

MINUTES OF THE NINETY-THIRD MEETING
DECEMBER 14, 1954

Pursuant to call of the Chairman, the Ohio Turnpike Commission met in regular open session in its offices at 139 East Gay Street in Columbus, Ohio, at 11:20 o'clock A. M. on December 14, 1954, with the key members of its staff, representatives of the Consulting Engineer, of the Trustee, members of the press, and others in attendance.

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

Present: Teagarden, Allen, McKay, Linzell, Shocknessy.

Absent: None.

The Chairman announced that a quorum was present.

The Chairman directed that there be included in the minutes of the meeting the list of documents and items which had been placed in the cornerstone box at the ceremonies attendant upon the opening of the Eastgate Section of Ohio Turnpike Project No. 1 on December 1, 1954, so that posterity would know through the imperishable minutes of the Commission what was in the box at Eastgate terminal. He said that it was important that the list be incorporated in the minutes because there had been added to the contents of the cornerstone box since the Eastgate Section program had been printed a picture of Governor Fine of Pennsylvania and several other items which were not listed in that program.

CONTENTS OF CORNERSTONE BOX

Declaration of Independence

Northwest Ordinance of 1787

CONTENTS OF CORNERSTONE BOX

Constitution of the United States

Constitution of the State of Ohio

Ohio Turnpike Act

Roster of the Ohio Turnpike Commission, its staff and consultants

Annual Reports of the Ohio Turnpike Commission (1949-1953, inclusive)

Engineering Report, The Ohio Turnpike, prepared by J.E. Greiner Company, Consulting Engineers, August 15, 1951

Report on the Traffic and Earnings of Ohio Turnpike Project No. 1, Parsons, Brinckerhoff, Hall & MacDonald, Engineers, May 1952

Trust Agreement: Ohio Turnpike Commission with The Ohio National Bank of Columbus as Trustee and The National City Bank of New York as Co-Trustee

Prospectus: \$326,000,000 State of Ohio 3-1/4% Turnpike Revenue Bonds, Project No. 1

Construction Map, Ohio Turnpike Project No. 1, with Names and Field Office Locations of Contracting Engineers and Contractors

Official 1953 Ohio Highway Map

Photograph of Governor Lausche, Members of the Ohio Turnpike Commission and its Executive Director on inspection trip, Eastgate Section, May 18, 1954

Leaflet: "Here Comes Your Ohio Turnpike"

Leaflet: "Ohio Turnpike - Eastgate Section"

Program Booklet: "Ohio Turnpike - Eastgate Section - Opening Day - December 1, 1954"

CONTENTS OF CORNERSTONE BOX

An "Opening Day - Eastgate Section - Ohio Turnpike" badge and ribbon

The Youngstown Vindicator, issue of November 30, 1954

The Cleveland News, issue of November 29, 1954

The Cleveland Plain Dealer, issue of December 1, 1954

The Cleveland Press, issue of December 1, 1954

News Story of Groundbreaking Ceremonies, October 27, 1952, from the Akron Beacon-Journal, October 28, 1952

Concrete cube from first concrete paving in Ohio, Public Square, Bellefontaine, Ohio, 1891

Concrete cylinder made from first concrete for roadway paving poured on Ohio Turnpike, Ohio-Pennsylvania line, October 28, 1953

Photograph of President Dwight D. Eisenhower

Photograph of Governor Frank J. Lausche

Photograph of Governor John S. Fine of Pennsylvania

Photograph of James W. Shocknessy, Chairman of the Ohio Turnpike Commission

Photograph of Thomas J. Evans, Chairman of the Pennsylvania Turnpike Commission

Buckeyes (*Pavia Ohioensis*)

Pieces of the ribbons which were cut at the Ohio-Pennsylvania line, opening the Eastgate Section of the Ohio Turnpike.

The Chairman asked that there also be incorporated in the minutes of the meeting an expression of the gratitude of the Commission to its staff, particularly to the Executive Director, to the Executive Assistant, and to the Director of Information and Research, and to those who had worked

so closely with them in making the preparations for the opening of the Eastgate Section which were acclaimed generally as an unparalleled success. He said further that since the opening of the section the receipts from tolls had been highly satisfactory, that in approximately ten days of operation there had been an average of 85 per cent of the total daily traffic expected for the first year, which was an indication that with that kind of traffic during those first days when many were not familiar with the opening of the turnpike and during a month when traffic is customarily low, the Commission could expect well over 100 per cent of estimate during the year.

The Chairman asked that the minutes also include a letter which the Governor had addressed, under date of December 2, 1954, to the Director of Information and Research, James D. Hartshorne, after the opening of the Eastgate Section. He read the letter, as follows:

"Dear Jim:

"I called you by phone this morning to personally tell you of the magnificent work you did in arranging the program and keeping it in order, for the dedication of the Turnpike in the Youngstown area.

"In spite of the weather, in my opinion, there was no diminution of the overall salutary impact of what took place.

"Congratulations!

"Sincerely yours,

/s/ Frank

"Frank J. Lausche"

The Chairman then brought to the attention of the Commission a newspaper known as the Courier, published in Pittsburgh, Pennsylvania, which has an Ohio state edition. He displayed the December 11, 1954 issue of that paper in which appeared the headline, "Fight Lily-White Turnpike. Negroes Absent at Gala Opening." The Chairman then quoted from the article under the headline as follows: "Ohio's first turnpike opened to trucks and autos without a single new job held by an Ohio Negro."

The Chairman said that once again he had to say that somebody was mendacious. He said further that it was not ever his purpose nor the purpose of the Commission to count or classify employees on the basis of the color of their skin. He said also that employees of the Commission had been chosen on the basis of their abilities and that their applications had been received on the basis of their abilities and that he hurled in the face of whoever had written the article the charge that it was not true because, of the thirteen or fourteen toll collectors who had been on duty when the turnpike opened, he found that two of those in uniform were negroes. He recalled that the Executive Director had mentioned at a recent meeting that the Commission employees were being chosen irrespective of race. The Chairman said that he had asked Mr. Colston of the Department of Information and Research, who is also a negro, to procure a picture of the two negro men in their uniforms as they had appeared the day the turnpike was opened and to send a mat to the Courier. He said further that personally he was opposed ever to considering employees or other human beings on the basis of the color of their skin. The Chairman said that it was a man like the one who had written the Courier article who created divisions, that divisions were not created by people like the members of the Commission who ignored the color line in the choice of their employees. The Chairman said that the Commission believes that if it honestly makes its employment on the basis of aptitude and ability, as it has done and as it would continue to do, a proper proportion of all those in our society would come to the surface. He called upon the Director of Information and Research to advise the Pittsburgh Courier that the article was false.

The Chairman said that the Commission had before it, which he mentioned with extreme reluctance, the resignation

of the Executive Assistant, Colonel Charles P. Smith. He said further that the reason the Commission had been a little late in coming into session was that every one of the members had talked to Colonel Smith and had asked him to withdraw the resignation. He said also that every one of the members had told Colonel Smith that morning of the Commission's deep appreciation of the services he had rendered the Commission, the State of Ohio and the nation itself. The Chairman said that for years Colonel Smith had dedicated himself to the affairs of the Ohio Turnpike Commission. He said that no man could have been more selfless in his efforts, no man more steadfast in the support that he had given the members of the Commission and all with whom he had been associated on the Commission. The Chairman said further that the Commission could not speak adequately in words the sentiment that it felt for Colonel Smith, not only as an official of the Commission, but as a human being. The Chairman said that Colonel Smith was a truly good man, that he was a good human being, that he was a good engineer, that he had been a good official of the Commission, and that he had given noble service to the Commission and to the state of Ohio. He said that the members of the Commission regretted Colonel Smith's leaving. The Chairman said that he had called the Governor of Ohio and had advised him that Colonel Smith had made an irrevocable decision to separate himself from the Commission and that the Governor joined the Commission in an expression of good wishes to Colonel Smith and in adding his expressions to those of the Commission which the Chairman had given of its regret at his leaving. He said that Colonel Smith's resignation was offered effective January 1, 1955 or as soon thereafter as practicable. He said also that the members of the Commission had discussed the date and that the Commission would accept the resignation in accordance with its terms, effective January 16, 1955.

