

MINUTES OF THE ONE HUNDRED AND SEVENTY-EIGHTH MEETING  
September 8, 1964

Pursuant to bylaws, the Ohio Turnpike Commission met in regular session in the conference room of the Division of Right-of-Way of the Ohio Department of Highways at 139 East Gay Street, Columbus, Ohio at 10:30 A. M., eastern standard time, on September 8, 1964 with the key members of the staff; a representative, Mr. H. A. Harnden, of the Consulting Engineers; a representative, Mr. Robert H. Bartholomew, of the Trustee; a representative, Col. Stephen F. O. Mavis, Assistant Auditor of State, 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 the attendance was reported to be as follows:

Present: Redman, Chastang, Teagarden, Masheter, Shocknessy.

Absent: None.

The Chairman declared that a quorum was present.

A motion was made by Mr. Chastang, seconded by Mr. Teagarden, that the minutes for the meeting of July 14, 1964, 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 responded to roll call. The vote was as follows:

Ayes: Chastang, Teagarden, Masheter, Redman, Shocknessy.

Nays: None.

The Chairman said the minutes stood adopted with all Members voting in the affirmative.

The Chairman reported that September 8, 1964 was a very special day, that fifteen years ago that day the Commission had its first meeting. He said that at that meeting the Chairman and Vice Chairman, who were still serving, were first elected. He said the Director of Highways, Mr. Masheter, was with the Highway Department

at that time, lending the Commission able support. He said that Mr. T. J. Kauer was Director of Highways at the time and was the Ex-Officio Member and was still in a way associated with the Commission through his association with the Department of Highways and I-71. He said the Commission's first meeting was held in the office of the Governor, who then was the current senior United States Senator from Ohio, the Honorable Frank J. Lausche, whose pleasure it was later to appoint Mr. Chastang to the Commission so that there were three Members on the Commission whose original appointments were by the same Governor who appointed all the original Members of the Commission. The Chairman said he thought it was interesting and important to note that the Commission had been together for fifteen years. He said he felt the Commission had had as much if not more approval and acceptance from other public officials and from the public and from the media of communications, the press particularly, than any other public body that had been in existence in Ohio in the same period. He said the public had been very kind to the Commission. He said other public officials had cooperated with the Commission. He said the road had not always been easy or smooth and it had not always been euphoric and tranquil. The Chairman said it was just a coincidence that the anniversary of the Commission's first meeting occurred on the date of the current meeting. He said that in the fifteen years the Commission had had the control of the expenditure of perhaps \$600, 000, 000. He said the Commission had been in total operation almost nine full years. He said the Commission was organized the first time September 8, 1949, it opened the first twenty-one miles of the Ohio Turnpike December 1 of 1954, it opened the whole turnpike including the service plazas at midnight the 30th of September 1955, and it looked to the future with great confidence. He said whereas the Commission's bonds provided for retirement in 1992, at the end of forty years after their sale in 1952, he would say that on the basis of experience and confidence in the future the bonds should be retired by 1980. He said he was of the opinion that the Commission had generally had the approval of the officials of the State and of the public in the husbanding of the responsibilities it assumed fifteen years before.

The Chairman said he congratulated Mr. Teagarden especially for being so agreeable over fifteen years and for having contributed so much. He said he congratulated everybody who had been with the Commission even the least amount of time. He said the Commission had had good Members always. He said all the Governors who had made appointments to the Commission had recognized the responsibility that the Commission bore. The Chairman said the Governors had always sought to make good appointments. He said the Commission's effort could be no better than the Members who were appointed by the Governors and the Members appointed by the Governors had been good Members. He said

the Governors had been good Governors. He said he had sat at the head of the Commission's table for those fifteen years and he had never in all the years - as he had said often as the years passed - suffered any interference of any kind from any Governor or from the office of any Governor or from any public official. The Chairman said neither had he ever had any pressure put upon him by any politician or political leader or whatever term was chosen to be used. He said he thought it was to the everlasting glory of the political leadership of both parties in Ohio that in fifteen years they had never interfered with the orderly business-like operation of the Commission. He said that in all the years of its operation the Commission had never accepted a political endorsement for the procurement of goods or services and he had never been asked by any Governor to submit to him any list of employees of the Commission or any information as to the procurement of goods or services. He said no employee of the Commission had ever been solicited for a political contribution and no employee of the Commission had ever so far as he was aware accepted any gratuity of any kind at Christmas or at his birthday or at any other time.

