

MINUTES OF THE ONE HUNDRED AND FORTY-SEVENTH MEETING
April 11, 1961

Pursuant to bylaws, the Ohio Turnpike Commission met in regular session in Room 907 of the Ohio Departments Building in Columbus, Ohio at 11:00 A.M. Eastern Standard Time on April 11, 1961 with the key members of its staff, representatives of the Consulting Engineers, of the Trustee, of the Auditor of State, 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: Chastang, Beightler, Teagarden, Shocknessy.

Absent: Preston.

The Chairman announced that a quorum was present. He said he had been advised by Mr. Preston that he would have to be in attendance at a Committee hearing of the Ohio General Assembly that morning. He said the Chief Engineer for Interstate Projects and Coordinator of Metropolitan Expressways of the Department of Highways of Ohio, Mr. Ralph J. Lehman, was present to observe in Mr. Preston's behalf.

A motion was made by General Beightler, seconded by Mr. Chastang, that the minutes for the meeting of February 7, 1961 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: Beightler, Chastang, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the minutes stood adopted with the four Members present voting in the affirmative.

The Chairman reported that as a result of the automobile accident on the 19th of March in which three students of Northwestern University

were killed he had suggested to the Executive Director that he change the admonition that the Commission had had for a long while, "Stay Alert and Stay Alive", to "Stay Awake, Stay Alive". He said the Executive Director was having "Stay Awake, Stay Alive" signs erected on bridges over the turnpike. He said the Commission knew one could not keep people awake by signs but if the Commission kept reminding them of the necessity of staying awake and if the Commission kept drawing it to their attention at the service plazas, at the toll plazas, every place they went on the turnpike, maybe some good would be accomplished. He said sleepiness was the one thing the Commission seemed to be unable to have any control over. He said it had been suggested in an editorial in a newspaper that people ought to be examined when they entered the turnpike to see whether or not they were sleepy. He said even if one did that, one could not prove sleepiness and people were on the turnpike from three to five hours depending upon their speed and there was no way to know when they were going to get sleepy. The Chairman said also it was his belief that the near-fatal hazard of sleepiness had been drawn to the attention of the whole country more by the experiences the Commission had publicized than by anyone else before it. He said he thought the Commission had done much to get the whole country alive as to the danger of sleepiness. He said the more conscious the Commission was able to make drivers of the hazard of driving while sleepy, the sooner it would be able to eliminate most of those accidents. He said he had no doubt that a major portion of the deaths in accidents on the turnpike had been due to sleepiness.

The Chairman reported further that in the informal statement of revenue the Commission made at the beginning of April it mentioned that March of 1961 was the best March the Commission had ever had. He said it had always been his belief that the Ohio Turnpike, strategically placed as it was geographically and in the economy of the country, was the best barometer there was of American business. He said he thought therefore it could be safely assumed from the fact that the Commission's business was up in March, as it was, that the economy was improving. He said the Commission was seeing that the direction was up in the economy which had been down for a while and which did not catch up with the turnpike for a long while. He said the Commission was able to keep ahead of the economy until the end of 1960 and then the economy caught up with it. He said that if the Commission was reflective of the economy to the extent he thought it was likely to be, the Members of the Commission could feel consoled as Americans that the American economy was improving.

The Chairman reported further that House Bill No. 175 which was directed toward the Commission's affairs, not a bill of serious consequences but still a bill that had troublesome conditions that did not appear on its face, was being watched by Mr. Chastang. Mr. Chastang said nothing had happened on the bill recently. He said it was the opinion of some Members of the House of Representatives of the Ohio General Assembly to whom he had spoken that the bill was rather innocuous, nevertheless it was there.

The Chairman said the bill was really permissive, that it was intended to authorize the Commission to pay townships for fire protection rendered. He said there had never been a time when the Commission had been unwilling to pay townships for fire runs but there was a pretty good question about whether or not public service available to all segments of the public could be denied to a segment and pay required. He said he had a question whether or not if the Commission called the Sheriff it would not get the service of the Sheriff unless it paid him. The Chairman said also the bill looked innocuous on its face and as though it was just authorization to pay for some fire services but that it was not that simple. He said the implications of the bill were rather important. He said the meeting was no place to discuss whether or not the bill was constitutional but it could not be overlooked that fire protection was a pretty big protection and, whether or not the Commission was willing to pay for it, the question of whether the Commission could pay for it even if the statute were enacted was involved. He said the Attorney General of Ohio had said that under existing circumstances the Commission was not to pay for fire protection. The Chairman said also he was not certain it could constitutionally be required of the Commission or any other agency seeking public protection to pay specifically. He said also, addressing the representative of the Auditor of State, Mr. David B. Ewing, that some of the examiners from the office of the Auditor of State had taken it upon themselves to advise the townships. He said he thought serious consideration should be given as to whether that was their province. Mr. Ewing said he thought that had been done. The Chairman asked the Executive Director to see that any newspaper articles implying that advice had been given to townships by representatives of the Auditor of State were brought to Mr. Ewing's attention.