The Chairman said that the Commission had also talked with James D. Hartshorne, the Director of Information and Research, about succeeding Colonel Smith and that it would have a resolution before it later in the meeting to appoint Mr. Hartshorne as Colonel Smith's successor.

The Assistant Secretary-Treasurer reported for the Secretary-Treasurer that since the last meeting the following had been sent to all members: 1) detail of investment transactions during November, 1954, mailed December 7, 1954; 2) financial reports for the period ending November 30, 1954, mailed December 8, 1954; 3) daily reports of traffic and revenue on the Eastgate Section.

The Assistant Secretary-Treasurer said that income from investments for the period ending November 30, 1954 had been \$14,280,000 compared to the original forecast for that period of \$6,346,000, or a gain of \$7,934,000. He said that the Commission had \$20,350,000 of two-per cent bonds which matured December 15, 1954. He said that the government had offered holders of those bonds a choice of three other securities in exchange for the maturing bonds. He said that none of the three fitted into the Commission's fund-requirements estimate and, consequently, the Co-Trustee had subscribed for the exchange, then had sold the new securities on a when-issued basis and would reinvest the proceeds in short-term securities. He said further that the profit to the Commission on the transaction had been \$54,000 since the new securities had been selling about 8/32nds above par.

The Assistant Secretary-Treasurer said further that the Executive Director would report to the Commission on traffic and revenues, but that he should like to mention that he was well pleased with the performance of the toll-collection personnel to date. He said that the auditing department got a good check on the accuracy of their work but that in addition to that he had heard from several members of the staff who had been on the Eastgate Section that the handling of the motorists by the toll collection personnel was excellent.

The Assistant Secretary-Treasurer reported also that the Commission had had inquiries from about ten trucking firms concerning the possibility of charge accounts and discounts for volume usage. He said that he had talked with several trucking representatives on the telephone and that it appeared that they were more interested in credit when the whole road should be opened than they were on only the Eastgate Section. He said

that he was studying the matter further and would report to the Commission later. He said also that the question on quantity discount was prompted by the practice of the Pennsylvania Turnpike Commission and that in reply to that question he had said that the Commission had made no provision for discounts in establishing the fares for the Eastgate Section.

The Director of Highways read "A Report to the Ohio Turnpike Commission from the Director of Highways," dated December 13, 1954, as follows:

"Our study of the preliminary reports of the turnpike from Cincinnati to Conneaut with a spur to Toledo has shown us that some changes in the basic assumptions are justified. Recent construction cost data, an altered time table of construction and completion, and other factors should be used to present a more realistic appraisal of this enterprise. In our study these altered assumptions were substituted for those used in the reports and their influence on the ratio of earnings to interest, operating and maintenance cost was computed.

"Subsequent to the preparation and submission of the preliminary engineering report, the J. E. Greiner Company furnished a revised estimate of cost which reflected their observation of downward trends in turnpike construction costs since their report was submitted.

"It was assumed in the traffic and earnings report that the first full year of operation would be in 1958. It is now apparent that 1959 is a more practical assumption, which if adopted, would add the advantage of a full year of traffic growth to the first year coverage.

"The toll rate for heavy trucks was assumed as 4¢ per mile. It is our judgment that the analysis of time and distance studies, such as would be made in a final study, would show this assumed rate to be below optimum and that the 4.7¢ per mile rate on Ohio Turnpike No.1 would be justified.

"Another point which in our judgment should receive reconsideration, is the annual rate of traffic increase. We believe that since the rate of growth of traffic on the primary highways has been far greater than on the highway system as a whole, a turnpike facility should reflect a yearly rate of growth, similar to primary highways rather than all highways, streets and alleys.

"In our study we have applied these factors in the same manner that the consulting engineers did. The results are shown in the tables attached. A study of these tables shows that by substituting these very reasonable assumptions and maintaining a slightly higher passenger car toll rate than charged on Turnpike No. 1, the first year coverage is increased considerably beyond the 1.5 ratio generally accepted as an index of financial feasibility.

"It must be recognized that feasibility depends not only on cost of construction and revenues from operations, but also upon financing cost, which can only be determined when actual financing arrangements are made. In view of the excellent position, Ohio Turnpike No. 1 bonds occupy in the bond market we do not feel justified in challenging the assumption of the traffic and revenue consultants that a similar rate of interest be used in their studies.

"We believe that the results of the preliminary studies, modified by the changes mentioned above, indicate that the turnpike has excellent possibilities of attracting investment capital at reasonable interest rates, and that the studies should be continued to the final stage.

"I therefore, propose to request permission of the Controlling Board to expend highway funds for completion of the study."

The Chairman thanked the Highway Director for his report. He said that the Commission long before had adopted a resolution which was sufficiently broad to embody whatever authority to proceed the Highway Director might need from the Commission.

He said further that whether what the Highway Director contemplated was as broad as the resolution was not of imperative consequence because the resolution was broad enough within its terms to include everything that the Highway Director suggested.

The Chairman said that the question had been raised from time to time about whether the Commission expected to reimburse the State of Ohio for whatever funds the Director should expend. He said further that under the law the Commission had no choice about reimbursing the State of Ohio if it should sell bonds for the construction of a project based upon the report, so that if the Director of Highways should go forward and develop a report and if the Commission should go forward and develop a project, then the first moneys which would come from revenue bonds sold to finance the project would be paid to the State of Ohio in reimbursement of the funds expended by the Director of Highways on behalf of the project for the state. He said also that he had read in the newspapers that irrespective of whether the project which the Director of Highways delineated was built as a revenue bond project or as a free road, the engineering portion of the report which the Director of Highways was proposing would be of equal value to the state or to the Commission so that it was the Chairman's personal belief that it would be folly to postpone proceeding with the development of a final detailed report as the Director of Highways had indicated he would expect to have developed. The Chairman said that whether the program of the President should make funds available for the construction of the Y-shaped road from Cincinnati to Conneaut and Toledo or not, everyone knew that the road must be constructed. He said further that whether the road should be built as a freeway or as a toll road, the reports which the Director of Highways proposed to have made would be valuable. He said also that it might be even important to determine in making final determination of whether or not it should be a toll road or a free road, to have a revenue study but that, if the Commission and the Director of Highways were to wait until the Congress of the United States should act upon whatever proposal the

President would present to the next Congress, a whole year might be lost and a whole year was of almost inestimable value in the evaluation of the urgency of accommodating highway needs in Ohio. He said also that Ohio Turnpike Project No. 1 would be completed and in full operation on October 1 of 1955 and that the Commission hoped that the Director of Highways' 1959 estimate of completion of the road whose limits he had delineated at the meeting was not too optimistic. The Chairman said that he had good authority for belief that if the President's program were to be enacted into law ample and just credit would be given the states which had built highways on the toll-revenue-bond method; that credit would be given them by the allotment of moneys for other highway purposes which otherwise would have been required to be used on those projects which had been built by revenue-bond financing.