The Chairman said also that the Commission had operated, he believed, valiantly and successfully under the scrutiny which he had often called the pitiless scrutiny of public opinion and that he thought the fifteenth anniversary was just as good a time as any to say so. He said he felt that from his position over the fifteen years he was in as good a position as anybody to write the Commission's testament and he did not have the kind of false modesty that would prevent him from doing it.

The Chairman said that therefore he congratulated everybody who had had anything to do with the Commission's operation and that that included the Consulting Engineers and included everybody who had worked with the Commission in fifteen years. He said people who were in the press when the Commission went into business were still writing about the Commission. He mentioned particularly Mr. Richard Maher from the Cleveland Press who had written about the Commission from the beginning. He said Mr. Masheter was with the Highway Department, and that the Executive Director and the Deputy Executive Director were in the Highway Department at that time and came to the Commission from the Highway Department in 1952.

The Chairman reported also that the July revenue was \$3, 384, 575, which was a quarter-million greater than for July of 1963, which was the best previous July. He said August revenue was approximately \$3, 596, 000 which made it the best month of all time. He said the August revenue beat the previous record by \$200, 000 which was in August 1963. He said the revenue for the first eight months of 1964

was approximately \$19,479,000 compared with the total revenue for 1957 of \$19,757,000 and the total revenue for the year 1956 which was \$15,350,000. He said those were dramatic indications. He said the Commission's revenue for 1961 was \$24,599,000, for 1962 was \$26,281,000; for 1963 was \$26,849,000. He said the estimate of revenue for 1964 was only around \$27,000,000 and the Commission would exceed it neatly. He said the \$19,479,000 was \$1,038,000 more than for the first eight months of 1963 so that as one looked at that record on the fifteen anniversary morning one saw a surprising thing because between 1956 and 1964 the Commission was going to have close to a 90% increase in income.

The Chairman reported also that during August the Trustee purchased nearly two and one-half million dollars in bonds and during September would purchase more than three million with August revenue. He said total bonds purchased in 1964 was \$7,652,000. He said the Commission had already retired \$34,000,000 and before the end of the year would have retired \$40,000,000. He said the Commission currently owed only \$291,000,000 and by the end of the year he would expect that to be down to \$285,000,000.

The Chairman reported also that the Ohio Turnpike had too many fatal accidents. He said in July three people were killed; in August five. He said the total for the year was 25. He said that was the highest number of people in fatal accidents on the turnpike since 1957. He said during that whole year there were only 28. He said other turnpikes also were showing an increase in fatalities. The Chairman said that during the vacation period which began Memorial Day and ended Labor Day, September 7, there were approximately 5,853,000 vehicles on the turnpike traveling 475,000,000 miles. He said those nearly six million vehicles had 12 accidents in which there were deaths and there were 15 people killed in the twelve accidents. He said that was an increase of seven fatal accidents and an increase of 10 deaths over the same period in 1963 and brought the accident rate up to 2.5 per 100,000,000 vehicle miles as compared with 1.2 in the year of 1963. He said the rate of 2.5 would be reduced, God willing, before the end of the year if the Commission had a decent experience from that day on.

In response to a question by Mr. Chastang, the Director of Highways said the approximate fatality rate on the state highways was about 5.0.

