

MINUTES OF THE ONE HUNDRED FOURTH MEETING
JANUARY 20, 1956

Pursuant to bylaws, the Ohio Turnpike Commission met in regular session in its offices at 139 East Gay Street, Columbus, Ohio at 11:23 A. M. on January 20, 1956 with the key members of its staff, representatives of the Consulting Engineers, 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 attendance was reported to be as follows:

Present: Allen, Linzell, Beightler, Shocknessy.

Absent: Teagarden.

The Chairman announced that a quorum was present.

A motion was made by Mr. Linzell, seconded by General Beightler, that the minutes for the meeting of November 22, 1955 which had been examined by the members of the Commission, and upon which the required corrections had been made, be approved without reading.

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

Ayes: Linzell, Beightler, Allen, Shocknessy.

Nays: None.

The Chairman declared the motion carried.

A motion was made by Mr. Allen, seconded by Mr. Linzell, that the minutes for the meeting of December 22, 1955, which had been examined by the members of the Commission, and upon which the required corrections had been made, be approved without reading.

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

Ayes: Allen, Linzell, Beightler, Shocknessy.

Nays: None.

The Chairman declared the motion carried.

The Assistant Secretary-Treasurer reported for the Secretary-Treasurer that since the last meeting of the Commission the following had been sent to the members:

1. Detail of investment transactions during December, 1955.
2. Monthly toll-traffic and toll-revenue report for December, 1955.
3. Unaudited financial report for period ending December 31, 1955.
4. Draft of the minutes of the meeting of November 22, 1955.
5. Draft of the minutes of the meeting of December 22, 1955.

The Assistant Secretary-Treasurer reported further that income from investments at the end of 1955 had been \$16,592,000 compared to the original forecast for the same period of \$6,680,000, or a gain of \$9,912,000. He said also that income in the month of December, 1955 alone had been \$46,000. He said further that the Commission's portfolio consisted entirely of U. S. Treasury bills of various short-term maturities.

The Assistant Secretary-Treasurer reported further that expenditures in 1955 had been controlled within the budget allowance for each of the several classifications of expense. He said that there were instances of the actual expenditures having been substantially below budget and that generally that had resulted from the fact that the Commission had not been invoiced for certain materials or services, the payment for which had been budgeted in 1955.

The Assistant Secretary-Treasurer reported further that in December, 1955, 611,638 vehicles on the turnpike had resulted in collection of \$790,000 in tolls and had traveled 45,000,000 miles. He said that from the opening of the Eastgate Section to the end of 1955 over 5,000,000 vehicles had been driven more than 200,000,000 miles on the Ohio Turnpike. He said also that commercial vehicles had continued to show an increase in December, 1955, both

with respect to revenue and to number of vehicles. He said further that the increase in number of commercial vehicles over November, 1955 had been between 6 per cent and 7 per cent.

The Assistant Secretary-Treasurer reported further that income from concessionaires in December, 1955 had been \$149,000, or 18.8 per cent of toll revenue. He said that gasoline sales had amounted to 1,493,000 gallons, and that restaurant sales had been \$261,000. He said that both service-station and restaurant sales had improved in relation to the volume of traffic. He said also that traffic and toll revenue in the first two weeks of January, 1956 had been about 8 per cent ahead of the first two weeks of December, 1955, but that it was not expected that that gain would hold for the entire month because the holiday season had helped the last half of December and the first half of January.

The Assistant Secretary-Treasurer reported further that two charge accounts had been established with the Commission since the previous meeting and that there was a total of twenty-eight companies on a credit basis. He said that weekly invoices which had been mailed the day before had totaled the largest amount of any week that far.

The Assistant Secretary-Treasurer read the following letter which was written under date of January 11, 1956:

"Mr. Frank C. Dunbar, Jr.,
Executive Director
Ohio Turnpike Commission
Columbus, Ohio

Dear Frank:

Not in the whole six and one-half years during which I have been Chairman of the Ohio Turnpike Commission have I been more loath to do anything than I am to acknowledge receipt on behalf of the Commission of your letter of December 22 embodying your resignation as Executive Director of the Ohio Turnpike Commission. Your separation from the Commission, to me and to the Commission, is not like the severance of the Commission's and my right arm, but is more like the removal of our heart itself.

The work that you have done for your nation, for your state and for the Commission in your positions, respectively, as General Counsel and as Executive Director will be evaluated even more highly by the years of the future than they are today by us, however highly we evaluate them. Your steadfastness in upholding principles of what is right and decent and good in public service, and your resourcefulness in mobilizing every facility at your command to address the multifarious problems which have plagued the Commission in the construction of the Ohio Turnpike and in the placing of it into operation, make you a model whom public officials everywhere would do well to emulate. However long I remain a member of the Commission I shall just that long suffer keenly the loss of your abilities, and however long I live I shall respect and honor you for the noble uses to which you put them.

You will ever have my personal good wishes for the eminent success in the practice of our profession which your competence and integrity are due. The personal sacrifices which you have made in the performance of your duty, while unheralded, will, I am sure, always give you a glow of satisfaction for having made to others the gift of your talents.

Sincerely,

James W. Shocknessy
Chairman"

The Chairman asked if there were any questions on the report of the Assistant Secretary-Treasurer. No questions having been asked, the Chairman said that the report stood as approved.

The Chairman reported that at the last meeting of the Commission he had said that he might not be present at the meeting of January, 1956. He said that that had been interpreted, in some quarters, as his intention to resign from the Commission prior to the meeting of January 20 and that because of some events and publicity which had occurred since he had made that statement, it had since been examined to determine whether or not he had been implying that he was going to seek a public office in the elections of 1956. He said further that what he had in mind at the meeting on

December 22, 1955 had been that he might not be at the meeting in January, 1956 for the reason that he was then expecting to have a surgical correction made of a hiatal hernia which had given him some trouble for a long period of time and which would require his hospitalization for two or three weeks for the accomplishment of the correctinn. He said that he had not had the surgical correction of the hiatal hernia which he had expected to have had earlier in January but that because of the surgical operation it would be unlikely that he would attend a meeting of the Commission before March, 1956.

The Chairman said further that nothing that he was saying was intended to deny anything that he had said in the past about expecting as soon as practicable to disassociate himself from the Commission. He said that that had been a purpose of his for a long while; a purpose which he had not chosen to make effective but which inevitably he should choose to make effective as soon as he should consider it practicable to do so. The Chairman said further that nothing that he was saying at that time was intended for interpretation as indicating that he was or was not likely to become a candidate for public office. He said that no one, he believed, had been more purposeful that he had been in keeping the affairs of the Turnpike Commission out of the domain of politics, however legitimate the domain of politics might be. He said that he was using "politics" at that time to mean "partisan politics." He said further that when General Beightler had become a member of the Commission he had taken special note of the fact that neither the Governor, Chairman, nor any member of the Commission in all the time he had served as Executive Director had ever asked him to do anything which could be construed as political. The Chairman said that he thought that there had been no violation of the Commission's long respected purpose in that area and that there would be no violation of the principle which all the members had exemplified of keeping the affairs of the Ohio Turnpike Commission out of the realm of partisan politics. He said that only once had an elaborate attempt been made to make the affairs and the persons of the Commission an issue in partisan politics. He said that he trusted that that attempt, elaborate as it had been, vain as had been its result, would always be recognized as the great example which proved the validity of the rule of the Commission. He said that he wanted to say to the members of the Commission that nothing he was saying was intended to be construed as any declaration with respect to candidacy or non-candidacy for public office. He said that he did not consider that the proper place to discuss political candidacies,

and would not do so.

