

Minutes of the One Hundred and Ninety-Third Meeting - December 7, 1965

Pursuant to the bylaws of the Ohio Turnpike Commission permitting the Chairman to change the place of meeting, the Commission met in regular session in the conference room of the Ohio Department of Highways building at 139 East Gay Street, Columbus, Ohio, at 11:00 A. M. eastern standard time on December 7, 1965 with the key members of the staff, representatives, Mr. Fred S. Cresswell and Mr. H. A. Harnden, of the Consulting Engineers; a representative, Mr. Robert H. Bartholomew, of the Trustee; a representative, Mrs. Russel Lucas, 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 announced that a quorum was present.

A motion was made by Mr. Redman, seconded by Mr. Chastang, that the minutes for the meeting of November 2, 1965 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: Redman, Chastang, Teagarden, Masheter, Shocknessy.

Nays: None.

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

The Chairman reported that the November revenue was about \$2, 237, 000, which was another record for the month surpassing the income for the previous best November, which was that of 1964, by \$150, 000. He said also that November was the nineteenth successive month in which revenue was greater than that of the corresponding month in any previous year. He said the revenue for the year 1965 was probably going to be a bit better than \$30, 000, 000. He said it would be the first year the Commission

had had revenue in that amount and the extraordinary thing about it was that an estimated \$15,024,000 of that revenue would have been applied for the retirement of bonds by the end of the year, leaving the Commission an outstanding debt of \$270,946,000 as opposed to its original debt of \$326,000,000. He said the Commission could take a great deal of satisfaction in knowing that by the end of the year it would have paid off \$55,054,000 of its total indebtedness. He said there were not many institutions that could take half of their total revenue and apply it to capital debts. He said that of the balance of the revenue, \$9,000,000 plus, would go to interest on the outstanding debt and \$6,000,000 minus to expenses. He said that included all the accounts the Commission had to provide for so he thought its financial record for 1965 was an outstanding record for any public or private business.

The Chairman reported further that there were no fatal accidents on the turnpike in November and none to date in December so that the Commission's 1965 record stood at 30 compared with 34 on the same date in 1964. He said there were no serious accidents during the five day Thanksgiving Day week end despite the fact that there were 283,057 vehicles on the turnpike during the period. The Chairman said the Sunday after Thanksgiving was particularly active with 78,257 vehicles on the turnpike, producing \$112,041 in tolls. He said he remembered so well when the Commission was first looking for \$90,000 days while currently days in excess of \$100,000 were commonplace.

The Chairman reported further that the Ohio Director of Highway Safety was carrying on a campaign for seat belts for automotive vehicles. He said the Commission had had some correspondence back and forth with him because the Commission carried on a campaign on seat belts too and had erected signs on the turnpike "Fasten Seat Belts". Mr. Chastang commented that those signs were nicely placed and that travelers could hardly miss them.

The Chairman directed that the correspondence with the Director of Highway Safety be included in the business of the meeting. The correspondence was as follows:

"November 3, 1965

"Mr. Warren C. Nelson  
Director  
Ohio Department of Highway Safety  
240 Parsons Avenue  
Columbus, Ohio 43215

"Dear Mr. Nelson:

"Apropos of your inquiry to the Chairman of the Commission, Mr. James W. Shocknessy, about the impetus we give to the use of safety belts by occupants of vehicles on the Ohio Turnpike, I am happy to be able to advise you that in September 1963 there were placed along the acceleration lanes leading from the sixteen service plazas to the main roadways signs reading 'Fasten Seat Belts'. These signs were doubled in size last June. Early this year we included in the Commission's map-folder 'Ohio Turnpike' under 'Turnpike Driving Tips' the injunction to 'Keep your seat belt fastened while your car is moving'. For more than three years District 10 of the Ohio State Highway Patrol has been noting in their reports of investigation of accidents on the turnpike whether or not seat belts were installed in vehicles involved in accidents. As of January 1 this year District 10 also has been including in the reports of accidents information as to whether or not seat belts were in use.

