

MINUTES OF THE ONE HUNDRED TWENTY-SECOND MEETING
December 9, 1957

Pursuant to bylaws, the Ohio Turnpike Commission met in regular session in Hearing Room No. 4 of the Public Utilities Commission of Ohio at Columbus, Ohio at 11:00 A.M. Eastern Standard Time on December 9, 1957 with the key members of its staff, representatives of the Consulting Engineers, of the Trustee, of the principal underwriters, the Secretary to the Governor, 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: Chastang, Beightler, Teagarden, Shocknessy.

Absent: Director of Highways. The Secretary to the Governor represented the Director of Highways.

The Chairman said the meeting was being held in Columbus rather than in Berea because General Beightler had been ill and his doctor did not want him to make the journey to Berea. He said Mr. Everett Krueger, Chairman of the Public Utilities Commission of Ohio, had very kindly placed the Hearing Room at the disposal of the Commission. He asked the Secretary-Treasurer of the Commission to advise the Chairman of the Public Utilities Commission of the Commission's gratitude for his making the room available.

The Chairman said there were present in the room Colonel Fred Moritz, Superintendent of the Ohio State Highway Patrol, and Major S. B. Radcliffe, Deputy Superintendent of the Patrol. He thanked Colonel Moritz and Major Radcliffe for the cooperation the Commission had had from both of them. He said that the Highway Patrol was one of the greater advantages the Commission had. He said it was rare that the Commission got any complaints about the treatment of patrons of the Ohio Turnpike by the Highway Patrol. He said that usually what the Commission heard was how courteous, how gracious, how kind and how cooperative patrolmen were to travelers on the turnpike. He said he thought that not only was true on the turnpike but throughout the state. He said the Highway Patrol was to be congratulated and that Colonel Moritz might advise the Governor that the Commission had the highest regard for the administration of the Patrol on the Ohio Turnpike.

The Chairman said also he had seen recently in the newspapers that a man who formerly had worked for the Highway Patrol had said the Patrol was not making arrests until violations had exceeded a margin beyond the legal limit. He said he had spoken to Colonel Moritz just before the meeting and Colonel Moritz had said that was not true, that his men were instructed to require travelers to obey the law. The Chairman said he had no doubt that individual patrolmen might apply a rule of reason like all human beings did but certainly there was no arrangement whereby the Highway Patrol or the Commission overlooked violations of law on the Ohio Turnpike, notably laws with respect to speed.

A motion was made by Mr. Teagarden, seconded by General Beightler, that the minutes for the meeting of October 1, 1957 which had been examined by the Members of the Commission and on which the corrections suggested by the Members 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: Teagarden, Beightler, Chastang, Shocknessy.

Nays: None.

The Chairman declared the motion carried.

The Chairman reported the revenue for the month of November 1957 continued to be satisfactory. He said the estimated total revenue for the month of November was approximately \$1,424,805 or almost 15% over the revenue for November of 1956 which was \$1,231,810. He said some note had been taken of the fact that the total count of passenger cars for the month of November of 1957 had been a few thousand less than the total count of passenger cars for the month of November of 1956. He commented that in 1956 the Sunday following Thanksgiving was in November whereas in 1957 the Sunday following Thanksgiving was on December 1, so that in 1956 the month of November had the benefit of the Sunday-after-Thanksgiving traffic. He said a comparison between the two months of November on a reasonable basis would show a passenger car increase for the month of 2.5%. He said the Ohio Turnpike inevitably and unquestionably would reflect economic trends of the nation. He said it was perfectly safe to say that the total revenue for the Commission in 1957 would exceed \$20,000,000 by several hundred thousand dollars if gross receipts from the operation of restaurants by the Commission were included. He said he was especially pleased that

the bond market for the Ohio Turnpike bonds was holding up remarkably well. He said there were only two issues of turnpike bonds which held up better on the market than the Ohio Turnpike bonds. He said the market for the Ohio Turnpike bonds reflected the reputation for integrity which the Ohio Turnpike had garnered for itself in the money markets of the country.

The Chairman said he wanted to mention that the Commission called always to the attention of the employees of the Commission in December that gratuities from purveyors of goods and services to the Ohio Turnpike Commission were not to be received by employees of the Commission.