The Chairman reported further that a statement had been made recently by way of conjecture in one of the local newspapers that prospective Turnpike Project No. 2 might not be built. He said that so far as he personally was advised a determination as to whether or not a second turnpike would be constructed was dependent upon the effective use which would be made of the engineering reports which the Director of Highways was expecting to procure in the not distant future and which were being prepared in accordance with the conclusions reached by the conferees of the so-called Joint Effort Committee and in accordance with the wishes of the Commission as expressed in its behalf by its Chairman, after consultation with the members of the Commission, in a letter under date of December 27, 1955 to the Director of Highways, Mr. Linzell.

The Chairman reported further that the Engineering-News Record under date of January 5, 1956 had had an article which admonished that there be no compromise of standards in the prospective second turnpike. He said that he did not know anything that any of the members could do to dispel the view that any compromise of standards was contemplated. He said also that the Commission had said at that table that there would be no compromise of standards in the second project; that the Commission had said at its meeting table publicly, and had specially mentioned to Mr. Linzell in the letter of December 27, 1955, that no change in the design of the prospective second project would lower the design standards which the Commission had made effective on the Ohio Turnpike. He said further that certainly the Commission would not expect to go backward in design standards; the Commission would only expect to go forward. The Chairman read an editorial from the Cleveland News of January 17, 1956 entitled

"Ohio Pike Registers Injury-Free Mark" as follows:

"In case any traffic safety statistics can be considered significant after the murderous toll of two holiday weekends, we offer these for their own value:

An estimated 100,000 vehicles traveled a sum of 6,665,000 miles over Ohio's Turnpike from 6 p. m. Friday night of the New Year's weekend to Monday midnight--

All injury-free.

There were some accidents, naturally, but no one was hurt.

Could this be an argument for more, better-designed free-ways, or better policing?

Certainly for better driving, and good sense."

The Chairman said that he would like to inter forever the misunderstanding that the Commission would tolerate any lowering of the standards of design. He said that a record like the one which the Cleveland News had taken notice of in its editorial was not one that any good Commission would likely casually throw away. He said also that the only changes in design contemplated would be changes which would in no respect lower the standards but would merely take note of the volume of traffic which the highway would be expected to serve running diagonally across the state. He said also that the conditions of traffic across the state would admit changes in design for instance, in such things as the number of lanes which might be required at one place or another as distinguished from the Ohio Turnpike which generally, running from the Pennsylvania border to the Indiana border, served the same kind and volume of traffic or would likely serve the same volume when the Indiana Toll Road would be connected with the western terminus of the Ohio Turnpike.

The Chairman reported further that the restaurant facilities on the turnpike were being improved with experience. He said that Mr. Allen had mentioned at a meeting of the Commission several months before that the Commission could not expect every restaurant to be operated to the perfect and fastidious satisfaction of every one of the members from the moment of beginning business. He said also that he believed that all were making a valiant effort to give good service. The Chairman said further that it was true that the Commission continued to get letters from people about the restaurants and that some said they were wonderful and that they had never seen such good food, so cheaply served, and such clean rest rooms while others said almost the reverse. He said also that the Commission had made an effort in several instances to run down for interview the complainants and that in one or more cases the Commission had found that the addresses given had been fictitious.

General Beightler asked Mr. Linzell when the report from the traffic and revenue engineers with respect to prospective Turnpike Project No. 2 might be expected. Mr. Linzell replied that the report might be expected in eight weeks.

The Executive Director called upon the Project Manager of the Ohio Turnpike to advise the Commission with respect to the operations during the previous month.

The Project Manager reported that since the last meeting of the Commission the Project Manager and his staff had had to search out and smooth out operation deficiencies in order to arrive at a smooth working organization, which they felt to be their most important job at that time. He said that on January 6, 1956 a general conference had been

held with representatives of the oil companies and restaurants on the turnpike for the purpose of arriving at a full understanding of unusual maintenance problems which were to be shared by the Commission and the concessionaires, and for the coordination of efforts required to accomplish those maintenance objectives effectively and expeditiously. He said also that the meeting had been attended by twenty-one representatives of the eight concessionaires and had been most successful. He said further that it was planned to hold similar meetings at reasonable intervals in the future but to meet separately thereafter with the restaurant concessionaires and with the service-station concessionaires since their businesses and problems would vary greatly.

The Project Manager reported further that, with respect to fire protection service on the turnpike, letters had been addressed to the Boards of Trustees of fifty-six townships and that similar letters were being prepared to be sent to the Councils of villages and cities through whose areas the turnpike passed informing them of the Commission's plans for providing fire protection and inviting their cooperation in answering calls for such protection. He said that included with each letter there had been a map showing the limits of the section of responsibility of the political subdivision involved and the point or points of ingress to or egress from the turnpike.

The Project Manager reported further that a signed release had been obtained from the garage which had been rendering unsatisfactory disabled-vehicle service on the turnpike, terminating its contract on or before February 11, 1956.

The Project Manager reported further that, effective January 1, 1956, Mr. Heber Minton, who had been filling the position of Acting Superintendent of Toll Collections, had been appointed Superintendent of Toll Collections.

The Project Manager reported further that in cooperation with the Director of Information and Research leaflets cautioning drivers of hazardous weather or road conditions had been prepared and that distribution was then being made by toll collectors to drivers during periods of adverse weather or roadway conditions. He said that to date the collectors had handed out approximately 150,000 "Caution -- Snow Ahead" leaflets; 120,000 "Caution -- Ice Ahead" leaflets; 95,000 "Caution -- Ice on Bridge" leaflets; and 120,000 "Caution -- Fog Ahead" leaflets. He said that turnpike patrons seemed to appreciate the warnings.

The Project Manager reported further that during the previous month the maintenance forces had been concerned primarily with snow and ice removal, preparation of materials against prospective

storms, and cleaning the roadways of abrasives after storms. He said that since the Commission meeting of December 22, 1955 there had been ten major snow storms on the turnpike, making a grand total of 25 such storms since November 18, 1955. He said also that there was then on hand or on order 75 per cent of the approved initial-equipment inventory to operate the turnpike and that requisitions were being prepared for the other 25 per cent, which included such items as air compressors, mowers, pick-up sweepers, draglines (truck-mounted), portable white flares, fire trailers, and some garage equipment.

The Project Manager reported further that arrangements had been made with the Ford Motor Car Company and General Motors Corporation to conduct training schools for the Commission's mechanics in preventative maintenance, and proper operation and repair of vehicles.