"I take advantage of this opportunity to acknowledge receipt of your letter to Mr. Shocknessy submitting a statistical compilation of fatalities on Interstate Route 71, with breakdown by county, from January 1, 1965 to October 24, 1965.

"Very truly yours,

"James D. Hartshorne  
Executive Assistant to the Chairman"

"November 4, 19-Safety-5

"Mr. James D. Hartshorne  
Executive Assistant to the Chairman  
Ohio Turnpike Commission  
682 Prospect Street  
Berea, Ohio 44017

"Dear Jim:

"Thanks very much for your letter, turnpike driving tips and photograph promoting seat belts. Now if we can just prevail on our friend, Director P. E. Masheter, to blanket our interstates, primaries and secondaries, we will be making progress.

"Thought you and James W. might be interested in knowing we are working out a program with the Insurance Department and heads of Ohio insurance companies to offer seat belt insurance policies. I think it would give impetus to the overall program and is well received as far as we have gone. Any more ideas?

"We appreciate your cooperation. Please keep in mind our department is at your service whenever it is needed.

"Warm regards,

/s/ Bud

"Warren C. Nelson, Director  
Ohio Department of Highway Safety"

The Chairman said that in the absence of questions the report of the Chairman 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 and Revenue Report for October 1965.
2. Financial Report as of October 31, 1965.
3. Draft of the minutes of the November 2, 1965 meeting.
4. Accountants' Report, Summary of Rentals reported by the Service Station Operators for the period July 1, 1964 through September 30, 1965.
5. Accountants' Report, Summary of Rentals reported by the Restaurant Operators for the period October 1, 1964 through September 30, 1965.
6. Detail of investment transactions for November 1965.

A resolution authorizing the transfer of moneys from Reserve Maintenance Fund to the Redemption Account was moved for adoption by Mr. Chastang, seconded by Mr. Teagarden, as follows:

Resolution No. 23-1965

"WHEREAS, Section 509 of the trust deed of June 1, 1952 by and between the Ohio Turnpike Commission and The Ohio National Bank of Columbus as trustee, and The National City Bank of New York (now First National City Bank), as co-trustee provides that the trustee shall from time to time transfer any moneys from the Reserve Maintenance Fund to the credit of the Redemption Account upon the receipt of a certified copy of a resolution duly adopted by the Commission directing such transfer, and a certificate of the Consulting Engineers certifying that the amount so to be transferred is not required for the purposes for which the Reserve Maintenance Fund has been created; and

"WHEREAS, a certificate has been received by the Commission from the Consulting Engineers certifying that the amount of \$150, 000 is not required for the purposes for which the Reserve Maintenance Fund has been created;

"NOW, THEREFORE, BE IT

"RESOLVED that the trustee, The Ohio National Bank, upon receipt of the certificate of the Consulting Engineers, and upon receipt of certified copy of this resolution, be, and said trustee hereby is requested to transfer forthwith \$150, 000 from the Reserve Maintenance Fund to the credit of the Redemption Account, all in accordance with Section 509 of the trust deed. "

The resident engineer of the Consulting Engineers, Mr. Harnden, said the Consulting Engineers had tendered a certificate to the Commission certifying that the amount of \$150, 000 was not required for the purposes for which the Reserve Maintenance Fund had been created.

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 declared the resolution adopted with all Members voting in the affirmative. The resolution was identified as No. 23-1965.

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

of the Committee on Budget and Finance would be received.

The Chairman of the Committee on Budget and Finance, Mr. Redman, reported that he had a resolution relating to the 1965 budget and another relating to the 1966 annual budget.