The Chairman said it was his pleasure to be present at the Supreme Court of Ohio when the General Counsel presented on behalf of the Commission its position in the case wherein the effort of the Auditor of Cuyahoga County to place certain real estate of the Commission on the tax duplicate was argued. He said he did not think the Commission's position was ever better presented. He said the argument was excellent.

The Chairman said the Commission had a letter from one of its contracting engineers, Ammann & Whitney, addressed to the Commission under date of November 29, 1957 which said:

"Ohio Turnpike Commission
8080 Prospect Road
Berea, Ohio

"Attention: Mr. James W. Shocknessy,
Chairman

"Re: Ohio Turnpike-Design
Section D-11
Payment for standby Costs

"Gentlemen:

"We have just received a check in payment for the standby costs incurred during the construction phase of the Ohio Turnpike.

"In the course of discussions with your staff on this matter, we became aware of the technical difficulties involved for you in making this payment for services rendered under the unusual conditions arising from the Shaffer case and its aftermath. Your

efforts in bringing the matter to a satisfactory conclusion are a tribute to your sense of fairness in dealing with your consulting engineers.

"We enjoyed our associations with the Commission and its able staff and trust that we may sometime again have the pleasure of serving you.

"Very truly yours,

"AMMANN & WHITNEY

"By /s/ Nomer Gray
Nomer Gray

"NG;mc

"cc: J. E. Greiner Co. "

The Chairman said that in the absence of questions the Chairman's report was received and accepted as offered.

The Assistant Secretary-Treasurer reported for the Secretary-Treasurer that since the last meeting the following had been sent to all Members:

1. Cost and Budget Report for the first nine months of 1957.
2. Auditors' Report for period ending September 30, 1957.
3. Financial Report as of October 31, 1957.
4. Traffic and Revenue Report as of October 31, 1957.
5. Detail of investment transactions for November 1957.
6. Draft of the minutes of the October 1, 1957 meeting.

The Assistant Secretary-Treasurer reported further there would be before the Commission a proposed resolution authorizing the Trustee to issue \$4,000 face amount of coupon bonds to replace a similar amount of bonds which had been lost by Bache & Co. He said the bonds were part of a United States registered mail shipment dispatched on February 26, 1957 by the New York office of Bache & Co., addressed to Bache & Co., Ohio-Dixie Terminal Building, Cincinnati 2, Ohio. He said not only that registered mail shipment but the entire

registry pouch in which it was contained had not been received at destination and in spite of all efforts of United States postal authorities there had been no solution or definite clue to the loss. He said the request for replacement came to the Commission through the Trustee accompanied by a bond of indemnity in the amount of \$17,230. He said the Marine Insurance Company, Limited had insured the registered mail shipment of Bache & Co. and promptly had paid the full value of the lost bonds, thus becoming subrogated to all right, title and interest therein. He said the Trustee had requested that the Commission by resolution authorize it to issue the replacement bonds.

The Assistant Secretary-Treasurer reported further that in the event the Commission should make an award of contract TR-1B, he expected to credit operating expenses of December 1957 for the \$500,000 which the operator agreed to pay the Commission for the restaurant equipment. He said Peat, Marwick, Mitchell & Co. had agreed to that method of handling the payment.

A resolution authorizing issuance of \$4,000 of new bonds to replace bonds Nos. M-142827 to M-142830, inclusive was moved for adoption by General Beightler, seconded by Mr. Teagarden, as follows:

Resolution No. 32-1957

"WHEREAS, by resolution No. 100-1954, adopted by the Commission on June 8, 1954, provision was made for the execution, authentication, and delivery of new bonds in exchange and substitution for mutilated bonds and their interest coupons, and in lieu of and in substitution for bonds destroyed or lost and their coupons, pursuant to §211 of the trust agreement relating to Turnpike Revenue Bonds, Project No. 1, and by said resolution certain requirements for execution and issuance of such new bonds and coupons were established; and

"WHEREAS the conditions provided for in said resolution No. 100-1954 have been complied with, including the submission to the Commission of the documents required by said resolution No. 100-1954 and the terms and conditions adopted thereby, said documents consisting of a surety bond in the amount of \$17,230.00 relating to bonds No.'s M-142827, M-142828, M-142829, and M-142830 each of the denomination of \$1,000.00, with June 1, 1957 and subsequent coupons attached and satisfactory evidence that The Marine Insurance Company, Limited, having paid the full value of the lost bonds to the original owner has become subrogated to all right, title and interest of the original owner therein;