In response to a question by General Beightler the Project Manager said that the purchase of equipment would remain within the budget, that approximately \$750,000 of the budgeted amount of \$1,000,000 had been spent on equipment.

The Project Manager reported further that the toll-collection personnel had courteously and efficiently handled the peak volumes of traffic over the Christmas holiday weekend and the New Year holiday weekend without any delay of traffic.

The Project Manager reported further that the roadway-weather-condition reporting system had been restudied and modified. He said that previously one daily report had been required from the toll plazas and maintenance buildings at 6:00 A. M., and that that had been changed to provide for two daily reports, one at 5:30 A. M. and another at 11:30 A. M. He said also that in addition, major changes of roadway conditions were reported as they occurred during other hours and that that procedure had been adopted primarily for the purpose of getting wider dissemination of turnpike roadway-condition information. He said also that through arrangements with the Ohio Department of Highways, the Commission was then furnishing Division 12 of that Department with daily reports of turnpike conditions and that that information was included with the Department's report and teletyped to the Columbus office of the Department of Highways and also to the Columbus office of the Ohio State Highway Patrol. He said further that the information was furnished by the Highway Patrol to radio stations and news agencies, thus giving a wider coverage, including neighboring states, than before.

including neighboring states, than before.

The Project Manager reported further that during 1955 the expenses of the operations department had been controlled within the budget and that the department had ended the year in the black. He said that the record of operations during the last three months of 1955 attested to the effectiveness of the design and construction in creating a safe turnpike. He said that during that period 2,273,653 vehicles had traveled a total of 153,518,012 miles with only four fatal accidents resulting, each of which had claimed the life of one person. He said also that that accident experience represented a fatality ratio of 2.5 deaths per 100,000,000 vehicle miles of travel, a rate which could be compared with the rate of 7.59 for public free roads in Ohio for the year 1954. He said further that of the four fatal accidents, three had been attributed primarily to "apparently fell asleep" and that the fourth had been attributed primarily to "stopping on travel lane." He said that those tragic mishaps, even though they had resulted from driver failures, had prompted a search for other safety measures. He said that the cooperation of the turnpike restaurants and gasoline service stations had been solicited to have cashiers, waitresses, and attendants give turnpike patrons a brief plea for safe driving.

The Chairman said that nothing had given him more anxiety of late than the matter of driver fatigue. He said also that he felt that efforts must be undertaken with the National Safety Council and the Ohio State Safety Council to find an answer to the "sleepy driver." He said further that it was his belief that there were probably more sleepy-driver accidents and fatal accidents proportionately off the Ohio Turnpike than on it because, he thought, people on the turnpike were disposed to be alert, and that the problem of driver fatigue was something that must be addressed not merely by the Commission but by all agencies who could address themselves to it. The Chairman said further that the Commission had found that however well it built, it could not overcome that one hazard, and that there ought to be some answer to it; that there should be something that could be done to reduce even further, if not to eliminate, the fatal accidents of the sleepy drivers.

The Project Manager said that the highway patrol had, since the last meeting of the Commission, received three additional men, which increase had enabled the patrol to keep, generally, nine patrol cars on the turnpike 24 hours per day, an increase of one patrol car. He said also that full complement would provide, generally, 11 patrols on the turnpike, an increase of approximately 38 per cent over the number of patrols on October 1, 1955.

The Project Manager reported further that during the last three months of 1955 the disabled-vehicle service garages had served turnpike patrons to the extent of answering 2,775 calls for mechanical services, 1,602 calls for fuel exhaustion, 532 calls for flat tires, 354 calls for towing from ditch, and 38 calls for towing after accidents, a grand total of 5,301 services to motorists on the Ohio Turnpike. He said that the garages were doing an excellent job in keeping the safety record high by promptly removing disabled vehicles from the traveled lanes.

The Chairman said that fewer letters of complaint about how long patrons had to wait for service after they had had an accident were being received by the Commission. He said that the thing that amazed him was that if one had an accident on one of the state highways or county highways, the driver expected to get out and go looking for a telephone and to do something for himself, but that anybody who ran out of fuel or had a flat tire on the Ohio Turnpike expected somebody to come instantly with gasoline, fix his tire, and give him all-around service. He said that a most interesting reaction was the distinction that the driver seemed to make that by the mere fact that he was paying a toll to ride the turnpike, he was entitled to a service far beyond anything that he might expect otherwise.

The Project Manager reported further that during the last three months of 1955 the Ohio State Highway Patrol had made 934 traffic arrests, 43 arrests at accidents, and 56 arrests for misdemeanors, and had issued 3,446 written warnings for traffic violations.

The Project Manager reported further that since the opening of the remainder of the turnpike the Commission had had frequent headaches over the restaurant operations. He said that while the restaurant concessionaires had been, or should have been, aware of some of their problems, such as operating their restaurants while the service buildings were still under construction and with vast numbers of inexperienced employees --743 as of January 20, 1956-- it would appear that they had measured many things solely on dollar-and-cent value rather than on an attitude of service during those early days. He said that some of that attitude still existed but that much progress had been made toward the every-day concern of the Commission to guarantee high standards of cleanliness, well-prepared foods, and timely, friendly, and courteous service. He said also that the restaurant managers were recognizing their responsibility and that their personnel were becoming adjusted and trained in service. He said that the dining rooms of the Olympic and the ABC restaurants were open at all times but that the dining rooms of the Holiday restaurants were open only on weekends and then only during meal

times. He said further that the operators of the Holiday restaurants had been asked to make a small portion of each dining room available for families during week days, especially during meal times, but that it had not yet been done. The Project Manager said also that the special truckers' facilities were all complete but only infrequently used. He said that in cooperation with the Director of Information and Research the operations personnel was contemplating a plan of informing truck drivers of those facilities in the hope that they would be used. He said that all service plazas had public pay telephones and that gift shops were open in all service buildings. He said also that for the most part construction work on the service buildings was nearing completion and that he was convinced that the Ohio Turnpike restaurants would be the best on any turnpike within reasonable time. He said that one turnpike employee was devoting full time to inspecting restaurants and that, in addition, his entire staff, some with their families, ate many meals in the turnpike restaurants and that other observers took an occasional meal in the restaurants and that all those people made reports orally to him.

The Project Manager completed his report by saying that the conference room in the Berea Administration Building was partitioned off and was available for meetings. He invited the Commission to hold a meeting at the Berea Administration Building.

The Chairman thanked Mr. Deetz for an especially fine, full report and one which was certainly reassuring to the Commission members personally. He said that the restaurant matter had given him great anxiety but that it was no anxiety that Mr. Allen had not expected. He said further that he thought that the Commission could be justly proud that every one of its restaurant facilities and its service facilities at the service plazas was in full operation. He said that all the patron facilities were available and had been available since before the beginning of 1956 so that the Commission had much to be proud of and much to be consoled about and reassured by, and to take note of with respect to soundness of the admonitions that the Commission could not expect all to be absolutely perfect the first day.

In response to a question by General Beightler, the Project Manager said that the supervisor of Patron Services was not primarily and essentially a restaurant man but that he was a businessman. He said also that the job was quite diversified because it included surveying the operation of the gasoline stations, the disabled-vehicle service contracts, the ambulance contracts and the fire protection contracts.

