington, D. C. to prepare aerial photogrammetric maps. The Department of Highways has approved that selection. Criteria for the hydraulic design of all drainage structures on the turnpike have been submitted by the Greiner Company and are now being reviewed by my staff. A recent visit to the Baltimore office by a member of my staff verified our opinion that substantial and satisfactory progress is being made.

"A report has been received from Parsons, Brinckerhoff, Hall and Macdonald as to progress of the traffic and revenue studies. The report indicates that the collection of basic data is now complete, that the preliminary analysis of traffic information has defined the general location to be studied for the turnpike, and that the firm is now engaged in establishing in the field the additional traffic survey stations which will be needed to supplement existing data. They report that the field investigations to determine physical condition of federal, state and county roads are now underway and that time and delay studies are being initiated.

"Each firm has now established a Columbus office.

"Representatives of the Greiner Company and of Parsons, Brinckerhoff, Hall and Macdonald have met in Columbus during the past two days to consider the relative merits of

alternate lines for the turnpike which have been selected by the Greiner Company and must now be proven sound from the standpoint of traffic and potential revenue. Upon agreement between the consultants, and approval by the Department of Highways, the field surveys and cost analyses to determine a final line will be undertaken.

"Invoices have been received from each consultant for payment of the initial amount agreed upon in their respective contracts. These invoices have been approved by the Department of Highways and have been forwarded to the Auditor of State for payment."

Upon questioning by the several members of the Commission, the Director of Highways stated that invoices for payments to consultants had reached the office of the Auditor of State on July 6, 1950; that there was doubt in his mind as to whether these invoices may be paid without recourse to action in the courts; and that he proposed to request that the Attorney General of Ohio initiate such action if payments were not made promptly. The Director of Highways discussed the matter of failure of the Auditor of State to pay salaries of those members of his staff who have been engaged in the turnpike studies; read the following letter, and requested its inclusion in the record of the meeting:

"Mr. T. J. Kauer  
Director of Highways  
State Office Building  
Columbus, Ohio

July 14, 1950

Dear Sir:

"The Auditor of State has not honored payrolls subsequent to the month of May, 1950, for those employees of the Department of Highways who are directly associated with the turnpike studies. Travel expense of the undersigned has not been recognized by the Auditor of State since October, 1949. It does not appear probable that the Auditor will honor these debts of the State of Ohio which now total \$1,017.38, except after recourse to the courts.

"The undersigned is not in a position to carry the financial burden thus imposed. His small reserve of War Bonds, purchased while in the combat service of his Country, has already been sacrificed.

"Your specific advice is respectfully and urgently requested, as to whether and when the salary of the undersigned will be paid. If it is not to be paid, assignment to other duties is immediately necessary. Otherwise, more than 24 years of service to the Department of Highways must be abandoned, and new sources of income sought.

Sincerely yours,

Charles P. Smith  
Turnpike Liaison Engineer"

The Director stated that unless the assistance of the members of his staff was available to him in connection with the turnpike studies, that the progress of those studies would be substantially delayed. Whereupon the Chairman of the Commission stated for the record that the Commission has no employees, and that those employees who are engaged in the turnpike studies are not and have never been employed by the Ohio Turnpike Commission. He further observed that the Commission is profoundly concerned over the effect of the prospective delays to the progress of the turnpike project.

Thereupon the Director of Highways presented Mr. Wilke, his Chief Engineer of Planning and Programming, and Mr. Rothermund, his Chief Engineer of Location and Design, who extended his report to cover joint meetings with the engineering consultants which were in process at the time of this meeting. Representatives of the Greiner Company and of Parsons, Brinckerhoff, Hall and Macdonald participated in the discussion after which the Chairman expressed the gratitude of the Commission to the Director of Highways and his staff for their cooperation and for the progress which is evident in the prosecution of the studies.

A motion was made by Mr. Seasongood, seconded by Mr. McKay, that the report of the Director of Highways be accepted as submitted. 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, Teagarden, McKay. Seasongood, Kauer  
Nays, None

The Chairman announced the motion adopted.