'NOW, THEREFORE, BE IT

"RESOLVED that the Commission hereby approves the documents submitted to it by the trustee as aforesaid and authorizes the execution, authentication, and delivery to The Marine Insurance Company, Limited of new bonds in lieu of the aforesaid bonds pursuant to §211 of said trust agreement, and the officers of the Commission are authorized to take any and all action necessary and proper to effect the execution, authentication, and delivery of such new bonds, and that said bonds be in definitive form with June 1, 1957 and subsequent coupons attached."

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

Ayes: Beightler, Teagarden, Chastang, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with the four Members present voting in the affirmative. The resolution was identified as No. 32-1957.

The Chairman said the report of the Assistant Secretary-Treasurer was accepted as offered.

The Chairman of the Committee on Service Plazas, General Beightler, reported the Committee had met at his home on December 6, 1957 and had checked the several proposals submitted for contract TR-1B for the operation of six turnpike restaurants. He said bids had been received from some very well-known, nationally recognized and acceptable restaurateurs and although the bid percentages were not as high as those the Commission had received in August of 1957 they were quite acceptable. He said he thought the Commission would be pleased with the results of the operations whatever concessionaire should be selected.

The Chairman of the Committee on Service Plazas reported further the highest bid submitted by the eight bidders was that of the Prophet Company of Detroit which bid a percentage of 16.25 for a ten-year contract. He said the Company operated some 172 contractual units in 24 states and its principal business according to information it had submitted with its bid was in-plant feeding, mostly cafeterias, although it had a number of installations also in air terminals, department stores, et cetera. He said the annual sales of the Company ran to \$22,700,000 in 1956. He said their operations

from the standpoint of profit and their financial position were satisfactory. The Chairman of the Committee on Service Plazas said further that under the terms and conditions of bidding the Commission required that the operator have the experience of operating facilities of a type similar to those on the Ohio Turnpike and that the variety of experience must be sufficient in the opinion of the Commission to warrant its confidence in the ability of the bidder. He said two questions arose with respect to the Prophet Company; first, did the bidder meet the requirements of the terms and conditions of bidding; and second, would the award to the Company be in the best interests of the Turnpike Commission and the public.

The Chairman of the Committee on Service Plazas reported further the next high bidder for a ten-year contract was Ohio Sportservice, Inc. of Buffalo, New York at its bid percentage of 16.17%. He said the Company was the high bidder for an eight-year contract at the same bid percentage. He said the bidder stated it had available all the resources of its parent Company, the Sportservice Corporation which consisted of some 90 subsidiary corporations. He said the Ohio Sportservice, Inc. did not state in its questionnaire the number and type and location of facilities it operated in Ohio and elsewhere but it would appear from information deduced from its questionnaire that it had at least three operations in Ohio, two at race tracks in the vicinity of Cleveland and one a fountain bar at the Cleveland-Hopkins Airport. He said the Commission would have to make a decision as to whether the operation of those three facilities were similar and comparable to the type of facilities it desired on the turnpike. He said the Ohio Sportservice, Inc. stated it had no affiliation with either of the two current operators on the Ohio Turnpike. He said the bid specifications prohibited any bidder from having any such interest for the reason that the Commission had decided that it wanted to continue to have competition on the turnpike.

The Chairman of the Service Plaza Committee said the bidder's questionnaire did indicate that one-third of the stock of Ohio Sportservice, Inc. was owned by High Park Corporation and that sixteen and two-tenths percent of the stock of High Park Corporation was owned by Mr. Lewis M. Jacobs who in August of 1957 was president of Ohio Sportservice, Inc. He said the bidder stated also that Mr. Jacobs by virtue of his personal and supplemental financial backing of the principal stockholder and chief executive of Buddies Lunch Systems Inc. held stock in the operating company known as Holiday House. He said it might appear therefore that Mr. Jacobs had interest both in Buddies Lunch Systems Inc. and Ohio Sportservice, Inc. He said three questions arose: one, did the bidder meet the qual-

ifications required for bidding; second, would competition between turnpike restaurant operations be impeded because of possible conflicting interests; and third, would the award to the bidder be in the best interests of the Commission and the public.