Mr. Allen said that if anybody was under any illusion that he could run 16 restaurants and not continue to get complaints about them, he would like to make it clear that it would be so only in a grand dream. The Executive Director said that apparently a great proportion of the complaints now were going to the restaurant operators themselves, where they belonged. He said that one of the operators had started a practice of furnishing cards to his patrons which they could drop into a locked box, thereby making complaints and offering suggestions. He said that he had asked the Project Manager to try to see to it that the other restaurant operators did likewise. The Project Manager said that the other operators were so doing.

The Chairman said that one of the things that the Commission had to concede was that the restaurateurs had gone into operation as the volume of business was in a downward period rather than in an upward period. He said that they had an economic problem; that, after all, they were not operating on an eleemosynary basis, and that they had had a problem about expenses.

The meeting recessed at 12:30 P. M. and reconvened at 1:31 P. M.

The Executive Director reported that a plan had been devised which was aimed primarily at the objective of furnishing information to turnpike patrons as to the interchanges near which sleeping facilities existed. He said that the plan had as a secondary objective the enlisting and obtaining of the cooperation of the operators of such facilities with the Commission's program designed to prevent the erection of billboards along the Ohio Turnpike. He said further that the means provided by the plan for furnishing notification to patrons consisted of signs which would be erected in advance of interchanges near which suitable facilities exist to advise the motorist that at the next interchange he might leave to obtain sleeping accommodations, and of brochures wherein certain information with respect to those facilities would be listed, which would be handed out upon request by toll collectors at all interchanges and would be available at the service plazas. He said also that no motel or hotel would be listed unless the owner or operator thereof would agree with the Commission in writing that there should be in the operation of his motel or hotel no discrimination against any persons because of race or religion, that the rates that he would charge for his rooms would not be in excess of those posted under the Ohio law with the State Fire Marshall, that the accommodations would be maintained at the highest standards of cleanliness and sanitation, and that he would erect or maintain no outdoor advertising along the route of the Ohio Turnpike. He said that the motel and hotel operators and their representatives with

whom the Commission's staff members had conferred were, it was believed, then in substantial agreement with the program with the exception of a few motel operators and with the exception also of the spokesman for the Ohio Hotels Association who had urged that the word "hotel" or "hotels" be included in the signs. He said that the Commission was unable to agree with that representative for the reason that considerations of legibility, of safety of operation, and of economy required that words on those or any signs along the turnpike be kept to an absolute minimum in number and that by far the great majority of facilities to be listed would be those which were commonly denominated as motels and sometimes spoken of as motor courts or referred to by other comparable names. He said that the brochure would make it plain that the listings were not restricted merely to that type of accommodation which was commonly known as a motel, but included also hotels when they were properly located and had agreed with the Commission to follow the standards which he had stated.

The Executive Director reported further that the situation with respect to the restaurants on the turnpike had become somewhat brighter in recent weeks. He said that the worst performer of the three concessionaires at the outset had probably become the best of the three. He said also that the top management of that company had sufficiently interested itself in the problem to provide some new management for some of the restaurants, to see to it that better operating procedures were established, and to take measures designed to improve the morale and performance of its employees, with the result that recently the Commission had been obtaining favorable comments about the operation of its four restaurants. He said that one of the other restaurant operators had been especially plagued, in four of the six restaurants operated by it, with all the nuisance, dirt, and interference that came from the conduct of construction work simultaneously with the operation of the restaurant. He said that that condition had persisted in some of those restaurants until very near the end of 1955 and that there was still some slight annoyance with such work in cases in which the contractors were being required by the engineers to do something over that hadn't been properly done in the first place. He said also that the operator of the six restaurants at the western end of the turnpike was obviously having less business than the others because the traffic was lighter at that end. He said that that operator had recently informed him that he had been operating at a loss and that, of course, his problems were difficult. The Executive Director said that the restaurant operators undoubtedly would have to improve their service and to make their restaurants attractive to the patrons of the

turnpike if they were to have some reasonable expectation of recouping in the better-weather months of the year when the traffic on the turnpike, and especially the passenger traffic, would be far greater than it was at that season when it plummeted, on the Ohio Turnpike and all other turnpikes, to an annual low.

The Executive Director said that the traffic by passenger vehicles had fallen off very greatly and that he suspected that just about at that time it was at an annual low. He said that the experience on other turnpikes indicated a constant falling off of traffic which began gradually after the month of August and came down rapidly in December and January, and usually hit a bottom in February. He said also that the truck traffic continued to hold up and somewhat to improve.

The Chairman said that the Commission could not be unduly harmed by truckers or by any other class of vehicle operators in the absence of an outright boycott. He said that the passenger vehicles would start increasing inevitably in March, April, and May, and that thereafter the Commission would be in the months of greatest use. He said also that he had no doubt in the world that during the months of greatest use the Ohio Turnpike would be proved finally to be a financial success. He said that the truck traffic had shown a gradual, wholesome improvement. He said that there was not any use to sit at that table and pretend that the truck traffic was as great as the Commission would like, but neither was it sensible to sit there and expect it to be as great as the Commission had hoped because the experience throughout the country was that truck traffic on toll roads was not as great as the reports had envisioned. The Chairman said further that it still remained that the volume of traffic the Commission then had, as it would be augmented by the seasonal increase irrespective of anything else, would assure the success financially of its project. He said also that the success of the project as an artery in the nation's highway system was already proved. The Chairman said further that he did not mean by the words he was using to indicate that he was unwilling personally, nor did he want the public to get the impression that the Commission was unwilling, as the management of a growing concern, to examine the rates and the facilities provided the commercial vehicles, but neither did he want to indicate that the Commission could be bankrupted by any short-sightedness on the part of the operator of the commercial vehicle. He said that

personally, as he had said previously, he could see only in the representatives of the trucking industry a wholesome willingness to discuss with the Commission the mutual problem that it and the industry had of proving the economic expediency and validity of the use of the Ohio Turnpike.

The Executive Director reported further that as a partial possible solution to the problem of the sleepy driver, he had recommended to the Chief Engineer and to the Project Manager that they make a definite study to ascertain whether the provision of some stopping places, not as elaborate as the turnpike service plazas, might aid in meeting the problem. He said that service plazas on the turnpike were separated by an average distance of 31 miles, and in the cases of some of them by as much as 40 miles, which meant that for distances of that magnitude there was no place along the turnpike that a driver might stop except in case of emergency.