The Chairman said also that, as he had mentioned so many times before, the Commission went through the periods of greatest traffic congestion - the Memorial Day weekend, the July 4th-Independence Day weekend, and the Labor Day weekend - without a single fatal accident, which

once again showed that when people were conscious of danger from heavy traffic they were more careful. He said he believed he coined the original phrases "Stay Alert and Stay Alive" and "Stay Awake and Stay Alive" a number of years before which had been picked up and used around the country. He said they still constituted the best rule to avoid accidents. He said that when one looked at the amount of traffic the turnpike had on the Memorial Day weekend and the Independence Day and Labor Day weekends in 1964 and considered that the Commission went through each one without a fatal accident and then had fatals at 4:00 o'clock in the morning when there was nobody on the road it must be concluded that it was because the drivers were not alert, that they were more often sleepy than not.

The Chairman said also that the Executive Director had said that an analysis of all traffic accidents occurring on the turnpike during the first six months of 1964 showed a pattern typical of past years: approximately 17 percent of the accidents were attributable to tire failure or mechanical failure, 3 percent to animal or bird distraction, and the remaining 80 percent to individual driver failures, including in a large measure driver inattention from sleepiness, boredom or something. The Chairman said it had been alleged that the increase in the speed limit for automobiles had something to do with it. He said he did not believe that at all and the Commission's records did not indicate it at all. The Chairman said the increase in the speed limit from 65 to 70 miles per hour had little or nothing to do with the increase in the fatal accidents. He said no doubt the increase of the number of vehicles on the turnpike was a justification for some increase because the more cars, the more percentage increase. He said he did not believe, however, that the increase in speed limit from 65 to 70 miles per hour had an appreciable relationship to the recent fatal accidents. He said the Commission urged and urged people not to drive so that their plan contemplated endurance more than they had. He said the Commission urged people to allow themselves rest periods, to stop at service plazas, but enough of them did not do so. He said all the Commission could hope for was driver education which was accomplished not by sending people to school who were already driving but by making people who were driving conscious of the causes of accidents and how they could be lulled into a sense of security, practically be mesmerized by their own feeling of security.

The Chairman reported further on behalf of the Director of Highways and himself that the progress on construction of Interstate Route 71 was even greater than they had envisioned. He said they would expect to be able to cut a ribbon and let traffic flow over I-71 and Interstate Routes 275 and 75 into Cincinnati by the 20th of November of 1964.

He said progress on the northern portion of I-71 was equally satisfactory and, while the problems in Cuyahoga County were still serious in that they were big, he did not see that they were acute to a point where they would defeat the purpose of completing the whole road from Cleveland to Cincinnati, having the traffic flow through I-71 and I-75, in 1966. He said traffic would be going from Ohio Route 303 in Medina County to downtown Cincinnati by about the 20th of November.

The Chairman reported also that he had a letter from Fiscal Counsel, Squire, Sanders & Dempsey, in which they brought to the Commission's attention that they represented the City of Amherst. He read the letter as follows:

"September 1, 1964

"James W. Shocknessy, Chairman  
The Ohio Turnpike Commission  
8080 Prospect Road  
Berea, Ohio

"Dear Sir:

"For some years we have been acting as bond counsel for the City of Amherst in connection with the acquisition of the properties of the Amherst Water Company and the issuance of bonds by the City to finance the acquisition and to provide funds for improvements to the system. The Amherst Water Company will convey to the City all of its properties, with minor exceptions, and will transfer to the City its water supply contracts. Among the latter is an agreement dated May 20, 1955 between the Ohio Turnpike Commission and the Amherst Water Company, which agreement was stated to be for a period of five years beginning October 1, 1955. By notice dated June 29, 1960, the Ohio Turnpike Commission, pursuant to paragraph 8 of this agreement, extended it for an additional period of five years.

"It will be necessary for us in connection with the representation of the City of Amherst as above stated to pass upon the assignment of this agreement by the Amherst Water Company to the City and it may be necessary for us to prepare the instrument of assignment for execution by the water company.

"This matter was discussed with you by telephone yesterday, as I wanted to be sure that you would consider, as I do, that in this transaction there is no conflict of interest

between the City of Amherst and the Ohio Turnpike Commission which would in any way interfere with our acting as bond counsel in connection with this financing and acting for the City in connection with the assignment of the water supply contracts referred to above. As a result of our discussion, I understand that you are of a like opinion and that this matter will be brought to the attention of the Commission at its meeting next Tuesday, September 8th.