Mr. Chastang said the situation with respect to fire protection for travelers on the Ohio Turnpike was the same as for a person traveling on a highway through Mount Vernon, Ohio whose car caught fire. He said the city of Mount Vernon would not bill that person for fire protection. The Chairman said apropos of Mr. Chastang's remark he was reminded that it would be interesting to see what the state of Ohio would have to say about fire protection on Interstate Route 71 and similar roads.

The Chairman reported also that the Commission's Deputy Executive Director had given a very interesting paper entitled "Motorists' Needs on Rural Freeways" at the Ohio Highway Engineering Conference at the Ohio State University early in April. He said the paper was quite reminiscent of one the Executive Director had given a year prior. He said the two papers taken together made a very fine commentary on problems encountered by everybody interested in the needs on the limited access roads.

The Chairman said that in the absence of any questions the report of the Chairman would be accepted. He said the report of the Secretary-Treasurer would be received.

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

1. Financial Reports as of January 31, 1961 and February 28, 1961.
2. Traffic and Revenue Reports for January, February and March of 1961.
3. Draft of the minutes for the February 7, 1961 meeting of the Commission.
4. Detail of investment transactions for February and March 1961.

The Assistant Secretary-Treasurer reported further that at the meeting in February it had been reported that the United States Treasury was offering a 3-1/4% 18-month Note dated February 15, 1961 as refinancing for the 4-7/8% Certificates coming due on that date. He said the Trustee had entered a subscription for \$5,350,000 of those Notes and was allotted the entire amount of the subscription. He said the Notes were held for the Reserve Account.

The Assistant Secretary-Treasurer reported further that the next securities coming due on which the Commission had had more than a 4% yield were the United States Treasury 4-3/8% Certificates due May 15, 1961. He said the Commission had \$640,000 of those Certificates in the Reserve Account and \$205,000 of the Certificates in the Reserve Maintenance Fund so the impact of refinancing upon investment income would not be as substantial as was the reinvestment in February.

The Assistant Secretary-Treasurer reported further that effective April 1, 1961 the fuel tax in Pennsylvania was increased 2¢ per gallon to bring the tax up to the same as in Ohio. He said that action might result in the recapture of some service station business on the eastern end of the Ohio Turnpike that was lost following the increase in the Ohio tax on motor fuel two years before.

In response to questions by Mr. Teagarden, the Assistant Secretary-Treasurer said interest yields on the Commission's investments were going down but the amount available for investment by the Commission was going up. He said the two factors were about but not quite offsetting. He said investment income in the first three months of 1961 was a little lower than in the first three months of 1960.

The Chairman said that in the absence of any further questions the Secretary-Treasurer's report would be accepted. After ascertaining that there would not be reports by the Committee on Service Plazas, the Committee on Budget and Finance, the Committee on Claims, the Director of Highways, the General Counsel, the Consulting Engineers, or the Director of Information and Research, the Chairman said the report of the Executive Director would be received.

The Executive Director reported that those portions of the Ohio Turnpike between Interchanges 1 and 8 and between Interchanges 15 and 17 were included in the National System of Interstate and Defense Highways. He said new highway maps and the official map of the Ohio Department of Highways showed those portions of the turnpike as interstate routes. He said that in cooperation with the Director of Highways the Commission had arranged for the erection of official interstate route signs on the portions of the turnpike which were on the Interstate System. He said that because the projected highway connections constructed to interstate standards between the portions of the turnpike concerned had not yet been built, approved Interstate Route 80 trail-blazer signs would be placed on the segment of the turnpike between interchanges 8 and 15. He said the trail-blazer signs were identical to regular interstate signs except that they included an additional panel with the word "to". The Executive Director said the signing program on the Ohio Turnpike would serve a useful purpose by providing continuity of interstate highway routes between Chicago and New York and avoiding the confusion created for travelers by disappearing interstate routes. He said the Department of Highways had furnished the signs and that they would be erected by Commission forces as soon as weather permitted.