The Executive Director reported further that since the entire turnpike had been opened to operation, he and others of the staff had rather continually addressed themselves to the problems not only of endeavoring to build up an efficiently administered and supervised operating organization on the Ohio Turnpike, but also to the developing of the best arrangements they could devise for the administering of all the rest of the Commission's work through its headquarters staff. He said that some economies in operation had been effected; that the aggregate force of engineers in the past few months had been reduced by two or three and that the Legal Department had been reduced by two lawyers. He said also that the Accounting and Auditing Department, of course, could not shrink because the work in that department increased in an operating period. He said rather that the lawyers and engineers, entirely apart from any prospective future project, would be quite busy for a few months with cleaning up the work in connection with the construction with the first project, and that after that their work would fall off, insofar as it should be related to the first project. The Executive Director said that the Department of Information and Research could not effectively do its work with any less personnel than it had. He said that in some of the Commission's housekeeping chores and administrative work, such as insurance and personnel administration, the Commission was in a position either then or in the near future when the volume of that work would fall off so that some economies could be effected. He said that at the Berea Administration Building some changes had been made in the originally devised program of administration so that some supervision had been eliminated -- one supervisor in the case of the toll collection organization and one entire level of proposed

supervision in the maintenance organization. He said also that he felt that the personnel organization was then on a fairly efficient basis. He said that one of the resolutions to be presented to the Commission would be for the adoption of modifications of two of the charts of organization which the Commission had adopted some time earlier and which he had told the Commission then he necessarily regarded as somewhat experimental until they could be tried out.

Resolution No.1-1956 authorizing the Comptroller to sign certain reports, certificates, and statements was moved for adoption by Mr. Allen, seconded by General Beightler, as follows:

Resolution No. 1-1956

"WHEREAS the members and employees of the Commission have recently been held to be "public employees", as those words are defined in the Public Employees Retirement Act, and, as a result thereof, it will be necessary for the Commission from time to time to file various reports, certificates, and statements with the Public Employees Retirement Board; and

WHEREAS the Commission deems it appropriate and advisable that such reports, certificates, and statements be signed on its behalf by its comptroller;

NOW, THEREFORE, BE IT

RESOLVED that the comptroller be, and he hereby is, authorized and directed, acting for and on behalf of the Commission, to sign any and all reports, certificates, and other statements which, pursuant to law, the Commission is or may, from time to time, be required to file with the Public Employees Retirement Board."

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

Ayes: Allen, Beightler, Linzell, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Restolution No. 2-1956 amending §§ 2.11, 2.12, and 2.15 of the Rules and Regulations for the Control and Regulation of Traffic upon the turnpike was moved for adoption by General Beightler,

seconded by Mr. Linzell, as follows:

Resolution No. 2-1956

"WHEREAS the Commission has adopted, by resolution No. 155-1954, Rules and Regulations for the Control and Regulation of Traffic on Ohio Turnpike Project No. 1; and

WHEREAS the Commission deems it advisable and proper, and in its own and in the public interest, to amend §§2.11, 2.12, and 2.15 of the aforesaid rules and regulations;

NOW, THEREFORE, BE IT

RESOLVED that §§2.11, 2.12, and 2.15 of the Rules and Regulations for the Control and Regulation of Traffic on Ohio Turnpike Project No. 1, adopted by resolution No. 155-1954, be amended, effective March 1, 1956, to read as follows:

'§2.11. Crossing Medial Strip Prohibited.

No operator of a motor vehicle shall drive his vehicle across or upon the medial strip, including crossovers constructed thereon, except as provided in §2.14 hereof or unless permission to do so, in writing (which may be subject to all reasonable conditions contained in said writing), shall have been granted by the commission, or its representative thereunto specifically authorized, for purposes incidental to or necessary in connection with the safety, maintenance, or operation of the turnpike, or any construction in connection with the turnpike. Notwithstanding the foregoing, the operator of an emergency vehicle may cross the medial strip at designated crossovers, provided in so doing he shall use caution so as not to interfere with or endanger traffic.

§2.12 No U-turns.

No person operating a motor vehicle shall make a U-turn at any point on the turnpike, unless directed to do so by a police officer or unless permission to do so, in writing (which may be subject to all reasonable conditions contained in said writing), shall have been granted by the

commission, or its representative thereunto specifically authorized, for purposes incidental to or necessary in connection with the safety, maintenance, or operation of the turnpike, or any construction in connection with the turnpike.

§2.15 Stopping, Parking, or Standing of Vehicles.

No person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the traffic lanes, acceleration lanes, deceleration lanes, bridges, entrance or exit ramps, medial strip, or at any place where a 'No Parking' sign is posted; provided that in case of an emergency, a motor vehicle may be stopped and parked on the shoulder adjacent to the outer traffic lane in the designated direction of traffic, but only if all wheels and projecting parts of the vehicle and its load are completely clear of the traffic lanes; and provided further that the commission or its representative thereunto specifically authorized may grant permission, in writing, for such stopping and parking on the shoulder, subject to the restrictions contained in the preceding proviso with respect to the place of stopping or parking and to any other reasonable conditions contained in said written permission, for purposes incidental to or necessary in connection with the administration of justice or the safety, maintenance, or operation of the turnpike, or any construction in connection with the turnpike.'

FURTHER RESOLVED that existing §§2.11, 2.12, and 2.15 of the Rules and Regulations for the Control and Regulation of Traffic on Ohio Turnpike Project No. 1, are hereby rescinded, effective as of March 1, 1956; and

FURTHER RESOLVED that general counsel shall cause the foregoing rules and regulations to be published in a newspaper of general circulation in Franklin County, Ohio; shall, forthwith, file a certified copy of said amendment in the office of the Secretary of State of the State of Ohio; and shall cause to be given such additional notice of said amendments as general counsel may deem advisable."

The Executive Director said that the amendments were in the nature of provisos or exceptions which would permit someone authorized by the Commission to do so to grant permission to safety patrol vehicles --a subject on which the Commission had been conferring with truck operators--to make U-turns or to cross the medial strip or to stop on the berms, under appropriate conditions and limitations.

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

Ayes: Beightler, Linzell, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 3-1956 revising organization charts was moved for adoption by Mr. Linzell, seconded by Mr. Allen, as follows:

Resolution No. 3-1956

"WHEREAS the Commission, on September 19, 1955, by resolution No. 55-1955, adopted certain charts of organization;

WHEREAS it now appears desirable to revise the chart designated, 'Ohio Turnpike Commission Organization Chart A-2, Operations Department of Project No. 1,' dated September 15, 1955, and the chart designated 'Ohio Turnpike Commission Organization Chart A-3, Accounting and Auditing Department,' dated September 15, 1955; and

WHEREAS the Commission's executive director has recommended certain revisions to the two charts aforesaid and such revisions are embodied in the proposed charts designated 'Ohio Turnpike Commission Organization Chart A-2-a, Operations Department of Project No. 1,' dated January 20, 1956, and 'Ohio Turnpike Commission Organization Chart A-3-a, Accounting and Auditing Department,' dated January 20, 1956, and said proposed charts are now before the Commission at this meeting;

NOW, THEREFORE, BE IT

RESOLVED that the organization charts entitled 'Ohio Turnpike Commission Organization Chart A-2, Operations Department of Project No. 1' and 'Ohio Turnpike Commission Organization Chart A-3, Accounting and Auditing Department' be, and the same hereby are, revised as indicated on the respective charts entitled 'Ohio Turnpike Commission Organization Chart A-2-a, Operations Department of Project No. 1.' dated January 20, 1956, and 'Ohio Turnpike Commission Organization Chart A-3-a, Accounting and Auditing Department', dated January 20, 1956, attached hereto and incorporated herein."