The Chairman of the Committee on Service Plazas reported further the Union News Company of New York was the third high bidder for a ten-year contract at a bid percentage of 15.25% and third high bidder also for an eight-year contract at a bid percentage of 15. He said the Company operated some 300 eating establishments in hotels, railroad stations, Rockefeller Center in New York City, and office buildings, and operated eight restaurants on the New York State Thruway, and held a contract to operate eight restaurants on the Connecticut Turnpike. He said the annual sales of the Company amounted to some \$35,000,000 in 1956. He said the restaurants operated by the Company in New York City and on the New York Thruway and to be operated on the Connecticut Turnpike were known as Savarin Restaurants. He said officials of the New York State Thruway Authority had stated that Union News Company restaurant operations were the best on the New York Thruway.

The Chairman of the Committee on Service Plazas reported further the Howard D. Johnson Company of Wollaston, Massachusetts was the second high bidder for an eight-year contract at a percentage of 15.15 and fourth high bidder for a ten-year contract at a bid percentage of 15.15. He said the Company had 550 outlets of which 250 were operated direct by it and the balance operated by others under franchise. He said the Company's annual sales volume on turnpikes alone amounted to \$19,000,000. He said the Company operated 61 restaurants on the New Jersey Turnpike, the Garden State Parkway, the Pennsylvania Turnpike, the Maine Turnpike, the Oklahoma Turnpike, and the Massachusetts Turnpike and might be said to be turnpike specialists. He said the Company had been operating restaurants on the Pennsylvania Turnpike since 1941 and were the most experienced of the turnpike restaurant operators.

The Chairman of the Committee on Service Plazas reported further the Interstate Company of Chicago was fifth highest bidder for a ten-year contract at a bid percentage of 14.78 and fourth high bidder for an eight-year contract at a bid percentage of 14.78. He said the Company had some 74 food service outlets including those on the toll roads in Indiana, West Virginia, Kentucky, Oklahoma and Texas. He said the Company had become somewhat turnpike specialists in restaurant operations. He said their restaurants were generally known as Glass House restaurants.

The Chairman of the Committee on Service Plazas reported further that Mary Lee Restaurants of Cleveland, a subsidiary of Mary Lee Candies, Inc., was the sixth highest bidder for a ten-year contract at a bid percentage of 14.15. He said the parent company operated four restaurants in Ohio and Michigan but the bidder was a new organization and had not operated any restaurants up to that time.

The Chairman of the Committee on Service Plazas reported further that Dorsel's, Inc. of Cleveland was seventh highest bidder for a ten-year contract with a bid percentage of 12.8 and fifth highest bidder for an eight-year contract with a bid percentage of 12.2. He said the Company operated five restaurants the locations of which it had not disclosed and had an annual sales volume of some \$1,300,000.

The Chairman of the Committee on Service Plazas reported further that Dutch Pantry, Inc. of Selinsgrove, Pennsylvania was eighth highest bidder for a ten-year contract with a bid percentage of 11.01 and sixth highest bidder for an eight-year contract with a bid percentage of 10.01. He said the Company operated six restaurants in Pennsylvania and Florida and had an annual sales volume of \$1,500,000.

The Chairman of the Committee on Service Plazas reported further the Committee felt that although a ten-year contract had a slight monetary advantage the amount involved was so very small that it should not be given too much consideration and that the eight-year contract was the more desirable because such a term would mean that the two existing contracts and the new contract would all terminate at approximately the same time. He said the majority of the Committee was of the opinion that with the four high bids being in a very limited range the best interests of the Commission and the public would be served if the award were made to either the Union News Company on a ten-year basis or to Howard D. Johnson Company on an eight-year basis. He said one member of the Committee favored the Union News on either basis.

The Chairman of the Committee on Service Plazas reported further the Consulting Engineers had addressed a letter to the Executive Director under date of December 6, 1957 which said:

"Mr. C. W. Hartford
Executive Director
Ohio Turnpike Commission
Berea, Ohio

"Dear Mr. Hartford:

"We have reviewed the qualifications of the four bidders who submitted the highest bids for contract TR-1-B on December 4, 1957 for operating the six easterly restaurants on the Ohio Turnpike, and have concluded that neither The Prophet Company nor Ohio Sportservice, Inc. meets the qualifications required by the Commission, since there is insufficient evidence that either meets the requirements of paragraph (b), page 3, of the Terms and Conditions of Bidding, as set forth in the proposal.