"Should there arise any question of a conflict of interest in the future in any services we may be called upon to perform for the City we will take the matter up with you at once.

"Very truly yours,

"Henry J. Crawford

"HC/cwb

"cc: Lockwood Thompson, General Counsel  
C. W. Hartford, Executive Director!"

The Chairman said he had brought the matter to the attention of the Commission because he wanted it in the record. He said personally he did not think the matter was of any consequence. The Commission noted agreement.

The Chairman said he wanted to mention for the record that Colonel Stephen F. O. Mavis, Assistant Auditor of State, was with the Commission representing the Auditor of State.

The Chairman said the Chairman's report would be accepted as offered. 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. Traffic & Revenue Reports for June and July 1964.
2. Financial Reports as of June 30 and July 31, 1964.
3. Report on Concessionaires, First Half 1964.
4. Detail of Investment Transactions for July and August 1964.

5. Draft of the minutes for the July 14, 1964 meeting.
6. Accountants' Report for the Period ending June 30, 1964.
7. Budget Report, First Half of 1964.

The Chairman said that in the absence of any questions the Secretary-Treasurer's report would be recorded as offered. He said the report of the Committee on Service Plazas would be received.

The chairman of the Committee on Service Plazas, Mr. Teagarden, said he would like to preface his remarks by referring to the Chairman's reference to their association in the last fifteen years. He said he sat at the Chairman's right during the fifteen years and had taken exception twice to things the Chairman did. He said he mentioned that because the Chairman had had a pretty good record and the reason he hadn't taken exception any more than he had was because the Chairman was always right. Mr. Teagarden said he would like to make reference also to one other matter, the settling of the claims of the turnpike. He said he thought that fact was overlooked by many people. He said the Commission was one that had settled all of its claims - its right-of-way claims and contractor claims, with the exception of one which had been in court. Mr. Teagarden said a great deal of credit went to the Executive Director who had a world of experience in right-of-way and he did not want to take anything away from the Chairman because he had had experience when he was with the Home Owners Loan Corporation in settling claims. He said the Chairman was always prodding the Committee on Claims when he was chairman of that committee.

Mr. Teagarden reported further that an estimated seven million people patronized the Ohio Turnpike restaurants during the summer between Memorial Day and Labor Day. He said some stopped only to get a cup of coffee or soft drink to break the trip and be more alert for the driving yet ahead of them, others to get a sandwich or salad or other small food items to tide them over to mealtime and still others to get a full meal. He said that as in previous summers, those various services were needed around the clock. He said that in the summer of 1964, however, there was one difference: the restaurant operators were better prepared to accommodate the need. Mr. Teagarden said the enlarged snack bars, modernized cafeteria lines, and the restoration of the dining service in some of the high-volume plazas where it had been eliminated with the installation of temporary cafeteria lines made it possible for the millions of people to get service of their choice. He said that with the exception of a scattered few persons, all received speedy service and good food in clean, sanitary surroundings.



Mr. Teagarden reported further that restaurant sales were up 4.4 percent in June, 6.9 percent in July and an estimated 4.0 percent in August over corresponding months in 1963. He said service station sales were up 9.1 percent in June, 6.2 percent in July and an estimated 7.3 percent in August over like months of 1963.

Mr. Teagarden reported further that over the Memorial Day, Independence Day and Labor Day weekends, special efforts were made to survey the patrons' reactions as to whether they were pleased with the food, service and cleanliness of the facilities or whether those factors were just acceptable. He said approximately 20 toll collectors, carefully selected and instructed, were used in the survey during the peak hours of the holiday weekends to listen to and question patrons. He said their reports were overwhelmingly favorable, indicating that the large masses were pleased and appreciated the Commission's continuous efforts to maintain high standards at all times.

Mr. Teagarden reported further that praises continued to flow from the users of the two travel trailer ports and the two travel trailer parking facilities. He said the 60 spaces provided had been used by more than 1,000 travel trailer travelers since opening of the facilities the latter part of June.