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

Ayes: Linzell, Allen, Beightler, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 4-1956 authorizing procurement of group life insurance was moved for adoption by Mr. Allen, seconded by General Beightler, as follows:

Resolution No. 4-1956

"WHEREAS the Commission's executive director has caused an investigation to be made by the insurance administrator with respect to group life insurance for Commission personnel, and has reported to the Commission thereon; and

WHEREAS it appears that it may be desirable to adopt a plan providing such insurance;

NOW, THEREFORE, BE IT

RESOLVED that the Commission's executive director be, and he hereby is, authorized to enter into a contract or contracts for and on behalf of the Commission, presently and from time to time, in such terms as he shall deem desirable and with such company or companies, authorized to write such insurance in Ohio, as he shall select, for the procurement of group life insurance for employees of the Commission; provided, however, any such contract or contracts shall include, without limiting the generality of the

foregoing, the assumption by the Commission of that portion of the premiums above the first 30¢ per month for each \$1000 of insurance so procured and provided, further, that such insurance shall be in amounts not to exceed the amounts set forth opposite the respective salary brackets of such employees in the following schedule:

<u>Salary Bracket</u>	<u>Amount of Insurance</u>
0 thru \$3,499	\$ 3,000
\$3,500 thru \$4,499	\$ 4,000
\$4,500 thru \$5,499	\$ 5,000
\$5,500 thru \$6,499	\$ 6,000
\$6,500 thru \$7,499	\$ 7,000
\$7,500 thru \$8,499	\$ 8,000
\$8,500 thru \$9,499	\$ 9,000
\$9,500 thru \$10,499	\$10,000
\$10,500 and above	\$15,000

FURTHER RESOLVED that whenever any of said Commission personnel, by reason of change in salary, is placed in another salary bracket, thereby becoming entitled to a different total amount of insurance coverage, the adjustment in the total amount of said coverage shall be effective only upon the anniversary date of the insurance policy next after such change in salary rate."

The Executive Director, in response to a question by the Chairman, said that the group life insurance plan did not include members 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, Beightler, Linzell, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

The Chairman said he would like to mention at that time that he believed that everything that was being brought before the Commission at the meeting had been sent out to the members prior to the meeting. He said that General Beightler had not gotten it all. He said further that although Mr. Teagarden was not present, it was his assumption that Mr. Teagarden had received for his personal consideration everything that was being presented and considered by

the Commission, and that if he had had any exceptions or reservations with respect to the things which were being considered, he would have stated them. The Chairman said further that in some matters the Commission had specific agreement from Mr. Teagarden because on some of them which he had received before the last telephone conversation between the Chairman and Mr. Teagarden, the latter had given his approval.

Resolution No. 5-1956, statement of policy with respect to cost-sharing of certain drainage-ditch improvements, was moved for adoption by Mr. Linzell, seconded by Mr. Allen, as follows:

Resolution No. 5-1956

"WHEREAS the consideration of certain drainage problems is of importance in connection with the operation of any turnpike project; and

WHEREAS the Commission deems it desirable to enunciate its policy with respect to participation in certain drainage-ditch 'improvements' as that term is defined in §6131.01 of the Revised Code;

NOW, THEREFORE, BE IT

RESOLVED that the Commission, having duly and fully considered the matter, finds that it will or may be desirable under certain circumstances to participate in certain drainage 'improvements', as that term is defined in §6131.01 of the Revised Code, by means of sharing the cost of such improvements; and

FURTHER RESOLVED that the Commission's executive director, acting for and on behalf of the Commission, be, and he hereby is, authorized, from time to time, to enter into a contract or contracts with one or more political subdivisions of the state providing for the Commission's participation, by means of sharing the cost thereof, in certain drainage improvements to be constructed by the appropriate political subdivision or subdivisions; provided that no such contract shall be entered into unless and until it shall have first been determined by the Commission's chief engineer that such proposed improvement will result in benefit to a turnpike project of the Commission; and provided further that said chief engineer shall have evaluated the advantages and disadvantages of any such

improvement, as the same affects the drainage area associated with the turnpike project involved, and the benefits, if any, resulting to such project from such proposed improvement, which benefits shall constitute the consideration for any such contract; and further provided that prior to entering into such contract, the same shall have been first approved by the Commission's general counsel."

The Chief Engineer reported that he had made his comments on the resolution to the Executive Director and to the members and that he was perfectly in favor 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: Linzell, Allen, Beightler, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 6-1956 modifying Resolution No. 127-1954 regarding affidavits from contractors before final payment was moved for adoption by General Beightler, seconded by Mr. Linzell, as follows:

Resolution No. 6-1956

"WHEREAS the Commission has heretofore, in resolution No. 127-1954, provided for the taking of affidavits from contractors that all bills, payrolls, and costs of every type and nature whatsoever connected with the performance of the contract have been paid in full, as more specifically set forth in said resolution and the form of affidavit attached thereto and made a part thereof;

WHEREAS it has become apparent that in some instances contractors can not furnish said affidavit without either paying claims which they do not consider to be justly due and which in fact may not be justly due or making exceptions for such claims in said affidavit;

WHEREAS the Commission desires to permit the making of such exceptions in those instances in which a bona fide dispute

appears to exist between a contractor and any third party, and to provide for the furnishing of a bond by the contractor in those instances in which the furnishing of a bond appears to be necessary so that financial protection may be maintained for such of said claims as may legally be determined to be due, in such manner as not to delay the final payment under the contract; and

WHEREAS the Commission is informed that in some instances it may be difficult or impractical for contractors having contracts with the Commission to pay to their subcontractors percentages which they are entitled to retain under their subcontracts, prior to the making of final payment to them by the Commission;

NOW, THEREFORE, BE IT

RESOLVED that in any instance in which an affidavit or affidavits are required pursuant to the Commission's resolution No. 127-1954, the officer or employee requiring same may permit one or more exceptions to be made therein for any and all claims with respect to which a bona fide dispute exists between the contractor and the claimant or claimants, which shall be deemed to include all unresolved claims covered by insurance carried by the contractor; provided, however, that in any such case the officer or employee requiring the affidavit pursuant to said resolution shall seek the advice of general counsel as to whether or not it is desirable that the contractor be required to furnish a bond with surety in favor of said claimant or claimants conditioned in substance upon the payment to said claimant or claimants of any amount which shall be found to be due from the contractor to said claimant or claimants by virtue of any final judicial determination, and that said officer or employee, if advised that such bond is desirable, shall require the filing of same by the contractor in form satisfactory to general counsel and in an amount equal to 125 per cent of said claim;

FURTHER RESOLVED that the officer or employee of the Commission requiring said affidavit may permit it to contain exceptions for any retained percentages which the contractor filing same is entitled to retain under his contracts with his subcontractors; provided, however, that said retained percentages shall be paid by the contractor or arrangements satisfactory to the chief engineer made for their payment, prior to or contemporaneously with the making of final payment by the Commission to said contractor."