The Highway Director seconded the views of the Chairman. He said that as Director of Highways he could not wait for somebody else to act all the time; he said further that it was imperative that the highway program move regardless of whether the President's program should go or not. He said that if the President's program should go, all the better. He said also that there were many primary highways in Ohio that could justifiably use the money that the President was proposing.

Mr. Allen said that he agreed entirely. Mr. McKay said that he thought that the work done by the Department of Highways plus the re-evaluation of cost by the J. E. Greiner Company constituted a very excellent job. Mr. Teagarden said that the Director of Highways was to be complimented.

The Chairman said that he knew that Governor Lauche was of the opinion that there should be no delay and that it was the Governor's hope that the report would go forward.

The Director of Highways said that he expected to have a request to the controlling board before the first of January, 1955.

The Executive Director reported that construction of Ohio Turnpike Project No. 1 was 63.86 percent completed or slightly over 1 per cent ahead of the anticipated rate of progress. He reported that operation of the Eastgate Section had turned out to be, as anticipated, a testing and proving ground. He said that snow and ice had been quite a problem but that on the whole he was satisfied that a fairly good job on maintenance was being done but that a better job would be done when the Commission should have received the balance of its maintenance equipment and as the maintenance force should become a little more experienced. He reported further that it had been decided to place delineators on the tangents as well as on curves of one degree in order to identify the paved portion of the roadways.

The Executive Director reported further that five barrels had been dropped onto the turnpike roadways from the bridge carrying State Route 46 over the turnpike. He said further that the Chief Engineer had sent him a report to the effect that the Ohio State Highway Patrol had rounded up several boys who had dropped the barrels and was taking proper action.

The Executive Director reported that during the first ten days of operation of Eastgate Section the total number of vehicles using the turnpike had been 58,564 of which 61 percent had been class 1 vehicles. He said further that the total amount of revenue during the same period had been \$24,621 of which 40 per cent had represented tolls from class 1 vehicles. He said that the total costs of operation including fare collection, maintenance, a percentage of administrative costs at the Columbus headquarters building, but not including telephone, telegraph, light, power, and certain material costs, had been \$8,408 during the first ten days. The Executive Director reported further that 57 per cent of the passenger cars and 25 per cent of the trucks that had entered at Eastgate had left the turnpike at Route 18 and that 57.3 per cent of the passenger cars and 20 per cent of the trucks that had exited at Eastgate had travelled the whole route of the turnpike from State Route 18. He said further that 48 per cent of all vehicles on the turnpike had been eastbound and 52 per cent had been westbound. He said that it should be pointed out that December was an abnormally low-income month along with January and February and, to a lesser extent, March and that the weather definitely had been

adverse so far in December. He said further that even so he thought that the Commission's return had been very respectable and that it was operating at a good profit although maintenance cost had been slightly in excess of that which had been anticipated because of the long hours the crews had had to work.

The Executive Director reported that during the past month fire and comprehensive insurance coverage had been placed on seven new trucks. He reported also that increased costs of construction over the contract prices totalled \$3,456,000 as of December 10, 1954. He said further that the future increases should be comparatively small. The Executive Director presented for consideration and study the report submitted by Harris, Kerr, Forster & Company, restaurant consultants to the Commission, of the firm's investigation of the prospective companies that would be considered in making the awards of restaurant contracts.

The Executive Director presented to the meeting bids that had been received for Contract TP4-10, Contract TP11-17, Contract MB-2, Contract MB-3, Contract MB-4, and Contract MB-5, 6, 7 & 8, and forms of contract documents for Contracts SB-1, SB-2, SB-3, SB-4, SB-5, SB-6, SB-7, SB-8, SB-1, 2 & 3, SB-4 & 5 and SB-6, 7 & 8 together with his, the Chief Engineer's, and the Consulting Engineers' written reports, advice, and recommendations with respect thereto.

The General Counsel presented to the meeting proofs of publication of notices of the taking of all such bids, together with his letters of advice to the Commission with respect to the bids the acceptance of which was recommended by the Executive Director.

At this point Mr. Linzell left the meeting because his presence was required at a meeting elsewhere.

Resolution No. 170-1954 awarding toll-plaza contract TP 4-10 was moved for adoption by Mr. Allen, seconded by Mr. McKay, as follows:

Resolution No. 170-1954

"WHEREAS, by resolution No. 166-1954, the Commission has approved the plans and forms of other contract documents for Contract TP 4-10, which is in general a contract for the construction of the toll-plaza buildings, and work related thereto, at toll plazas Nos. 4, 5, 6, 7, 8, 9, and 10; and the Commission by the same resolution approved the plans and other contract documents for Contract TP 11-17, which is in general a contract for the construction of the toll-plaza buildings, and work related thereto, at toll plazas Nos. 11, 12, 13, 14, 15, 16, and 17;

WHEREAS the executive director and general counsel have caused an advertisement to be published, according to law, for bids upon the said Contracts TP 4-10 and TP 11-17, and proof of said advertising is before the Commission;

WHEREAS the Commission has advertised in like manner for bids for the work required by Contract TP 4-10 and Contract TP 11-17, which contract is designated Contract TP-4-17, and proof of said advertising is before the Commission;

WHEREAS bids for the performance of said contract have been received, and were duly opened and read, as provided in the published notice for said bids, and said bids are before this meeting;

WHEREAS said bids have been analyzed by the Commission's executive director, chief engineer, and consulting engineer, and they have reported thereon to the Commission with respect to said analysis and made their recommendations predicated thereon;

WHEREAS all of the aforesaid bids for said contract were solicited on the basis of the same terms and conditions, and the same specifications with respect to all bidders and potential bidders, and the bid of The Jos. Bucheit & Sons Co., an Ohio corporation, in the amount of \$1,273,612.00, for the performance of Contract TP 4-10 is, and is by the Commission determined to be, the lowest of all said bids, whether individual or in combination; and the Commission has been advised by its general counsel that said bid conforms to the requirements of §5537.04 of the Revised Code of Ohio and to the terms, conditions, and specifications in the legal notice applicable thereto, and, accordingly, the

the Commission is authorized to accept said bid as the lowest and best bid for the construction of the aforesaid toll-plaza buildings at toll plazas Nos. 4, 5, 6, 7, 8, 9, and 10; and

WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to said proposal;

NOW, THEREFORE, BE IT

RESOLVED that the bid of The Jos. Bucheit & Sons Co., an Ohio corporation, in the amount of \$1,273,621.00, for the performance of Contract TP 4-10 be, and hereby it is, determined to be the lowest and best of all said bids, whether individual or in combination, for the construction of toll plazas Nos. 4, 5, 6, 7, 8, 9, and 10, and is accepted; and that each of the chairman and the executive director be, and each of them hereby is, authorized (1) to execute a contract with the said successful bidder in the form heretofore prescribed by the Commission, pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a performance bond as heretofore approved by the Commission by and in its resolution No. 69-1952, and meeting the requirements of said resolution, (2) to return to all other bidders the bid security furnished by each of them, respectively, (3) to return said successful bidder's bid security when the aforesaid contract has been duly executed and said performance bond furnished, and (4) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Allen, McKay, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 171-1954 awarding toll-plaza contract TP 11-17 was moved for adoption by Mr. McKay, seconded by Mr. Teagarden, as follows:

Resolution No. 171-1954

"WHEREAS, by resolution No. 166-1954, the Commission has approved the plans and forms of other contract documents for Contract TP 11-17, which is in general a contract for the construction of the toll-plaza buildings, and work related thereto, at toll plazas Nos. 11, 12, 13, 14, 15, 16, and 17; and the Commission by the same resolution approved the plans and other contract documents for Contract TP 4-10, which is in general a contract for the construction of the toll-plaza buildings, and work related thereto, at toll plazas Nos. 4, 5, 6, 7, 8, 9, and 10;