Mr. Teagarden reported further that construction work was well along on the additions to the service plaza buildings at Tiffin River, Wyandot, Middle Ridge and Portage Service Plazas to provide space for enlargement and modernization of public rest rooms. He said that because of the heavy usage of those facilities during the summer months contractors were not permitted to do any work in the existing rest rooms until after Labor Day. He said demolition and renovation work therein would thereafter begin and all work was to be completed by December 15, 1964. He said that with the completion of those four contracts all public rest rooms on the Ohio Turnpike would have been modernized, completing that phase of the service plaza renovation program.

Mr. Teagarden reported further that the site-modification phase of the service plaza renovation program suffered an initial delaying blow in August when no bids were received on the first two contracts advertised. He said each contract called for approximately 2,000 square yards of reinforced Portland cement concrete pavement which was a very small amount but yet required the use of paving equipment equivalent to that used on large roadway paving contracts. He said contractors having such equipment were currently using it on jobs where the rush was on to complete as much as possible before winter should set in. He said accordingly they did not bid on those little jobs. He said the Committee on Service

Plazas expected to hold a meeting in the near future to review the reconstruction accomplishments of the year and to determine the action program for 1965.

Mr. Teagarden reported further by displaying photographs in color of renovations of the restaurants operated by the Gladioux Corporation.

The Chairman said he had had only one letter of complaint during the summer season from anybody about service in a restaurant. He said he had had none of the old rest-room complaints that he used to get.

The Chairman said that in the absence of further questions the report of the Committee would be recorded as received. He said the report of the Committee on Interchange Development would be received.

The chairman of the Committee on Interchange Development, Mr. Chastang, said the Executive Director would include the Committee's report in the Executive Director's report.

The Chairman said the report of the Committee on Budget and Finance would be received.

The chairman of the Committee on Budget and Finance, Mr. Redman, said the Committee had a meeting on the budget at Berea and adopted a tentative preliminary budget which would be presented to the Commission at its next meeting. He said the Committee was in agreement as to the amount. He said the Committee had examined the budget in considerable detail and would have a full explanation at the next meeting.

The Chairman said the report of the Committee on Budget and Finance would be recorded as received. He said the consolidated report of the Committee on Interchange Development and of the Executive Director would be received.

The Executive Director reported that the tripartite agreement between the Commission, the Director of Highways, and the United States Department of Commerce which was reported to the Commission several meetings before had been signed by all parties but the Commission had not yet received its copy. He said also that the signing of the report had released a flood of material from the Director of Highways to the Executive Director's office with respect to the interstate highways

that were involved in connections with or crossings of the Ohio Turnpike. He said the material had just recently been received so nothing substantial had been done with it yet. He said the plans for the construction of the interchange with Interstate Route 71 were to all effects and purposes completed and would be scheduled for a field and office check in the near future. He said that following that plans would be completed in the final form and be ready for advertising. He said he would have discussions with the Director of Highways as to the appropriate advertising date.

The Executive Director reported further that he would like to supplement Mr. Teagarden's report for the Committee on Service Plazas by adding that on August 26, 1964 he and the Deputy Executive Director and the Supervisor of Service Plazas had lunch with Mr. Howard B. Johnson, President of the Howard Johnson Company, and others of the Company at the remodeled Great Lakes Plaza. He said that was Mr. Johnson's first visit to the plaza since remodeling. He said Mr. Johnson said he was very pleased with the work done and was surprised that so much had been accomplished in so short a time. He said Mr. Johnson said further that it was the most impressive roadside feeding establishment he had seen both functionally and in decor.

The Executive Director reported further that persons traveling with travel trailers who had used the Commission's travel trailer facilities came from all over the United States. He said he thought the facilities were probably one of the best received facilities that the travelers got along the highway throughout the country. He said there was great praise for the State of Ohio because of the facilities.