"Our investigation of both the Union News Company and the Howard D. Johnson Company indicates that both of these companies are fully qualified.

"Although there is an indicated slight monetary advantage in favor of a ten year contract over an eight year contract, it is our opinion that the advantage of an eight year contract outweighs the indicated monetary advantage of a ten year contract. This opinion is based upon the flexibility for future control of restaurant operations which the Commission will enjoy if, at the end of eight years, it appears advantageous to place the operation of all 16 restaurants under one concessionaire.

"We, therefore, recommend the award to Howard D. Johnson Company at their bid of 15.15% of gross receipts.

"Very truly yours,

"J. E. Greiner Company

"by /s/ J. M. Worthington
J. M. Worthington

"cc: Maj. Gen. Robert S. Beightler
Mr. Fred S. Cresswell."

The Chairman polled the Commission on the preferences of the Members between an eight-year and a ten-year term. Mr. Chastang, Mr. Teagarden, and General Beightler all indicated that they preferred an eight-year term. Mr. Noble said he thought an eight-year contract would be an advantage to the Commission.

A resolution awarding Contract TR-1B was moved for adoption by General Beightler, seconded by Mr. Chastang and Mr. Teagarden, as follows:

Resolution No. 33-1957

"WHEREAS pursuant to Resolution No. 30-1957 of the Commission, the executive director and general counsel were authorized to advertise and solicit bids for a contract to be designated Contract TR-1B to operate six easternmost restaurants along the route of Ohio Turnpike Project No. 1, located two at Service Plaza No. 1 in Mahoning County, two at Service Plaza No. 2 in Portage County, and two at Service Plaza No. 3 in Cuyahoga County, and to cause advertisements for said contract to be published;

"WHEREAS such advertisements have been duly published and there are before this meeting forms of contract documents for the contract aforesaid; to wit, Forms of Proposal, Affidavit, Questionnaire, Notice to Bidders, and Contract, including exhibits and addendum;

"WHEREAS bids for the performance of said contract were received and have been 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 and by its general counsel, who have reported thereon to the Commission with respect to said analysis; and

"WHEREAS the Commission has given due and full consideration to the bids received and to the qualifications and abilities of the several bidders to perform the contract for which they submitted their respective bids;

'NOW, THEREFORE, BE IT

'RESOLVED that the Commission hereby adopts, approves, confirms and ratifies the forms before it at this meeting of the aforesaid contract documents;

'FURTHER RESOLVED that all action heretofore taken by the executive director and general counsel, or either of them, with reference to said contract, be, and the same hereby is, ratified, approved, and confirmed;

'FURTHER RESOLVED that the bid of Howard D. Johnson Company

for an 8 year contract at 15.15 per cent of gross receipts be, and hereby it is, determined to be the best bid, in consideration of public interest, of all the bids received for the performance of Contract TR-1B, and said bid is accepted; and

"FURTHER RESOLVED that the chairman and the executive director, or either of them, hereby is authorized to execute a contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, and to take any and all action necessary or proper to carry out the terms of said bid and said contract."

The Chairman asked if the Members had considered all bids fully. Mr. Chastang, Mr. Teagarden and General Beightler said they had so considered. The Chairman said he wanted it understood that however votes were cast they were cast in accordance with each Member's belief that the vote as cast was in the best interest of the public and accordingly of the Commission and of all those privy to the Commission and otherwise associated with the Commission.

In response to the Chairman's request for remarks, Mr. Noble said it was his opinion that of the fully qualified bidders for an eight-year contract the Howard D. Johnson Company was the one that should benefit the Commission. Mr. Chastang said that on an eight-year basis, the award should be made to Howard D. Johnson Company. General Beightler indicated his concurrence with that viewpoint. The other Members listened attentively and appeared to concur with Mr. Noble, Mr. Chastang and General Beightler.

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

Ayes: Beightler, Chastang, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with the four Members present voting in the affirmative. The resolution was identified as No. 33-1957.