WHEREAS the executive director and general counsel have caused an advertisement to be published, according to law, for bids upon the said Contracts TP 11-17 and TP 4-10, and proof of said advertising is before the Commission;

WHEREAS the Commission has advertised in like manner for bids for the work required by Contract TP 11-17 and Contract TP 4-10, which contract is designated Contract TP 4-17, and proof of said advertising is before the Commission;

WHEREAS bids for the performance of said contract have been received, and were duly opened and read, as provided in the published notice for said bids, and said bids are before this meeting;

WHEREAS said bids have been analyzed by the Commission's executive director, chief engineer, and consulting engineer, and they have reported thereon to the Commission with respect to said analysis and made their recommendations predicated thereon;

WHEREAS all of the aforesaid bids for said contracts were solicited on the basis of the same terms and conditions, and the same specifications with respect to all bidders and potential bidders, and the bid of The A. Bentley & Sons Company, an Ohio corporation, in the amount of \$1,500,000.00, for the performance of Contract TP 11-17 is, and is by the Commission determined to be, the lowest of all said bids, whether individual or in combination; and the Commission has been advised by its general counsel that said bid conforms to the requirements of §5537.04

of the Revised Code of Ohio and to the terms, conditions, and specifications in the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the lowest and best bid for the construction of the aforesaid toll-plaza buildings at toll plazas Nos. 11, 12, 13, 14, 15, 16, and 17; and

WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to said proposal;

NOW, THEREFORE, BE IT

RESOLVED that the bid of The A. Bentley & Sons Company, an Ohio Corporation, in the amount of \$1,500,000.00, for the performance of Contract TP 11-17 be, and hereby it is, determined to be the lowest and best of all said bids, whether individual or in combination, for the construction of toll plazas Nos. 11, 12, 13, 14, 15, 16, and 17, and is accepted; and that each of the chairman and the executive director be, and each of them hereby is, authorized (1) to execute a contract with the said successful bidder in the form heretofore prescribed by the Commission, pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a performance bond as heretofore approved by the Commission by and in its resolution No. 69-1952, and meeting the requirements of said resolution, (2) to return to all other bidders the bid security furnished by each of them, respectively, (3) to return said successful bidder's bid security when the aforesaid contract has been duly executed and said performance bond furnished, and (4) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: McKay, Teagarden, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 172-1954 awarding maintenance-building contract MB-2 was moved for adoption by Mr. Teagarden,

seconded by Mr. Allen, as follows:

Resolution No. 172-1954

"WHEREAS the Commission has duly advertised, according to law, for bids upon separate contracts for the construction of each of maintenance buildings Nos. 2, 3, and 4, which contracts are designated Contracts MB-2, MB-3, and MB-4, respectively, and proof of said advertising is before the Commission;

WHEREAS the Commission has also advertised in like manner for bids upon a contract for the construction of all of the aforesaid maintenance buildings, which contract is designated Contract MB-2, 3 & 4, and proof of said advertising is likewise before the Commission;

WHEREAS bids for the performance of each of said contracts have been received, and were duly opened and read, as provided in the published notice for said bids, and said bids are before this meeting;

WHEREAS said bids have been analyzed by the Commission's executive director, chief engineer, and consulting engineer, and they have reported thereon to the Commission with respect to said analysis and made their recommendations predicated thereon;

WHEREAS all of the aforesaid bids for said contracts were solicited on the basis of the same terms and conditions, and the same specifications with respect to all bidders and potential bidders, and the bid of Joseph Skilken & Co., an Ohio corporation, in the amount of \$248,578.00, for the performance of Contract MB-2 is, and is by the Commission determined to be, the lowest and best of all said bids, whether individual or in combination, for the construction of maintenance building No. 2; and the Commission has been advised by its general counsel that said bid conforms to the requirements of §5537.04 of the Revised Code of Ohio and to the terms, conditions, and specifications in the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the lowest and best bid for the construction of the aforesaid maintenance building; and

WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

NOW, THEREFORE, BE IT

RESOLVED that the bid of Joseph Skilken & Co., an Ohio corporation, in the amount of \$248,578.00 for the performance of Contract MB-2, be, and hereby it is, determined to be the lowest and best of all said bids, whether individual or in combination, for the construction of maintenance building No. 2, and is accepted; and that each of the chairman and the executive director be, and each of them hereby is, authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission, pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a performance bond as heretofore approved by the Commission by and in its resolution No. 69-1952, and meeting the requirements of said resolution, (2) to return to all other bidders the bid security furnished by each of them, respectively, (3) to return said successful bidder's bid security when the aforesaid contract has been duly executed and said performance bond furnished, and (4) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Teagarden, Allen, McKay, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 173-1954 awarding maintenance-building contract MB-3 was moved for adoption by Mr. Allen, seconded by Mr. McKay, as follows:

Resolution No. 173-1954

"WHEREAS the Commission has duly advertised, according to law, for bids upon separate contracts for the construction of each of maintenance buildings Nos. 2, 3, and 4, which contracts are designated Contracts MB-2, MB-3, and MB-4, respectively, and proof of said advertising is before the Commission;

WHEREAS the Commission has also advertised in like
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manner for bids upon a contract for the construction of all of the aforesaid maintenance buildings, which contract is designated Contract MB-2, 3&4, and proof of said advertising is likewise before the Commission;

WHEREAS bids for the performance of each of said contracts have been received, and were duly opened and read, as provided in the published notice for said bids, and said bids are before this meeting;

WHEREAS said bids have been analyzed by the Commission's executive director, chief engineer, and consulting engineer, and they have reported thereon to the Commission with respect to said analysis and made their recommendations predicated thereon;

WHEREAS all of the aforesaid bids for said contracts were solicited on the basis of the same terms and conditions, and the same specifications with respect to all bidders and potential bidders, and the bid of Milette Construction Company, an Ohio corporation, in the amount of \$193,794.00, for the performance of Contract MB-3 is, and is by the Commission determined to be, the lowest and best of all said bids, whether individual or in combination, for the construction of maintenance building No. 3; and the Commission has been advised by its general counsel that said bid conforms to the requirements of §5537.04 of the Revised Code of Ohio and to the terms, conditions, and specifications in the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the lowest and best bid for the construction of the aforesaid maintenance building; and

WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

NOW, THEREFORE, BE IT

RESOLVED that the bid of Milette Construction Company, an Ohio corporation, in the amount of \$193,794.00, for the performance of Contract MB-3 be, and hereby it is, determined to be the lowest and best of all said bids, whether individual or in combination, for the construction of maintenance building No. 3, and is accepted; and that each of the chairman and the executive

director be, and each of them hereby is, authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a performance bond as heretofore approved by the Commission by and in its resolution No. 69-1952, and meeting the requirements of said resolution (2) to return to all other bidders the bid security furnished by each of them, respectively, (3) to return said successful bidder's bid security when the aforesaid contract has been duly executed and said performance bond furnished, and (4) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Allen, McKay, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 174-1954 awarding maintenance-building contract MB-4 was moved for adoption by Mr. McKay, seconded by Mr. Teagarden, as follows:

Resolution No. 174-1954

"WHEREAS the Commission has duly advertised, according to law, for bids upon separate contracts for the construction of each of maintenance buildings Nos. 2, 3, and 4, which contracts are designated Contracts MB-2, MB-3, and MB-4, respectively, and proof of said advertising is before the Commission;