The Chairman said he heard all the time that the facilities were a service the public liked. He said the Commission got credit for them. He said the facilities were the conception of the Executive Director. In response to a question by Mr. Chastang, the Executive Director said the facilities were not filled to capacity except on occasions. He said one comment frequently received was that the Commission had not done any advertising of those accommodations but it must be kept in mind that the facilities provided space only for 30 eastbound vehicles and 30 westbound vehicles. He said the facilities had been full on occasion and if the Commission advertised them it would have a lot of disappointed customers. He said it was felt that it was not desirable to advertise them the first summer to any degree until the Commission had had some experience with them. He said the experience had been very good and it was a matter for the Committee on Service Plazas at its next meeting to determine whether or not the Commission should go forward with the program.

The Executive Director reported further that from time to time in the past he had reported to the Commission concerning a settlement in the westbound roadway at milepost 187.6 in the vicinity of Interchange 13, Streetsboro. He said that settlement commenced early following the opening of the turnpike and continued for several years. He said temporary partial correction was made several years before to improve the riding quality of the pavement. He said it appeared in 1963 that settlement had been arrested and no further settlement had occurred in 1964. He said that, accordingly, and in keeping with the recommendations of the Consulting Engineers, plans were made for restoration of that pavement to planned grade. He said that because of the nature of the work, including full-width replacement of the concrete pavement for a distance of 450 feet, and because of the need for special equipment and workmen skilled in that type of work, it was determined that the work should be performed under contract by an experienced highway contractor and, because the work would inconvenience traffic, it should be done after the peak of vacation travel. The Executive Director said that plans and specifications for that project were prepared and a bid opening date of August 26, 1964 was established but because of the limited size of the project and the fact that all eligible contractors were busily engaged in highway work, the Commission received no bids. He said that because it appeared that further advertising at that time would be fruitless it was planned to open bids early in 1965 in sufficient time to obtain completion prior to Memorial Day in 1965.

The Executive Director reported further that the last stage in placing a counter balance for the settlement of the roadway at milepost 15 in accordance with the recommendations of the Consulting Engineers was completed in June 1964. He said the placing of that counter balance occasioned a slight raising of the settled area, indicating a near balance. He said it was hoped that stabilization had been reached but that could not be determined conclusively until spring of 1965. He said that should it then be determined that stabilization had been reached, a final correction could be made at that time.

The Chairman said that in the absence of further questions the report of the Executive Director would be accepted as offered. He said the report of the Director of Highways would be received.

The Director of Highways said he thought the Ohio Turnpike Commission was an example of the independent Commission which through its attention to its commitments and responsibilities had increased the respect of the public for that type of management. He said

the Commission itself was an example of good management. He said that would not be possible without an excellent staff. He said he could not refrain from saying that with Mr. C. W. Hartford, the Executive Director, and the people under him, the Commission's operation had been an example of how management could operate a going operation of the turnpike type. The Chairman said the Commission really was the fulfillment of the hypothesis of a politically created body which would have continuity and which would be independent of - as the financial people wanted - political consideration. He said the finance people in Wall Street and elsewhere wanted, when money for revenue projects had to be produced, to be sure of the continuity and independence of the commission-kind of public body. He said he thought that probably more than just about any other similar body in the country, public agencies made up of several members who operated independent of executive control had fulfilled their mission.

The Director of Highways said also that the Ohio Turnpike Commission, although it was not subject to normal executive control, had been responsive entirely to the public and that that was politics in its broader form. The Chairman said that was something the Commission always recognized. The Director of Highways said also that reading the press after fifteen years had demonstrated the adherence of the Commission to the wishes of the public. The Chairman said he could remember that when the Commission first got under way Governor Frank J. Lausche was told many times, "Shocknessy is going to defeat you. You are going to be defeated by the way he is doing". He said that was not one of the things that scared Governor Lausche very much and the Commission went ahead and established its pattern and its image and had maintained it down through the years with the full cooperation of every Governor. The Chairman said also that that was the remarkable thing. He said that no Governor had ever done anything to exploit that activity and he thought probably the Commission was the oldest in the business from the standpoint of continuity of the service of its Members. He said there was nobody chairman of a turnpike Commission whom he knew in the beginning in the Commission's day who was still running a Commission. He said the Ohio Turnpike Commission had more continuity, probably, than any other similar Commission in the United States. He said the Commission had a continuity of policy and he thought the Commission's continuity was probably the greatest in the country. He said he did not know about the New York Port Authority and such commissions in New York as to whether their continuity was equal to the Ohio Turnpike Commission's or greater but he knew there was no toll road authority that was senior to the Ohio Commission's senior officers - Mr. Teagarden and himself, for two.