A resolution adopting amendment to annual budget for the fiscal year 1965 was moved for adoption by Mr. Redman, seconded by Mr. Chastang, as follows:

Resolution No. 24-1965

"WHEREAS pursuant to Section 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 First National City Bank), as co-trustee, the Commission, by resolution No. 15-1964, adopted an annual budget for the fiscal year 1965;

"WHEREAS pursuant to Section 505 of the said trust agreement, the Commission may, at any time, adopt an amended or supplemental annual budget for the remainder of the then current fiscal year;

"WHEREAS experience in the operation of the Ohio Turnpike now indicates that while there is no need for supplementary budget allowances for the remainder of the current fiscal year, an amendment of allocations as between Administration & Insurance on the one hand and Operations on the other, is required to cover actual expenses for the remainder of the current fiscal year; and

"WHEREAS an amendment to the annual budget for the remainder of the year 1965 has been submitted to the Commission and the adoption thereof has been recommended by the Commission's Budget and Finance Committee; and said amendment to the budget is now before the Commission;

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission, having duly and fully considered the same, hereby adopts the following amendment to the previously adopted budget of current expenses for the fiscal year 1965;

Amendment to Annual Budget for Fiscal Year 1965

Expenses:

Administration & Insurance (increase in estimate)	+\$20,000
Operations (decrease in estimate)	- 20,000
Trust Indenture Expense (unchanged)	<u>0</u>
Total	0

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

The Chairman commented that the people who did the budget for 1965 were to be congratulated that the Commission had lived within it and obviously would live within it for the remainder of the year and that the only change required in it was a bookkeeping change between two items.

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

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

Nays: None.

The Chairman declared the resolution adopted with all Members voting in the affirmative. The resolution was identified as No. 24-1965.

The Chairman said he wanted the chairman of the Committee on Budget and Finance, the Executive Director, the Comptroller, and the resident engineer of the Consulting Engineers, Mr. Harnden, on behalf of the Consulting Engineers to accept his congratulations.

A resolution adopting annual budget for the fiscal year 1966 was moved for adoption by Mr. Redman, seconded by Mr. Teagarden, as follows:

Resolution No. 25-1965

"WHEREAS the Commission, by resolution No. 20-1965, adopted a preliminary budget for the fiscal year 1966, 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;

"WHEREAS pursuant to Section 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 First National City Bank), as co-trustee, the Commission desires finally to adopt a budget of income and current expenses for the fiscal year 1966, to be designated the 'Annual Budget'; and

"WHEREAS Section 505 of the trust agreement provides that the total appropriations in any division of the annual budget will not exceed the total appropriations in the corresponding division of the preliminary 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 1966

Income	\$30,000,000
Current Expenses	
Administration & Insurance	973,350
Operations	4,881,640
Trust Indenture Expense	<u>148,500</u>
Total Current Expenses	\$ 6,003,490

"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. 20-1965; 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."

The Chairman commented that it was noteworthy that the Commission was estimating the annual income conservatively at \$30,000,000 for 1966 which was the actual income for 1965. He said the fact was that



in each year the Commission's income had been going up so \$30,000,000 was a conservative estimate of income. He said the budget was about \$300,000 up on expenses, principally on wages.

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

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

Nays: None.

The Chairman declared the resolution adopted with all Members voting in the affirmative. The resolution was identified as No. 25-1965.

The Chairman said the report of the Committee on Budget and Finance was accepted 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, reported that the Committee met on November 9, 1965 to give consideration to the restaurant operators' requests for price increases for twelve items of the standard menu. He said seven requests were approved to the extent of a five-cent increase; one for a ten-cent increase; one for a fifteen-cent increase; and three were not approved. He said the new prices would become effective December 1, 1965. He said the prices of those items for which increases were approved remained less than those charged on the Indiana Toll Road and equal to or less than those charged on the Pennsylvania Turnpike for like named items.

Mr. Teagarden reported further that the new service station contracts which became effective October 1, 1965 provided that the operator should compete favorably with the net price charged for diesel fuel at service stations in the same general area. He said net price was defined in the contracts as "the price charged per gallon of diesel fuel after application of any discounts offered". He said that, accordingly, diesel fuel on the turnpike was priced four cents less than it was under previous contracts. He said a comparison of the diesel fuel sales in gallons for October 1965 with October 1964 showed an increase of nearly 20 percent while commercial traffic increased but eight percent. He said that although a first month comparison was generally not considered reliable for drawing conclusions, it would appear that the comparison confirmed the Commission's anticipations of an upward trend in the sale of diesel fuel.