WHEREAS the Commission has also advertised in like manner for bids upon a contract for the construction of all of the aforesaid maintenance buildings, which contract is designated

Contract MB-2, 3 & 4, and proof of said advertising is likewise before the Commission;

WHEREAS bids for the performance of each of said contracts have been received, and were duly opened and read, as provided in the published notice for said bids, and said bids are before this meeting;

WHEREAS said bids have been analyzed by the Commission's executive director, chief engineer, and consulting engineer, and they have reported thereon to the Commission with respect to said analysis and made their recommendations predicated thereon;

WHEREAS all of the aforesaid bids for said contracts were solicited on the basis of the same terms and conditions, and the same specifications with respect to all bidders and potential bidders, and the bid of The T. J. Hume Company, an Ohio corporation, in the amount of \$214,350.00, for the performance of Contract MB-4 is, and is by the Commission determined to be, the lowest and best of all said bids, whether individual or in combination, for the construction of maintenance building No. 4; and the Commission has been advised by its general counsel that said bid conforms to the requirements of §5537.04 of the Revised Code of Ohio and to the terms, conditions, and specifications in the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the lowest and best bid for the construction of the aforesaid maintenance building; and

WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

NOW, THEREFORE, BE IT

RESOLVED that the bid of The T. J. Hume Company, an Ohio corporation, in the amount of \$214,350.00, for the performance of Contract MB-4 be, and hereby it is, determined to be the lowest and best of all said bids, whether individual or in combination, for the construction of maintenance building No. 4, and is accepted; and that each of the chairman and the executive director be, and each of them hereby is, authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission, pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a

performance bond as heretofore approved by the Commission by and in its resolution No. 69-1952, and meeting the requirements of said resolution, (2) to return to all other bidders the bid security furnished by each of them, respectively, (3) to return said successful bidder's bid security when the aforesaid contract has been duly executed and said performance bond furnished, and (4) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: McKay, Teagarden, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 175-1954 awarding maintenance-building contract MB-5, 6, 7, & 8 was moved for adoption by Mr. Teagarden, seconded by Mr. Allen, as follows:

Resolution No. 175-1954

"WHEREAS the Commission has duly advertised, according to law, for bids upon separate contracts for the construction of each of maintenance buildings Nos. 5, 6, 7, and 8, which contracts are designated Contracts MB-5, MB-6, MB-7, and MB-8, respectively, and proof of said advertising is before the Commission;

WHEREAS the Commission has also advertised in like manner for bids upon a contract for the construction of all of the aforesaid maintenance buildings, which contract is designated Contract MB-5, 6, 7 & 8, and proof of said advertising is likewise before the Commission;

WHEREAS bids for the performance of each and all of said contracts have been received, and were duly opened and read as provided in the published notice for said bids, and said bids are before this meeting;

WHEREAS said bids have been analyzed by the Commission's executive director, chief engineer, and consulting engineer, and they have reported thereon to the Commission with respect to said analysis and made their recommendations predicated thereon;

WHEREAS all of the aforesaid bids for said contracts were solicited on the basis of the same terms and conditions, and the same specifications with respect to all bidders and potential bidders, and the bid of Giant Lumber & Building Co., an Ohio corporation, in the amount of \$849,900.00, for the performance of Contract MB-5, 6, 7 & 8 is, and is by the Commission determined to be, the lowest of all said bids or combinations of bids for the construction of the aforesaid maintenance buildings; and the Commission has been advised by its general counsel that said bid conforms to the requirements of §5537.04 of the revised Code of Ohio, and to the terms, conditions, and specifications in the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the lowest and best bid for the construction of the aforesaid maintenance buildings; and

WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

NOW, THEREFORE, BE IT

RESOLVED that the bid of Giant Lumber & Building Co., an Ohio corporation, in the amount of \$849,900.00, for the performance of Contract MB-5, 6, 7 & 8 be, and hereby it is, determined to be the lowest and best of all said bids, whether individual or in combination, for the construction of the aforesaid maintenance buildings, and is accepted; and that each of the chairman and the executive director be, and each of them hereby is, authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission, pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a performance bond as heretofore approved by the Commission by and in its resolution No. 69-1952, and meeting the requirements of said resolution, (2) to return to all other bidders the

bid security furnished by each of them, respectively, (3) to return said successful bidder's bid security when the aforesaid contract has been duly executed and said performance bond furnished, and (4) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Teagarden, Allen, McKay, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 176-1954 amending article VI, section 2, of the Commission's Code of By-Laws was moved for adoption by Mr. Allen, seconded by Mr. Teagarden, as follows:

Resolution No. 176

"WHEREAS the Commission deems it advisable to amend the code of bylaws, adopted by resolution No. 301-1953 and amended by resolutions Nos. 4-1954 and 153-1954, with respect to sick leaves;

NOW, THEREFORE, BE IT

RESOLVED that section 2 of article VI be, and the same hereby is, rescinded and the following section 2 is substituted therefor: :

"Sec. 2. Sick Leaves. Leaves with full pay on account of sickness may be granted by the respective department heads to employees of the commission, subject to the following conditions:

"Sec. 2. 1 Each full-time employee of the commission, whether he be salaried or hourly rated, shall be entitled to sick leave of five workdays, plus one and one-fourth workdays for each month of continuous service, but not in excess of 20 workdays

in any calendar year.

"Each part-time employee shall be entitled to sick leave at the rate of one hour for each seventeen hours actually worked.

"Sec. 2.2. An employee may use sick leave, upon approval of the head of his department, for absence due to his own illness, injury, or exposure to contagious disease which might reasonably be expected to be communicated to other employees, and for absence due to illness or death in the employee's immediate family.

"Sec. 2.3. An employee shall not be deemed to be on sick leave on any day which is observed as a holiday pursuant to this code of bylaws, unless such employee would, under the terms of his contract of employment, have been required to work on said holiday in the regularly scheduled course of his employment, in which event he shall be deemed to be on sick leave on such day.

"Sec. 2.4. If any employee shall receive or be entitled to Ohio workmen's compensation with respect to any portion of any period of sick leave, his sick-leave pay shall be reduced by the amount of such compensation.

"Sec. 2.5. The pay for one workday, in the case of a salaried employee, shall be 4.61% of his monthly salary. In the case of an hourly rated full-time employee such pay shall be computed by multiplying by 8 the straight-time hourly rate paid the employee for the period immediately preceding such leave. In the case of part-time employees such sick-leave payment shall in no event exceed said employee's normal scheduled workday earnings.

"Sec. 2.6. In cases in which a salaried employee is absent on account of illness or for other reasons for less than one full workday, his department head may permit him to make up the lost time at a later date, without loss or adjustment of pay.