The Executive Director said the signs would not indicate how to leave the turnpike to continue on Interstate Route 90. In response to a question by Mr. Chastang about how travelers on the pike were going to benefit from the signs he said the Indiana Toll Road was on Interstate Route 80 and the Ohio Turnpike was on Interstate Route 80 as far as the Elyria Interchange (No. 8). He said Interstate Route 80 actually would go northeast from the Elyria Interchange and through the City of Cleveland but that there was no Interstate Route constructed in that area. He said also that Interstate Route 80 went east from Interchange 15 on the Ohio Turnpike. He said that if the Commission did not put signs between Interchanges 8 and 15 then the Interstate Routes would disappear at Interchange 8 and would not reappear until Interchange 15 which was the reason for putting the "To Route 80" trail blazers on the turnpike. He said it was the best that could be done under the circumstances. He said the highway maps he referred to showed those portions of the interstate system that had been constructed to date. Mr. Lehman said there would be some confusion until the interstate system was brought to completion.

The Executive Director reported further that in keeping with an overall reorganization of highway patrol operations in the State of Ohio, District 10 of the Highway Patrol (the turnpike district) had been similarly reorganized. He said three of the four sergeants previously assigned for duty at Berea Headquarters had been reassigned to the turnpike posts at Swanton, Castalia and Hiram Maintenance Buildings. He said that move would provide supervision around the clock at the posts which theretofore had not been obtainable with the complement assigned to each post. He said the loss of three sergeants at Berea headquarters had necessitated the appointment of an additional first sergeant to provide around the clock supervision at Berea headquarters. The Executive Director said the reorganization should result in increased operating efficiency and would provide supervision on the spot rather than by radio from Berea headquarters.

The Executive Director reported further the Interstate Commerce Commission had expressed an interest in becoming active on the turnpike. He said that theretofore the Interstate Commerce Commission had been reluctant to operate on the turnpike because of the nature of the highway and the need to stop trucks for safety checks. He said members of the Commission's staff and of the Highway Patrol had conferred with representatives of the Interstate Commerce Commission and a procedure believed to be satisfactory had been developed to provide safety checks of trucks without interference with traffic and in a safe manner. He said trucks would be inspected in the service plazas and, if it appeared that a truck on the roadway was in need of inspection,

it would be pulled off into the service plazas. He said the safety checks included inspection of the vehicle and examination of the driver's log and a check of the cargo manifest. He said the safety checks would require cooperation with the Interstate Commerce Commission safety inspectors by the Highway Patrol and Commission employees. He said the safety checks were scheduled to start in approximately one month. He said it was planned to have 18 safety inspectors on the turnpike at one time. He said the inspectors would be divided either in four or five-man teams so that inspections could be conducted at several service plazas simultaneously. He said a complete check of a truck would require about an hour's time.

The Executive Director reported further that since the last meeting the Commission had been informed of the consolidation of the A. B. C. Vending Corporation and certain operations of the Gladieux Corporation. He said that although the Holiday House Restaurants operated by the Gladieux Corporation on the turnpike were not included in the consolidation it was expected the operation of the A. B. C. Restaurants on the turnpike would be influenced by the consolidation because management of the Gladieux Corporation was taking an active and substantial role in operations of A. B. C. Vending Corporation. He said it was hoped the result would be a general overall improvement in the operation of the A. B. C. Restaurants on the turnpike. He said Mr. Virgil A. Gladieux, president of the Gladieux Corporation, had been named operating vice president of the A. B. C. Corporation. He said everything pointed to the fact that Mr. Gladieux was exercising substantial control over the operations of A. B. C. Vending Corporation on the Ohio Turnpike.

The Executive Director said further that the Commission had been informed the A. B. C. Vending Corporation desired to adopt, for operating purposes only, the prefix "Holiday House" for the official name of each restaurant it operated on the turnpike so that the names of the restaurants would be "Holiday House of Middle Ridge", "Holiday House of Erie Islands", and so forth. He said "Holiday House" was the same prefix used by the Gladieux Corporation in the names of its six restaurants on the turnpike. He said the matter had been considered by the service plaza committee and it was the consensus of those members of the committee attending that a change in the names of the restaurants probably would be an improvement. He noted that General Beightler had not attended the meeting of the Committee because he was absent from the mainland. The Executive Director said also that the question of possible legal objections to the change in name had been referred to the General Counsel who had advised, in part, as follows:

"It is my opinion that while acquisition of a controlling interest in TR-2 by TR-3 or by TR-2 of TR-3 is not a result visualized by the Commission, it is a result legally permissible under the language of the contracts. If formal answer to the verbal request for change of name of A. B. C. restaurants is contemplated, I suggest that Section 20 of the contract be referred to, with the declaration nothing herein is intended to approve or consent to any assignment of this contract."

The Executive Director said also it was not his intent that a formal answer be given to an informal, or at least an oral, question so that the question of assignment of contract wouldn't come up. He said that unless there were some objections to A. B. C. Vending Corporation adopting "Holiday House" as a prefix to the names of the four restaurants on the turnpike operated by the corporation he thought the Commission should not object to it.