Mr. Teagarden said also that Texaco Inc., the only company to succeed itself at a pair of stations, showed an increase of 65 percent in

diesel fuel sales. He said the Gulf Oil Company, which took over the pair of stations with the previous lowest volume of diesel fuel sales, increased diesel fuel sales there 118 percent. He said the Atlantic Refining Company, in taking over the pair of stations which previously had had the highest volume of diesel fuel sales, came within four percent of equaling those sales, which was a remarkable accomplishment considering that the previous operator was exceptionally active in promoting truck fuel sales.

Mr. Teagarden reported further that plans and specifications for remodeling the food service areas at Wyandot, Towpath and Glacier Hills Service Plazas were completed and contracts for construction were being advertised that day. He said bids were to be opened on December 21, 1965 and work was to be started on January 4, 1966.

Mr. Teagarden reported further that preparation of plans and specifications for other phases of the 1966 remodeling program was progressing on schedule.

The Chairman said that in the absence of questions the report of the Committee on Service Plazas would be accepted as offered. He ascertained from the chairman of the Committee on Interchange Development, Mr. Chastang, that the report of that Committee would be consolidated with the report of the Executive Director. He said the report of the Committee on Safety would also be offered by the Executive Director. He said the reports of the Committee on Interchange Development and the Committee on Safety and the Executive Director then would be received.

The Executive Director reported for the Committee on Interchange Development that there was only one significant matter during the past month and that was a journalization by the Director of Highways of the location of Interstate Route 680 near Interchange 16 of the turnpike. He said that the determination of location was a rather hectic procedure due to local opposition.

The Executive Director reported for the Committee on Safety that one of the major causation factors of accidents on the Ohio Turnpike was defective tires. He said that in 1964 there were 117 accidents attributable to that cause, or approximately one-eighth of all accidents that year. He said that obviously there were a great many tire failures which, due to circumstances prevailing at the time, could but did not result in accidents. He said that in an effort to develop some factual information concerning tires the Highway Patrol had been asked to furnish detailed information concerning tires that failed and contributed to an accident during the month of November and the disabled-vehicle contractors had been asked to furnish information concerning tires serviced by them during November.

The Executive Director said also that the Highway Patrol furnished information on eleven accidents and the disabled-vehicle contractors furnished usable reports on 222 tire failures. He said that of the eleven accidents investigated by the Patrol, nine were a result of blowouts and in the other two instances the drivers lost control on wet pavement. He said loss of control was reported to have been the result of treadless tires. He said that of the nine blowouts, only three of the tires involved were reported as worn out or well worn. He said three other incidents involved snow tires and in a fourth incident the tire had but 600 miles on it.

The Executive Director said also that of the 222 reports on tires submitted by the disabled vehicle contractors, 125 were blowouts. He said 86 of the 125 tires were on passenger cars and 39 were on trucks. He said the other incidents involved punctures and slow leaks.

The Executive Director said also that the disabled-vehicle contractors reported that with respect to the apparent condition of the 125 tires that 48 were worn, 38 were fair, and 39 were in good condition. He said that most amazing was the report of the 39 tires in good condition. He said that ten of those were reported as new tires and nine of those ten were on passenger cars. He said that of those nine, five were side-wall failures and four were tread failures. He said the one new truck tire that blew out was a side-wall failure.

The Executive Director said also that those findings indicated a need for a more detailed study of tires and their contribution to the overall accident rate. He said the Commission's experience in November, although not conclusive in results, had provided information sufficient to outline the basis for a complete study.

The Chairman commented that the tire problem was not the big problem, that it was an accident problem but that somehow or other the driver failure was where the turnpike's fatal accidents came from. He said that was so regardless of what the Bureau of Public Roads or the Secretary of Commerce thought.