"Sec. 2.7. Each department head shall administer sick leaves within his department equitably, but with zealous regard for the fact that the commission grants such leaves only to ameliorate hardship, and not as a perquisite of employment to which an employee is entitled as of right, regardless of his ability to work. Each department head may require his employees to present evidence satisfactory to him of the existence of facts entitling them to sick leave, and may deny such leave for failure to present such evidence."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Allen, Teagarden, McKay, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 177-1954 authorizing the deferment of the annual vacation of Robert S. Beightler from the calendar year 1954 until the calendar year 1955 was moved for adoption by Mr. McKay, seconded by Mr. Teagarden, as follows:

Resolution No. 177-1954

"WHEREAS Robt. S. Beightler, executive director, has qualified for two calendar weeks of vacation with pay during the calendar year 1954; and

WHEREAS said employee has requested that his vacation for the calendar year 1954 be deferred until the calendar year 1955;

NOW, THEREFORE, BE IT

RESOLVED that Robt. S. Beightler, executive director, is hereby granted permission to defer his annual vacation for the calendar year 1954 until the calendar year 1955."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: McKay, Teagarden, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 178-1954 authorizing the deferment of the annual vacation of Charles P. Smith from the calendar year 1954 until the calendar year 1955 was moved for adoption by Mr. Teagarden, seconded by Mr. McKay, as follows:

Resolution No. 178-1954

"WHEREAS Charles P. Smith, executive assistant and deputy executive director, has qualified for two calendar weeks of vacation with pay during the calendar year 1954; and

WHEREAS said employee has requested that his vacation for the calendar year 1954 be deferred until the calendar year 1955;

NOW, THEREFORE, BE IT

RESOLVED that Charles P. Smith, executive assistant and deputy executive director, is hereby granted permission to defer his annual vacation for the calendar year 1954 until the calendar year 1955."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Teagarden, McKay, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 179-1954 authorizing the deferment of the annual vacation of Kenneth J. Handiboe from the calendar year 1954 until the calendar year 1955 was moved for adoption by Mr. Allen, seconded by Mr. McKay, as follows:

Resolution No. 179-1954

"WHEREAS Kenneth J. Handiboe, purchasing agent, has qualified for two calendar weeks of vacation with pay during the calendar year 1954; and

WHEREAS said employee has requested that five days of his vacation for the calendar year 1954 be deferred until the calendar year 1955 and the executive director, his department head, has recommended such deferment;

NOW, THEREFORE, BE IT

RESOLVED that Kenneth J. Handiboe, purchasing agent, is hereby granted permission to defer five days of his annual vacation for the calendar year 1954 until such time or times in the calendar year of 1955 as shall be designated and approved by his department head."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Allen, McKay, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 180-1954 authorizing the deferment of the annual vacation of Robert B. Burket from the calendar year 1954 until the calendar year 1955 was moved for adoption by Mr. McKay, seconded by Mr. Teagarden, as follows:

Resolution No. 180-1954

"WHEREAS Robert B. Burket, engineer, has qualified for two calendar weeks of vacation with pay during the calendar year 1954; and

WHEREAS said employee has requested that five days of his vacation for the calendar year 1954 be deferred until the calendar year 1955 and the chief engineer, his department head, has recommended such deferment;

NOW, THEREFORE, BE IT

RESOLVED that Robert B. Burket, engineer, is hereby granted permission to defer five days of his annual vacation for the calendar year 1954 until such time or times in the calendar year 1955 as shall be designated and approved by his department head."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: McKay, Teagarden, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 181-1954 authorizing the deferment of the annual vacation of George J. Middaugh, Sr., from the calendar year 1954 until the calendar year 1955 was moved for adoption by Mr. Teagarden, seconded by Mr. McKay, as follows:

Resolution No. 181-1954

"WHEREAS George J. Middaugh, Sr., chief, reproduction section, has qualified for two calendar weeks of vacation with pay during the calendar year 1954; and

WHEREAS said employee has requested that six days of his vacation for the calendar year 1954 be deferred until the calendar year 1955 and the executive director, his department head, has recommended such deferment;

NOW, THEREFORE, BE IT

RESOLVED that George J. Middaugh, Sr., chief, reproduction section, is hereby granted permission to defer six days of his annual vacation for the calendar year 1954 until such time or times in the calendar year 1955 as shall be designated and approved by his department head."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Teagarden, McKay, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

The Chairman directed that thereafter by administrative rule requests for any changes of leave would have to be made at least five days prior to the meeting date of the Commission and that such requests would all be covered in one resolution at any one meeting.

Resolution No. 182-1954 extending expression of gratitude for assistance in preparing for and staging ceremonies for the opening of the Eastgate Section of Ohio Turnpike Project No. 1 was moved for adoption by Mr. Allen, seconded by all other members present, as follows:

"WHEREAS the Commission is deeply appreciative of the untiring and highly successful efforts expended in preparing for and staging the ceremonies commemorating the opening of the Eastgate Section of Ohio Turnpike Project No.1, and of the generous hospitality shown to it by the county of Mahoning, city of Youngstown, Youngstown Chamber of Commerce, and many other organizations and individuals;

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby extends its sincere appreciation to the officials and their respective staffs of Mahoning County and the city of Youngstown, to the Youngstown Chamber of Commerce, and to all the many other organizations and individuals who contributed so unstintingly and successfully of their efforts in preparing for and staging the ceremonies commemorating the opening of the Eastgate Section of Ohio Turnpike Project No. 1; in affording valuable assistance to the Commission; and in giving so generously of their hospitality;

FURTHER RESOLVED that copies of this resolution be transmitted by the assistant secretary-treasurer to the council

of the city of Youngstown, to all elected officials of Mahoning County, and to the Youngstown Chamber of Commerce."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Allen, McKay, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 183-1954 directing the closing of the Commission's principal office at noon on certain days in December, 1954 was moved for adoption by Mr. McKay, seconded by Mr. Teagarden, as follows:

Resolution No. 183-1954

"RESOLVED that the principal office of the Commission shall be closed at twelve o'clock noon on Friday, December 24, 1954, and at twelve o'clock noon on Friday, December 31, 1954."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: McKay, Teagarden, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 184-1954 adopting annual budget for the fiscal year 1955 was moved for adoption by Mr. Teagarden, seconded by Mr. Allen, as follows:

Resolution No. 184-1954

"WHEREAS the Commission, by resolution No. 168-1954, adopted a preliminary budget for the fiscal year 1955, and caused copies thereof to be filed with the trustee and mailed to the consulting engineer and the principal underwriters;

WHEREAS no request whatsoever for a public hearing thereon has been made to the Commission by any person or persons whomsoever; and

WHEREAS, pursuant to §505 of the trust agreement dated June 1, 1952, entered into between the Ohio Turnpike Commission and The Ohio National Bank of Columbus as trustee and The National City Bank of New York as co-trustee, the Commission desires to finally adopt the budget of income and current expenses for the fiscal year 1955, to be designated the "Annual Budget;"

NOW, THEREFORE, BE IT

RESOLVED that the Commission, having duly and fully considered the same, hereby adopts the following budget, designated "Annual Budget," of income and current expenses for the fiscal year 1955, covering the operation of the entire turnpike;

Anticipated Income		\$5,380,000
Expenses:		
Administration	\$197,936	
Maintenance of Roadway and Structures	272,223	
Fare Collection	395,883	
Traffic Control, Safety, and Police	122,845	
Purchasing and Stores	<u>9,450</u>	
Grand Total Expenses		998,337

FURTHER RESOLVED that the Commission hereby determines that the total appropriations in any division of the budget aforesaid do not exceed the total appropriations in the corresponding division in the preliminary budget heretofore adopted by resolution No. 168-1954; and

FURTHER RESOLVED that the assistant secretary-treasurer is hereby instructed to file a copy of said "Annual Budget" with the trustee and to mail copies thereof to the consulting engineer and the principal underwriters forthwith."

The Assistant Secretary-Treasurer confirmed that the budget was the exact same budget as had been adopted as the preliminary budget at the meeting of November 16, 1954.