The Chief Engineer said that he had thoroughly discussed the resolution with General Counsel and that he was in complete agreement with the resolution. Mr. E. J. Donnelly, a partner in the J. E. Greiner Company, consulting engineers to the Commission, said that he also was in agreement with the resolution.

At the invitation of the Chairman, Mr. Charles E. McKee, Executive Secretary of the Ohio Contractors Association, said that he thought that it was very advisable that the contractors have something such as was contemplated by the resolution because the existing situation entailed too much money being withheld from the contractors.

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

Ayes: Beightler, Linzell, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 7-1956 waiving certain requirements with respect to compensation for extra services--Design Section D-16 was moved for adoption by Mr. Allen, seconded by Mr. Linzell, as follows:

Resolution No. 7-1956

"WHEREAS the Commission entered into a contract with the J. E. Greiner Company as contracting engineer for design section D-16, Ohio Turnpike Project No. 1, said contract being entitled 'Engineering Agreement';

WHEREAS §6 of said contract contains a provision whereby said contracting engineer is required to submit a demand for additional fees payable thereunder within 15 days after the rendition of the services for which said additional fees are payable, together with an itemized accounting of the salary cost incurred in performing said services;

WHEREAS said contracting engineer performed extra work within the meaning of said contract, with respect to the redesign of

the Maumee River Bridge, which redesign was ordered by the Commission through no fault of said contracting engineer;

WHEREAS said contracting engineer did not submit said demand and accounting within the time prescribed as hereinabove stated, but the Commission nevertheless did receive the benefit of the extra work for which additional fees are otherwise payable, and the Commission is advised by its chief engineer and executive director that the Commission was not prejudiced by the delay in submission of said demand and accounting, which was heretofore submitted although not within said 15 days, and there is no dispute with respect to the amount of said additional fees;

WHEREAS the Commission desires to pay for said services, which were satisfactorily rendered, as it has done in other such instances in which the submission of similar demands and accountings by contracting engineers within the time prescribed has proved to be impracticable, or in any event has been found to have caused no prejudice to the Commission; and

WHEREAS the Commission's executive director and chief engineer have recommended that it make such payment and its general counsel has advised it that it may legally do so;

NOW, THEREFORE, BE IT

RESOLVED that the Commission finds that the J. E. Greiner Company, contracting engineer for design section D-16 of the Ohio Turnpike, was ordered to and did render extra services for which additional fees are payable under its engineering agreement with the Commission in the amount of \$2,026.84, and that the Commission has suffered no prejudice as a result of said contracting engineer's failure to submit a demand and accounting for such fees within 15 days following the rendition of said services; and

FURTHER RESOLVED that the Commission pay, and it hereby directs its comptroller to pay, the invoice heretofore submitted for said additional fees in an amount not to exceed said \$2,026.84, upon receipt of said invoice bearing the approval of the chief engineer and upon fulfillment of the other prerequisites to the payment of an amount due under a contract, notwithstanding the failure of the said contracting engineer to submit a demand and accounting for said fees within 15 days after the rendition of the extra services to which they relate."

The Executive Director said that by the resolution the Commission would waive certain requirements with respect to compensation for additional services furnished by one of the Contracting Engineers, the J. E. Greiner Company, for contracting engineering services furnished in Design Section D-16 on piers and bridges. He said that there was a provision in that contract, as in all others with the various firms of Contracting Engineers, whereby if certain so-called additional services were performed, they were to be paid for as provided in the contract, and that there was a limitation requiring that a demand must be made within 15 days after the services should be rendered. He said that the J. E. Greiner Company had failed to make that demand, and would like to be paid for the services. He said also that the Chief Engineer had recommended and that he recommended that the Commission make such payment, and that he advised the Commission that in his opinion the Commission had not suffered in any way because of the fact that the demand had not been made within the 15-day period.

The Chairman asked if there were legal consideration for the waiver. The General Counsel replied that in her opinion the Commission might make the waiver. She said that the Commission had taken that position with respect to similar claims filed by other contracting engineers. She said that the Commission had passed a resolution authorizing the Executive Director and the General Counsel to direct that that provision of the contract be waived upon the advice of the Consulting Engineer. She said also that the Executive Director and General Counsel had not chosen to act, and properly so, in the instant case under that resolution. She said that in her opinion the Commission might, in its discretion, properly waive.

The Executive Director said that the Executive Director had not chosen to act because the limitation upon his action under his standing authority was that the Consulting Engineer approve, and in the instant case the Consulting Engineer and the Contracting Engineer had been one and the same firm, and had not been willing to rely upon its approving an action that would affect itself in another capacity.

The Chairman said that that was why he was raising the question and why he wanted the Commission to be fully and completely advised about it, and that while he would not want to

take an unfair advantage of anybody who failed in good faith to comply with a purely technical requirement, still he wanted it understood what the Commission was doing and the Commission to know what it was doing.

General Beightler said that he was in agreement. Mr. Linzell said that he was in agreement.

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

Ayes: Allen, Linzell, Beightler, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 8-1956 authorizing the Executive Director to approve the price for the sale of certain land, was moved for adoption by Mr. Allen, seconded by Mr. Linzell, as follows:

Resolution No. 8-1956

"WHEREAS the Commission entered into a certain agreement with the Huron Contracting Company in September 1955 whereunder the Commission purchased borrow from said Huron Contracting Company under an arrangement that specified that when the work was completed the property from which the borrow was taken, known as the Allyn Farm, would be offered for sale, and that the net amount received from the sale of the land would be credited upon the obligation of the Commission for the borrow purchased;

WHEREAS the aforesaid agreement further specified that the land could only be sold at a price acceptable to the Commission; and

WHEREAS the best offer that has been obtained to date is one for \$26,000.00 which equals the appraised value of the land, and upon full consideration it appears advisable to approve such price for the sale of the land;

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby does authorize its executive director to approve the price of \$26,000.00, or

such other amount as may be secured in excess of that amount, for the sale of certain land, known as the Allyn Farm, and referred to in the agreement of September 1955 between the Commission and the Huron Contracting Company."

The Executive Director said that the Commission had made an agreement with the Huron Contracting Company in September of 1955 whereunder the Commission purchased some borrow from that company. He said that there had been an arrangement which specified that when the work should be completed, the property from which the borrow had been taken, which was known as the Allyn Farm and which was to the west of the Maumee River, would be offered for sale, and that the net amount that should be received from the sale of the land would be credited upon the obligation of the Commission to pay the Huron Contracting Company for the borrow which it had purchased from the Huron Contracting Company. He said further that the agreement had provided that the land could only be sold by Huron Contracting Company at a price acceptable to the Commission. He said also that over a period of months that property had been exposed to the market and that a series of offers had been obtained, all of which, until the most recent one, he had deemed to be inadequate. He said that an offer had then been received for \$26,000, which was equal to the appraised value of the land, and that in his opinion, it was advisable that the Commission approve that price for the sale of the land. He said that thereby the Commission would get a credit of that amount against what it owed under its contract with Huron Contracting Company.