Thereupon the Director of Highways introduced Mr. Robert W. Van Atta, an employee of the Department of Highways, who presented

to each member of the Commission an embossed plaque of the seal of the Ohio Turnpike Commission which he had designed, carved, and completed after normal working hours in his own home. The Chairman of the Commission observed that this is the first tangible recognition of the efforts of the Ohio Turnpike Commission.

A motion was made by Mr. Teagarden, seconded by Mr. Kauer, that the following resolution be adopted:

BE IT RESOLVED, that the Ohio Turnpike Commission commends Mr. Robert W. Van Atta of the Ohio Department of Highways for his work in executing embossed plaques of the seal of the Commission and expresses its gratitude and appreciation for his work and for its high character.

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, Teagarden, McKay, Seasongood, Kauer  
Nays, None

The Chairman announced the motion adopted.

A motion was made by Mr. Teagarden, seconded by Mr. Shocknessy, that the following resolution be adopted:

BE IT RESOLVED, that the embossed plaque which has been presented to the Ohio Turnpike Commission by Mr. Robert W. Van Atta be accepted as the facsimile of the official plaque of the Commission which is not to be reproduced for commercial purposes.

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, Teagarden, McKay, Seasongood, Kauer  
Nays, None

The Chairman announced the motion adopted.

A motion was made by Mr. Shocknessy, seconded by Mr. McKay, that the Auditor of State or his representative be invited to attend every meeting of the Ohio Turnpike Commission. A vote by ayes and nays was taken and all members present responded to roll call and voted aye, except Mr. Seasongood who voted nay. The vote was as follows:

Ayes, Shocknessy, Teagarden, McKay, Kauer  
Nays, Seasongood

The Chairman announced the motion adopted.

Thereupon the Chairman presented a prepared draft of the First Annual Report of the Ohio Turnpike Commission for the period from September 8, 1949 through December 31, 1949. After agreement upon a minor revision, a motion was made by Mr. Shocknessy, seconded by Mr. Kauer, that the report be adopted and sent in identical form to the Governor of Ohio, and to the Senate and House of Representatives of the 98th General Assembly of Ohio. 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, Teagarden, McKay, Seasongood, Kauer  
Nays, None

The Chairman announced the motion adopted.

Discussion was thereupon had with respect to required audits of the books of the Ohio Turnpike Commission. It was agreed that it would be a vain act to seek an audit by a Certified Public Accountant at this time since neither receipts nor expenditures have been made by the Commission, and funds will not be available until and unless revenue bonds may be sold.

The Chairman thereupon entertained discussion by Mr. McKay and others as to the advisability of initiating the preparation of a Trust Indenture at an early date. It was indicated that delays in the progress of the turnpike work might be occasioned if advance preparation for the issuance of bonds were not undertaken prior to the completion of engineering reports. It was suggested that the selection of Bond Counsel should be considered by the Commission. It was agreed that the Chairman would investigate the matter and report thereon at the next meeting of the Commission.

The Director of Highways advised the Commission that essential agreement with respect to the line for the proposed Ohio Turnpike would be reached within the next two weeks, and would be presented to the Governor of Ohio for his approval. He stated that the authorities of the affected municipalities would be conferred with at the appropriate time. It was understood that the line contemplated would represent a band one-mile in width within which the final line would be more specifically determined as a result of later field surveys.

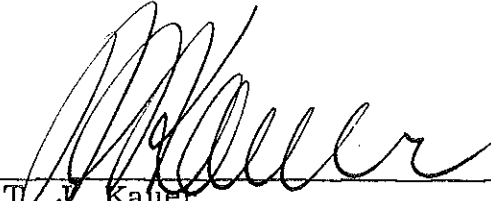
The Chairman advised the Director of Highways that a meeting of the Commission would be called within 24 hours after request from the Director of Highways for approval of the line.

There being no further business to come before the meeting, the motion was made by Mr. Shocknessy, seconded by Mr. Teagarden, that the meeting adjourn until further call by the Chairman. 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, Teagarden, McKay, Kauer  
Nays, None

The Chairman declared the meeting adjourned. The time of adjournment was 3:40 o'clock p. m.

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

  
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T. J. Kauer  
Secretary-Treasurer

8-2-50