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Teagarden, Allen, McKay, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 185-1954 designating persons to sign requisitions and certificates under paragraph 506 of the Trust Agreement was moved for adoption by Mr. Allen, seconded by Mr. Teagarden, as follows:

Resolution No. 185-1954

"WHEREAS §506 of the trust agreement dated June 1, 1952, between the Ohio Turnpike Commission and The Ohio National Bank of Columbus as trustee and The National City Bank of New York as co-trustee provided for certain payments, made in accordance with the provisions of said section, by the trustee from the revenue fund; and further, that before any such payment shall be made the Commission shall file with the trustee a requisition, signed by the chairman or vice-chairman of the Commission or other officers or employees of the Commission designated by resolution of the Commission for such purpose; and

WHEREAS the Commission now desires to designate such other officers or employees for such purpose;

NOW, THEREFORE, BE IT

RESOLVED that requisitions for payments to be made by the trustee pursuant to §506 of the trust agreement may be signed by Robt. S. Beightler or Charles P. Smith, or John Soller, employees of the Commission; and

FURTHER RESOLVED that certificates required by §506 aforesaid may be signed by Robert S. Beightler or Charles P. Smith or John Soller, employees of the Commission."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Allen, Teagarden, McKay, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 186-1954 approving designated banks as custodians of certain securities lodged or to be lodged therewith by the Ohio National Bank of Columbus, Ohio was moved for adoption by Mr. McKay, seconded by Mr. Teagarden, as follows:

Resolution No. 186-1954

"WHEREAS, by §601 of the trust agreement between the Commission and The Ohio National Bank of Columbus as Trustee (herein called the Trustee) and The National City Bank of New York as Co-trustee, it is provided as follows:

"***All moneys paid to the Trustee*** and not invested shall be continuously secured, for the benefit of the Commission and the holders of the bonds, *** by lodging with some bank or trust company approved by the Commission as custodian, as collateral security, direct obligations of, or obligations the principal of and the interest on which are unconditionally guaranteed by, the United States Government, or other marketable securities eligible as security for the deposit of trust funds under regulations of the Board of Governors of the Federal Reserve System or eligible as security for the deposit of funds of the State of Ohio having a market value (exclusive of accrued interest) not less than the amount of such deposit ***.";

and

WHEREAS the Trustee has lodged, and proposes to lodge, with the Federal Reserve Bank of Cleveland or with The Chase National Bank of the City of New York, Guaranty

Trust Company of New York, or The National City Bank of New York, as collateral security for moneys paid to it and not invested pursuant to §601 of the trust agreement, direct obligations of, or obligations the principal of and the interest on which are unconditionally guaranteed by, the United States government, or other marketable securities eligible as security for the deposit of trust funds under regulations of the Board of Governors of the Federal Reserve System or eligible as security for the deposit of funds of the state of Ohio, having a market value (exclusive of accrued interest) not less than the amount of such deposit;

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby approves said Federal Reserve Bank of Cleveland, The Chase National Bank of the City of New York, Guaranty Trust Company of New York, and The National City Bank of New York as custodians for such purpose."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: McKay, Allen, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 187-1954 confirming the selection of depository for revenues received by the Commission and providing for the security of such deposits was moved for adoption by Mr. Teagarden, seconded by Mr. Allen, as follows:

Resolution No. 187-1954

"WHEREAS the Commission has, by resolution No. 156-1954, adopted October 22, 1954, selected The Farmers National Bank of Canfield (herein called the Depository) as a Depository to receive deposits of tolls and other revenues

arising from the operation or ownership of Ohio Turnpike Project No. 1, pursuant to §503 of the trust agreement between the Commission and The Ohio National Bank of Columbus, as Trustee (herein called the Trustee), and The National City Bank of New York, as Co-trustee, dated June 1, 1952, securing the Turnpike Revenue Bonds, Project No. 1;

WHEREAS pursuant to said §503 said deposits are to be with the Depositary in the name of the Trustee to the credit of the Revenue Fund provided for in the trust agreement;

WHEREAS by §601 of the trust agreement it is provided that

"*** All moneys deposited with each Depositary hereunder shall be continuously secured, for the benefit of the Commission and the holders of the bonds, in the manner provided by law. All moneys paid to the Trustee *** and not invested shall be continuously secured, for the benefit of the Commission and the holders of the bonds, *** by lodging with some bank or trust company approved by the Commission as custodian, as collateral security, direct obligations of, or obligations the principal of and the interest on which are unconditionally guaranteed by, the United States Government, or other marketable securities eligible as security for the deposit of trust funds under regulations of the Board of Governors of the Federal Reserve System or eligible as security for the deposit of funds of the State of Ohio having a market value (exclusive of accrued interest) not less than the amount of such deposit***. ";

WHEREAS by §5537.12 of the Revised Code of Ohio, it is provided that

"Any bank or trust company incorporated under the laws of this state which may act as depository of the proceeds of bonds or of revenue may furnish such indemnifying bonds or may pledge such securities as are required by the commission. ";

and

WHEREAS §90 of Title 12 of the U. S. Code provides that

"Any national banking association may, upon the deposit with it of any funds by any State or political subdivision thereof or any agency or other governmental instrumentality of one or more States or political subdivisions thereof, including any officer, employee, or agent thereof in his official capacity, give security for the safekeeping and prompt payment of the funds so deposited to the same extent and of the same kind as is authorized by the law of the State in which such association is located in the case of other banking institutions in the State."

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby confirms the selection of The Farmers National Bank of Canfield, Canfield, Ohio, as a depository for deposit in the name of the Trustee of tolls and other revenues received by the Commission as an instrumentality of the state of Ohio and required to be deposited in the name of The Trustee pursuant to §503 of the trust agreement;

FURTHER RESOLVED that the Depository shall secure such deposits by pledging direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by the United States, having a market value (exclusive of accrued interest) not less than the amount of such deposits, to the Trustee by lodging the same with the Federal Reserve Bank of Cleveland as custodian and trustee for safekeeping for the Trustee and the Depository as their respective rights to and interests in such securities may appear and be asserted by written notice to or demand upon the Federal Reserve Bank of Cleveland. In pledging securities in the manner herein provided, the Depository shall instruct the Federal Reserve Bank of Cleveland to follow its usual practice of detaching maturing coupons and crediting the proceeds thereof to the Depository unless, in the event of default of the Depository, the Trustee should give written notice to the contrary to the Federal Reserve Bank of Cleveland;

FURTHER RESOLVED that the Trustee shall have full authority to effect, or consent to, the release and exchange of any or all securities at any time placed in the custody of the Federal Reserve Bank of Cleveland as trustee for such safe-

keeping pursuant to this resolution, and to consent to the substitution therefor of other securities of the type hereinbefore specified; and

FURTHER RESOLVED that the securing of such deposits by said Depositary and the handling of such pledged securities shall be in accordance with the Ohio Turnpike Act (R.C. §5537.01 to §5537.99) and the trust agreement, and in the manner and with the effect provided in §135.16 of the Revised Code of Ohio and Operating Letter No. 11 of the Federal Reserve Bank of Cleveland."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Teagarden, McKay, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

The General Counsel presented to the Commission the written statement of the Chief of the Right-of-Way Section with respect to the unsuccessful efforts of the Commission's negotiators to reach agreement with respect to the amounts to be paid by the Commission for certain parcels of land and his recommendation that such properties be appropriated; also, the written statement of the Chief Engineer that the acquisition of this property was necessary for the construction of Ohio Turnpike Project No. 1; a written statement of the concurrence of the Executive Director in the recommendations of the Chief Engineer and the Chief of the Right-of-Way Section, and the General Counsel's written recommendation that title be acquired as and to the extent set forth in the forms of resolutions presented to the Commission by the General Counsel.