The Chairman thanked the Director of Highways for his report and said it would be recorded as received. He said the report of the General Counsel would be received.

The General Counsel reported that a copy of the Squire, Sanders & Dempsey letter was sent to him. He said he thought the letter showed a highly responsible sense of ethics in that the firm even felt it was a matter to tell the Commission about. He said certainly he saw nothing any way in conflict. He said the Commission had had a contract with the Amherst Water Company to furnish water to one of its service plazas. He said the contract went back to 1955. He said that at one time the Commission also had an agreement with the City of Amherst under which the Commission paid the City \$400 for the right to tie into one of its water mains. The General Counsel said he could find nothing at all in connection with the Commission's agreement with the Amherst Water Company and the representation of the City by Squire, Sanders & Dempsey that would create a problem. He said Squire, Sanders & Dempsey were merely representing the City in connection with bonds as they represented municipalities everywhere. He said there would be no complication there.

The Chairman directed the General Counsel to reply to Mr. Crawford and tell him the letter was brought to the attention of the Commission and it was the Commission's belief that there was no prospective conflict and in the event any such should appear the Commission knew he would advise the Commission and it would advise him and take whatever action at that time that would be appropriate. The Chairman asked the Executive Director whether there was any prospect of the Commission having wells at the location of the service plaza concerned. The Executive Director replied that there was no prospect of having wells but that there was a prospect of the Commission getting water from a new main which was being brought down from Lake Erie by the City of Elyria. He said that when the City of Amherst took over the supplying of water it probably would go forward with some improvements which at one time were planned by the Amherst Water Company but were delayed because of the pending sale. He said the improvements could only improve the supply of water to the service plaza. The Executive Director said also that the only thing of concern was the water rate. He said that although the rate was not unfavorable at that time, he thought the City of Amherst would expect to increase the rate to the Commission at the expiration of the Commission's contract with the Amherst Company. He said the contract would expire Oct. 1, 1965.

The General Counsel reported further that two suits had been filed against the Commission by two owners of orchards in Lucas County. He said the Commission had entered into a contract pursuant to bidding with a company to spray weeds along the turnpike right of way.

He said weeds were sprayed from end to end of the turnpike. He said the same company had had the contract three successive times because it was practically the only company that could give that service. He said the company indemnified the Commission and agreed to hold it harmless from any claims. He said the two orchard owners sued the Commission for relatively small amounts - approximately \$12,000 and \$13,000 - claiming that the insecticides destroyed their orchards in those amounts.

The Chairman said the report of the General Counsel would be accepted as offered. He said the report of the Consulting Engineers would be received.

Mr. Harnden reported for the Consulting Engineers that their annual inspection had been completed and the annual report had been written and sent to press and would be delivered to the Commission before October 1, 1964.

The Chairman said the report of the Consulting Engineers was accepted as offered.

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

Resolution No. 11-1964

"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 July 14, 1964, 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 July 14, 1964 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: Teagarden, Chastang, Redman, Masheter, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 11-1964.

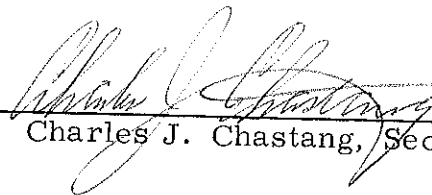
There being no further business to come before the Commission, a motion was made by Mr. Teagarden, seconded by Mr. Masheter, that the meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Teagarden, Masheter, Chastang, Redman, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 12:01 o'clock P. M.

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



Charles J. Chastang, Secretary-Treasurer