The Chairman said on behalf of the Commission that General Beightler and his Committee were entitled to great credit for the painstaking efforts they had given to not only the bids but the operation of the restaurants over the previous summer months which had been tedious and painful. He said he trusted the Commission would not be required to take over any other restaurants but the Commission was able to operate them if the occasion would transpire and would be willing to do so if required.

A resolution adopting annual budget for the fiscal year 1958 was moved for adoption by the Chairman of the Committee on Budget and Finance, Mr. Chastang, seconded by Mr. Teagarden, as follows:

Resolution No. 34-1957

"WHEREAS the Commission, by resolution No. 26-1957, adopted a preliminary budget for the fiscal year 1958, 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 (now The First 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 1958, 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:

"Annual Budget of Income and Current Expenses
For the Fiscal Year 1958

Income	\$21, 895, 000
Current Expenses	
Administration & Insurance	\$ 908, 000
Operations	\$ 3, 749, 000
Trust Indenture Expense	\$ <u>130, 000</u>
Total Current Expenses	\$ 4, 787, 000

"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. 26-1957; 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 to the principal underwriters forthwith."

General Beightler asked whether any consideration had been given to revising downward the anticipated income in view of what had occurred economically in the United States in the previous two months. The Assistant Secretary-Treasurer said he thought it was inevitable that if business generally deteriorated, the Commission was going to feel it. He said also the increase in revenue in the previous several months had not been as much as it had been earlier in the year but that it should be remembered the Commission would have in 1958 the benefit of the increased toll rates which it did not have in the first five months of 1957. The Chairman said the remarks of the Assistant Secretary-Treasurer meant the Commission had a prospective 16% increase in passenger tolls for the first five months of 1958 even if it had no increase in passenger car traffic.

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

Ayes: Chastang, Teagarden, Beightler, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

The resolution was identified as No. 34-1957.

A resolution accepting proposal for consulting engineering services was moved for adoption by Mr. Chastang, seconded by Mr. Teagarden, as follows:

Resolution No. 35-1957

"WHEREAS the J. E. Greiner Company is presently performing the duties of consulting engineers in connection with the maintenance and operation of the Ohio Turnpike under an agreement for the year 1957, which agreement was originally accepted by the Commission under date of January 22, 1957, and which by its terms terminates on January 1, 1958;

"WHEREAS the J. E. Greiner Company and the Commission desire to renew their said agreement for the calendar year beginning January 1, 1958 under the same terms and conditions as set forth in the agreement for maintenance and operation for the year 1957;

"WHEREAS said J. E. Greiner Company, a partnership, has submitted to the Commission under date of November 22, 1957 a proposal for renewal for the year 1958 of the presently existing agreement for maintenance and operation terminating January 1, 1958; and

"WHEREAS the Commission now desires to accept the same;

"NOW, THEREFORE, BE IT

"RESOLVED that the proposal of the J. E. Greiner Company, a partnership, dated November 22, 1957 with respect to renewal of service for the calendar year beginning January 1, 1958 be, and the same hereby is, accepted;

"FURTHER RESOLVED that the executive director be, and hereby he is, authorized and empowered to execute a renewal agreement on behalf of the Commission carrying into effect the proposal for renewal of its services for the year 1958 as stated in the J. E. Greiner Company letter of November 22, 1957, and cause said agreement to be delivered to said J. E. Greiner Company on behalf 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: Chastang, Teagarden, Beightler, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with all four Members present voting aye and with Mr. Noble indicating his approval. The resolution was identified as No. 35-1957.

The Chairman said the report for the Committee on Budget and Finance was received and accepted as offered.

The Chairman of the Committee on Claims, Mr. Teagarden, said that since the last meeting the Commission had settled seven claims and would come to the conclusion of the other claims as rapidly as possible. The Chairman said the report of the Committee on Claims was accepted as received.

The General Counsel reported that the last of the appropriation cases concerning land acquired for the right-of-way of the Ohio Turnpike, the so-called Theodore Ritz case in Erie County, had been ended when the judge overruled the plaintiff's motion for a new trial.