Resolution No. 188-1954 declaring the necessity of appropriating property and directing that proceedings to effect such appropriation be begun and prosecuted was moved for adoption by Mr. Allen, seconded by Mr. McKay, as follows:

Resolution No. 188-1954

"RESOLVED that the Commission has endeavored for a reasonable time to agree with the owner or owners of the property described herein as to the compensation to be paid therefor, but has been unable to agree with said owner or owners, and said property is needed for the construction and efficient operation of the Ohio Turnpike Project No. 1, and

BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the following-described property, hereinafter described, from the following-named owner or owners and persons having interests therein, to wit:

<u>Owner(s)</u>	<u>Place of Residence</u>
Agnes C. Crowell	1182 West River Road Elyria, Ohio
Richard H. Crowell	1182 West River Road Elyria, Ohio
County Auditor of Lorain County	Lorain County Court House Elyria, Ohio
County Treasurer of Lorain County	Lorain County Court House Elyria, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 119-V(4) -- Permanent Easement for Water Line Purposes.

Situated in the Township of Elyria, County of Lorain and State of Ohio and known as being part of Original Elyria Township Lot No. 29, West of Black River, and being a strip of land 60 feet wide, 45 feet by rectangular measurement on the Southwesterly side and 15 feet by rectangular measurement on the Northeasterly side of the hereinafter described center line, and bounded Southeasterly by the Southerly line of land conveyed to Agnes C. Crowell, by deed dated November 10, 1954, and recorded in Volume 489, Page 510 of Lorain County Deed Records, and Northwesterly by the Easterly line of land conveyed to the State of Ohio, by deed dated August 22, 1951 and recorded in Volume 529, Page 268 of Lorain County Deed Records, and

the Southwesterly line of land conveyed to the State of Ohio by deed from Agnes C. Crowell, filed for record June 1, 1954, at 3:13 P. M., and being Lorain County Recorder's File No. 466, 412, the aforesaid center line being described as follows:

Beginning on the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 38 of Lorain County Map Records at Station 666+77.00, said center line bearing South 61° 49' 54" East; thence South 1° 04' 16" West 177 feet; thence South 43° 55' 44" East 1987.47 feet to a point distant 778.53 feet Southwesterly of and opposite Station 686+48.86 on said Turnpike center line."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Allen, McKay, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 189-1954 declaring the necessity of appropriating property and directing that proceedings to effect such appropriation be begun and prosecuted was moved for adoption by Mr. McKay, seconded by Mr. Teagarden, as follows:

Resolution 189-1954

"RESOLVED that the Commission has endeavored for a reasonable time to agree with the owner or owners of the property described herein as to the compensation to be paid therefor, but has been unable to agree with said owner or owners, and said property is needed for the construction and efficient operation of the Ohio Turnpike Project No. 1, and

BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the following-described property, hereinafter described, from the following-named owner or owners and persons having interests therein, to wit:

Owner(s)
Leo Horan

Place of Residence
Wood Road, R. D. Milan, Ohio

<u>Owner(s)</u>	<u>Place of Residence</u>
County Auditor of Erie County	Erie County Court House Sandusky, Ohio
County Treasurer of Erie County	Erie County Court House Sandusky, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 93-C(2) -- Permanent Easement for Drainage Purposes.

Situated in the Township of Oxford, County of Erie and State of Ohio and known as being part of The Potter 969 Acre Tract in Original Oxford Township Section No. 3, Township 5 North, Range 23 East, and bounded and described as follows:

Beginning on the center line of Ransom Road at its intersection with a line drawn parallel to and distant 150 feet Southerly of, measured on a line at right angles to, the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 14, Page 25 of Erie County Map Records; thence Westerly along said parallel line to its intersection with a line drawn parallel to and distant 55 feet Westerly of, measured at right angles to, the center line of Ransom Road; thence Southerly parallel with the center line of Ransom Road, 415 feet; thence Easterly at right angles to the center line of Ransom Road, 55 feet to said center line; thence Northerly along the center line of Ransom Road to the place of beginning."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: McKay, Teagarden, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 190-1954 appointing James D. Hartshorne to the position of Executive Assistant to the Commission was

moved for adoption by Mr. Teagarden, seconded by Mr. McKay, as follows:

"WHEREAS a vacancy in the position of executive assistant to the Commission will exist shortly after December 31, 1954, and the Commission desires to fill said vacancy;

NOW, THEREFORE, BE IT

RESOLVED that James D. Hartshorne be, and hereby he is, appointed to the position of executive assistant to the Commission, effective January 16, 1955, to serve at his and the Commission's mutual pleasure, and that his compensation shall be at the rate of \$14,000 per year."

The Chairman said that Mr. Linzell had already indicated his entire agreement with the appointment of Mr. Hartshorne and with all the provisions of the resolution.

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Teagarden, McKay, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 191-1954 approving, adopting, and ratifying the contract documents for contracts SB-1, SB-2, SB-3, SB-4, SB-5, SB-6, SB-7, SB-8, SB-1, 2 & 3, SB-4 & 5, and SB-6, 7 & 8 was moved for adoption by Mr. Allen, seconded by Mr. McKay, as follows:

Resolution No. 191-1954

"WHEREAS there are before this meeting plans and forms of other contract documents, to wit: forms of notice to bidders, proposal, instructions to bidders, Special Provisions for Service-plaza-building Contracts in General, Special Provisions for Contracts SB-1, SB-2, SB-3, SB-4, SB-5, SB-6, SB-7, and SB-8, contract, and bond for Contracts SB-1, SB-2, SB-3, SB-4, SB-5, SB-6, SB-7, and SB-8, which, in general terms, are contracts for the construction of the buildings in the service plazas at the locations designated in said contract documents;

WHEREAS there are also before this meeting the proposal and forms of other contract documents for Contracts SB-1, 2 & 3, SB-4 & 5, and SB-6, 7 & 8, which are combination contracts covering the work required by the two or three of the respective individual contracts for which they are alternates;

WHEREAS the Commission's consulting engineer, chief engineer, and executive director have recommended that the aforesaid forms of contract documents before this meeting be approved; and

WHEREAS the Commission has duly and fully considered said documents and said recommendations;

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby approves, adopts, and ratifies the forms of contract documents before it at this meeting for each of the aforesaid contracts, being for and in connection with contracts for the construction of service-plaza buildings at the locations designated in said contract documents; provided, that any changes which are in the nature of adding or changing headings, captions, and style of writing or printing, or correcting typographical, clerical, or arithmetical errors, may be made upon the authority of any one of the executive director, chief engineer, or general counsel; and

FURTHER RESOLVED that the Commission's executive director or chief engineer shall take and open bids for the same and report the results thereof to the Commission."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Allen, McKay, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 192-1954 ratifying actions of administrative officers was moved for adoption by Mr. McKay, seconded by Mr. Teagarden, as follows:

Resolution No. 192-1954

"WHEREAS the executive director, deputy executive director, executive assistant, chief engineer, general counsel, assistant secretary-treasurer, comptroller, chief of the right-of-way section, and director of information and research of the Commission have, by various written and oral communications, fully advised the members of the Commission with respect to their official actions taken on behalf of the Commission since the Commission's last meeting, and the Commission has duly reviewed and considered the same;

NOW, THEREFORE, BE IT

RESOLVED that all official actions taken by the aforesaid administrative officers of the Commission on its behalf since the Commission's meeting on November 16, 1954 are hereby ratified, approved, and confirmed.

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: McKay, Teagarden, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

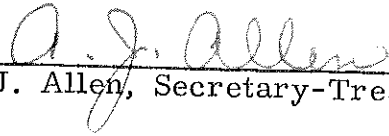
There being no further business to come before the Commission, a motion was made by Mr. Teagarden, seconded by Mr. McKay, that the meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Teagarden, McKay, Allen, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 12:58 P. M.

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



A. J. Allen, Secretary-Treasurer