The Chairman said he did not object to the name change but he would want to be certain that the Commission did not effect a novation of indirection which would be a substitution of a new operator for the old. He said in the legal operation the corporation with which the Commission had the contract was still subsisting and was still an economically sound corporation. He said that, in other words, the Commission's contract was with A. B. C. Vending Corporation and he assumed that A. B. C. Vending Corporation was still liable and that A. B. C. Vending Corporation was still a good company and that certainly the Commission did not want to effect a novation without knowing what it was doing. Mr. Chastang said the Commission would check income from the one operator separately from income from the other operator. The Chairman said that when the Commission dealt with Mr. Gladieux it wanted to deal with Mr. Gladieux on six restaurants and four restaurants and not on ten restaurants.

General Beightler said he wished to advise that had he been present at the meeting of the service plaza committee he would have voted for the proposed changing of the names of the A. B. C. Restaurants. He said he thought Holiday House was a much better sounding name and one which enjoyed a generally good reputation. The Chairman said there was no objection to getting a beneficial result from an identification of the four restaurants operated by A. B. C. Vending Corporation with Holiday Houses but that it was desirable to make certain that the Commission's legal position and that the legal rights of the public were in no way flouted. He said he would defer to the General Counsel whatever he wanted to authorize to be done. He said at the same time there was a possibility of confusion which might have a legal implication.

The Executive Director said also that the General Counsel had made a very worthwhile suggestion in the meeting of the service plaza committee that it should consider the need of properly informing the public by perhaps putting some notice in each plaza so that the general public would know that the respective plazas were operated by A. B. C. Vending Corporation, the Gladieux Corporation, or the Howard Johnson Company.

The Executive Director reported further that planners for Howard Johnson Company were studying the problems connected with installation of a buffet or cafeteria-type service in one of the six restaurants on the turnpike operated by the company as a pilot model to determine the effectiveness of that type of operation in providing adequate service to the traveling public. He said the proposed plan for the new service would involve substitution of a cafeteria service for counter service. He said the dining rooms service would remain as it was. He said the plan would be brought to the attention of the Commission when it was received from the company. The Chairman said he did not know how far such a plan could be carried without modifying the contract between the Commission and the company. He said he was always rather wary about making a modification which had an impact on income which was not contemplated at the time the specifications for bids were prepared. He said that with respect to the restaurants operated by the company a bid had been made and then subsequent to that a plan had been presented which the Commission approved which would not require a change in the contract unless that plan ipso facto became a part of the contract. The Executive Director reported also that the Howard Johnson Company had installed new combination dish and glass washers at its six restaurants on the turnpike.

The Executive Director reported further that on the evening of February 24, 1961 a vehicle entering a parking stall at the front entrance to the service building at Towpath Service Plaza failed to stop at the curb, climbed the curb, climbed the raised stoop at the entrance to the building, and entered the building through the front doors. He said the young lady driving the car stated her heel had caught on the gas pedal and she was unable to stop the car. He said one patron in the restaurant building was struck by flying glass and another patron was struck a glancing blow by the car. He said that fortunately neither patron was injured sufficiently to require treatment. He said the entrance-way doors and framing were damaged beyond salvage and had been replaced in a manner which would involve less maintenance cost in the future. He said the damage to the building was estimated at \$1,200. He said the Commission expected to recover all costs from the patron through her insurance company.

The Executive Director reported further that the program of maintaining the turnpike was well ahead of schedule because of the favorable weather. He said pavement joints were being sealed in January although usually that work was not performed until April or May. He said also that operating expenses in March were substantially lower than in March 1960 because the March weather was not as severe with respect to operations as it had been in 1960. He said that as of the end of March expenditures for operations were \$164,898 below budget.

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

Resolution No. 2-1961

"WHEREAS the executive director, deputy executive director, chief engineer, general counsel, assistant general counsel, secretary-treasurer, assistant secretary-treasurer, comptroller, 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 on February 7, 1961, 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 February 7, 1961, hereby are 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: Teagarden, Beightler, 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. 2-1961.

There being no further business to come before the Commission,

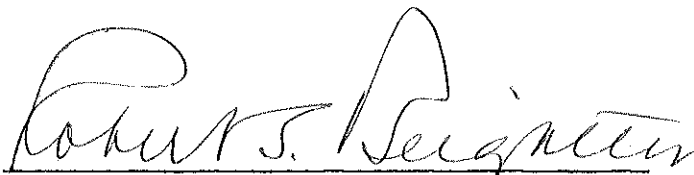
a motion was made by Mr. Chastang, seconded by Mr. Teagarden, that the meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all Members present responded to roll call. The vote was as follows:

Ayes: Chastang, Teagarden, Beightler, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 12:17 o'clock p. m.

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


Robert S. Beightler, Sec. - Treas.