General Beightler asked what the condition of the land then was. The Chief of Right-of-Way Department replied that a lot of blue till had been wasted on the southerly end of the land, and that there was a wet borrow pit on it which had about four feet of water in it, with drainage possible but economically unfeasible. He said also that the property had frontage along both Scott Street and Michigan Avenue which would make desirable home sites. The Chief of Right-of-Way Department said also that \$100,000 had been paid by the Huron Contracting Company for the acreage contemplated in the resolution and that there was a tract of about 10 acres on the

easterly side of Scott Street which had not been disturbed either before or after the arrangement for purchasing borrow, and which was not a part of that arrangement, and which was not included in the \$100,000 purchase price which he had referred to. General Beightler said that he was satisfied.

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

Ayes: Allen, Linzell, Beightler, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 9-1956 amending §§ 3.30, 3.40, and 3.70 and rescinding §§ 3.10, and 3.20 of Article VI of the Code of Bylaws, with respect to vacations, was moved for adoption by General Beightler, seconded by Mr. Allen, as follows:

Resolution No. 9-1956

"WHEREAS it is desirable to clarify certain provisions of the code of bylaws which deal with vacation leaves for Commission employees;

WHEREAS the Commission desires to grant vacation leaves to employees in the first year of their employment on a basis consistent with the overall policy of one workday of paid vacation for each one and one-fifth month of employment; and

WHEREAS the Commission, having fully reviewed the matter, deems it advisable to amend certain provisions of the code of bylaws, adopted September 15, 1955, by resolution No. 56-1955, with respect to vacation leaves for Commission employees;

NOW, THEREFORE, BE IT

RESOLVED that the following listed sections of Article VI of the code of bylaws, adopted September 15, 1955, by resolution No. 56-1955, be amended, effective immediately, as respectively indicated below:

- (1) Sec. 3.30 be, and the same hereby is, amended to 2837.

amended to read as follows:

A salaried employee shall qualify for his first annual vacation on the first May 15 following his employment by the Commission. The number of workdays of paid vacation for each salaried employee's first annual vacation shall be as follows:

<u>Employment Began After</u>	<u>And Before</u>	<u>Workdays of Paid Vacation</u>
May 15	June 4	10
June 3	July 10	9
July 9	August 16	8
August 15	September 22	7
September 21	October 28	6
October 27	December 4	5
December 3	January 10	4
January 9	February 16	3
February 15	March 22	2
March 21	April 28	1
April 27	May 16	0

Salaried employees shall qualify for two calendar weeks' vacation with pay each ensuing year of their continuous employment on May 15 of each following year; provided, however, that in order to minimize interference with the normal functioning of all departments, department heads may authorize such of their employees as they see fit to take their annual vacation leave prior to May 15, but in no event shall such vacation leave be authorized prior to January 1 of the year in which the leave will be earned.

(2) Sec. 3.40 be, and the same hereby is, amended to read as follows:

Each employee working on an hourly basis (hereinafter designated 'hourly rated employee') shall qualify on January first of each year for vacation with pay not to exceed ten workdays during the ensuing year. Such employee shall be entitled to one workday of leave for each two hundred and eight hours of actual work and of paid leave taken during the preceding calendar year. The payment for each such workday of leave shall be computed by multiplying by eight the straight-time hourly rate paid the employee for the pay period immediately preceding his vacation.

(3) Sec. 3.70 be, and the same hereby is, amended to read as follows:

If at the date of termination of any period of continuous employment of any salaried employee he shall have had less than one workday of paid vacation during such period for each one and one-fifth month of such period, he shall be given terminal pay in lieu of vacation, at the rate of one workday's pay for each one and one-fifth month for which he shall not have had a workday of vacation. If at the date of termination of any period of continuous employment of any hourly rated employee he shall have had less than one workday of paid vacation during such period for each two hundred and eight hours of actual work and of paid leave taken during such period, he shall be given terminal pay in lieu of vacation, at the rate of one eight-hour workday's pay for each two hundred and eight hours of such work and leave for which he shall not have had a workday of vacation; provided such terminal pay shall in no event exceed ten workdays' pay for each calendar year of his employment. One workday's pay, in the case of a salaried employee, shall be 4.61% of his monthly salary, and in the case of an hourly rated employee, shall be for an eight-hour day. For the purpose of determining the terminal pay of a salaried employee, a fractional day of one-half or greater shall be considered one full day and a fractional day of less than one-half shall be disregarded.

FURTHER RESOLVED that existing §§3.10, 3.20, 3.30, 3.40, and 3.70 of Article VI of the code of bylaws be, and the same are, rescinded, effective immediately, and that all sections following 'Sec. 3.00' to, but not including, 'Sec. 4.00' be renumbered accordingly."

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

Ayes: Beightler, Allen, Linzell, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 10-1956 fixing rate of compensation of C. W. Hartford, as Chief of Right-of-Way Department, was moved for adoption by Mr. Allen, seconded by Mr. Linzell, as follows:

Resolution No. 10-1956

"RESOLVED that the rate of compensation of C. W. Hartford, the Commission's chief of the right-of-way department, effective immediately, be, and the same hereby is, fixed at \$14,000 per annum for service in this and all other capacities in which he serves 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, Linzell, Beightler, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

The Executive Director reported that the office of Executive Director would become vacant on January 21, 1956. He said that the Commission had asked him for and that he was making a recommendation that Mr. C. W. Hartford be appointed Acting Executive Director. He said that he had the wholly pleasant and gratifying experience of having worked closely and intimately with Mr. Hartford for a period of well over three years. He said also that no one had given more dedicated service to the Commission; that no one has brought to the discharge of his duties on behalf of the Commission a sounder judgment or more conscientious handling of his work than Mr. Hartford.

Resolution No. 11-1956 appointing Acting Executive Director was moved for adoption by General Beightler, seconded by Mr. Allen, as follows:

Resolution No. 11-1956

"RESOLVED that C. W. Hartford be, and hereby he is, appointed acting executive director, effective January 22, 1956, to serve at his and the Commission's mutual pleasure."

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

Ayes: Beightler, Allen, Linzell, Shocknessy

Nays: None.

The Chairman said that before declaring the resolution passed, he wanted to say specifically that that resolution was one of the matters discussed with Mr. Teagarden on the telephone and that Mr. Teagarden had given it his full approval so that the resolution stood adopted with the four members present voting in the affirmative and with his statement that Mr. Teagarden had been aware that it was to be presented and that the matter had been discussed with him.

Resolution No. 12-1956 ratifying actions of administrative officers was moved for adoption by Mr. Allen, seconded by Mr. Linzell, as follows:

Resolution No. 12-1956

"WHEREAS the executive director, deputy executive director, assistant to executive director, chief engineer, assistant chief engineer, general counsel, assistant secretary-treasurer, comptroller, and chief, right-of-way department 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 December 22, 1955, 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: Allen, Linzell, Beightler, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

There being no further business to come before the Commission, a motion was made by General Beightler, seconded by Mr. Linzell, 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: Beightler, Linzell, Allen, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 2:47 P. M.

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


A. J. Allen, Secretary-Treasurer.