A resolution directing the closing of the Commission's offices on certain days preceding holidays was moved for adoption by Mr. Teagarden, seconded by General Beightler, as follows:

Resolution No. 36-1957

"RESOLVED that the Commission's administrative building offices at Berea shall be closed at 12 o'clock noon on Tuesday, December 24, 1957, prior to the 1957 Christmas holiday, with the exception that the executive director shall determine the necessary personnel who shall be present at said offices in order that the essential operational functions of the Ohio Turnpike shall be maintained;

"FURTHER RESOLVED that the said offices, with the exceptions noted, shall be closed at 12 o'clock noon on Tuesday, December 31, 1957, prior to the 1958 New Years Day."

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

Ayes: Teagarden, Beightler, Chastang, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted. The resolution was identified as No. 36-1957.

A resolution authorizing deferment of annual vacations of certain named employees of the Commission from the calendar year 1957 until the calendar year 1958 was moved for adoption by Mr. Teagarden, seconded by General Beightler, as follows:

Resolution No. 37-1957

"WHEREAS certain of the Commission's employees have, during the calendar year 1957, accumulated but not taken certain vacation leave, as indicated in the chart hereinbelow set forth; and

"WHEREAS said employees have requested that such accumulated vacation leave for the calendar year 1957 be deferred until the calendar year 1958, and the department heads concerned therewith have recommended such deferment;

"NOW, THEREFORE, BE IT

"RESOLVED that the employees hereinbelow listed are hereby granted permission to defer the accumulated vacation leave hereinbelow set forth opposite their respective names, until such time or times in the calendar year 1958 as shall be designated by such department heads as are charged with that responsibility:

<u>Employee</u>	<u>1957 Vacation Leave Accumulated But Not Taken During Calendar Year 1957</u>
Bean, L. O.	3
Berry, Ralph L.	8
Bowman, B. H.	1
Burnham, Wilbur	10
Capper, Walter	2
Cole, Francis K.	5 1/2
Coles, Morton A.	10
Deetz, Russell S.	18
Eno, P. Q.	2
Grace, Andrew	10
Hartford, C. W.	13
Hartshorne, James D.	26
Heden, Theodore P.	10
Hottenstein, Wesley	6
Kalapis, Helen	9
Kappel, Norman	10
Kibbel, Lyle	10
Kropp, H.	5
Leeseberg, Marjorie	1
Lewis, T. R.	5
McBride, Paul	18
Meeker, E. W.	8
Meywes, Robert	3
Nelson, Lenore	9
O'Grady, Walter	10
Ployhart, Joseph	4
Rief, Paul	4
Radyk, C.	5
Smith, Roberta E.	4

Soller, John	13
Staib, Francis	10
Sturdevant, D.	10
Thompson, Lockwood	3 1/2
Vangeloff, Alexander	5 "

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

Ayes: Teagarden, Beightler, Chastang, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted. The resolution was identified as No. 37-1957.

The Executive Director reported that there were 18 qualified safety patrol operators then operating on the Ohio Turnpike in accordance with the truck safety patrol plan inaugurated by the Commission in 1957. He said he thought the plan was proving helpful with respect to safety.

The Executive Director reported further that on December 5 members of the Staff had held a conference with the disabled vehicle contractors operating on the Ohio Turnpike to review the contractors' operations during the summer season during 1957 and to prepare for the problems occasioned by winter weather. He said that in response to invitation by the Commission the Ohio State Automobile Association had been represented at the conference by its director of emergency road service and the Cleveland Automobile Club had been represented by its director of emergency road service. He said the conference had been very worthwhile in that the discussion developed that many of the problems involved in the operation of the disabled vehicle service were curable. He said steps had been taken to make effective as many cures as could be affected.

A resolution ratifying actions of administrative officers was moved for adoption by General Beightler, seconded by Mr. Teagarden, as follows:

Resolution No. 38-1957

"WHEREAS the executive director, deputy executive director, chief engineer, general counsel, assistant general counsel, secretary-

treasurer, assistant secretary-treasurer, comptroller, maintenance engineer, and the 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 5, 1957, hereby are ratified, approved, and confirmed."

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

Ayes: Beightler, Teagarden, Chastang, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with all Members present approving. The resolution was identified as No. 38-1957.

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

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 1:05 o'clock P.M.

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


Robert S. Beightler, Secretary-Treasurer