In response to a question by Mr. Chastang about tires which were being advertised as having lugs imbedded in them the Executive Director said there were no rules in Ohio as of that time relating to the use of such tires on state highways or on the turnpike. Mr. Masheter said the Department of Highways had done some research on the tires which indicated that sudden starts or sudden stops by vehicles using the tires definitely was damaging to both concrete and asphalt pavements.

In response to a question by Mr. Chastang as to whether efforts were being made to persuade tire manufacturers to upgrade their tires, the Chairman commented that a committee of the Congress had had the tire manufacturers in and did not get along very well with them.

The Executive Director said he thought the Commission had the potential for making a more detailed study than was generally possible due to the fact that the disabled vehicle operators were under contract with the Commission and it could get information from them. He said the contractors were the only ones on the turnpike that were servicing passenger cars. He said he thought some very worthwhile information could be developed. He said there was not too much the Commission could do about tires except to make a contribution to the information being gathered by a great many organizations.

The Executive Director reported on his own behalf that under date of November 26, 1965 he sent to each Member a report and recommendation that the Commission adopt a holiday schedule in keeping with the statutes of the state of Ohio for employees of the state and counties of Ohio effective July 22, 1965. He said a copy of that report and recommendation was submitted also to the Committee on Employee Relations for its consideration and under date of November 30, 1965 the Committee recommended an amendment to the bylaws to provide the holiday leave outlined in his report. He said copies of the report and recommendations of the committee were mailed to Members under date of December 1, 1965.

The Executive Director said it was recommended that the Commission adopt a resolution amending its bylaws to provide holiday benefits for its employees in keeping with holiday benefits available to employees of the state of Ohio and the 88 counties. He said no problems were anticipated in administration or operation of the Ohio Turnpike should the recommendation receive favorable consideration.

The Chairman said the Commission always took the position that working conditions with the Commission were at least as good if not better than with the state generally so he did not think the Commission had any choice. Mr. Teagarden said the recommendation conformed to the action by the legislature, Mr. Chastang said he did not see how the Commission could do any less. In response to a comment by Mr. Redman as to prospective costs, the Executive Director said amendment would involve an approximate increase in operating costs of \$6,000.

A resolution amending section 5.00 of article IV of the code of

bylaws with respect to holidays was moved for adoption by Mr. Teagarden, seconded by Mr. Redman, as follows:

Resolution No. 26-1965

"WHEREAS, the executive director has reported to the Commission on certain recommendations received by him from the committee on employee relations with respect to holidays, and has submitted to the Commission recommendations for changes in the Commission's Code of Bylaws with respect thereto;

"WHEREAS, the consulting engineer has expressed concurrence in said recommendations; and

"WHEREAS, the Commission, being fully advised regarding said recommendations and the reasons therefore, considers that adoption thereof will bring the conditions of employment of turnpike employees with respect to holidays into greater conformity with the holiday benefits presently enjoyed by employees of the State of Ohio, its agencies and subdivisions, and by employees in private industry in Ohio, and the Commission desires to adopt said recommendations;

"NOW, THEREFORE, BE IT

"RESOLVED, that effective immediately, Section 5.00 of Article IV of the Commission's Code of Bylaws be amended to read as follows:

Section 5.00:

The following shall be observed as holidays: New Year's Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day. When any of the aforesaid holidays falls on Saturday, the Friday immediately preceding shall be observed as the holiday by employees whose work week is Monday through Friday; and when any of the aforesaid holidays falls on Sunday, the Monday immediately succeeding shall be observed as the holiday by such employees. The executive director shall issue instructions which shall provide benefits for employees whose work week is other than Monday through Friday comparable to the benefits hereinabove provided for employees whose work week is Monday through Friday.

The executive director shall issue instructions which shall provide for holiday pay or compensatory time off in any case in

which an employee is required to work on a day which he would otherwise be entitled under this section to observe as a holiday."

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

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

Nays: None.

The Chairman declared the resolution adopted with all Members voting in the affirmative. The resolution was identified as No. 26-1965.

The Executive Director reported further that at that time each year the Commission was asked to approve the deferment of accumulated vacation leave for certain employees until such time or times in the subsequent year as should be designed by such department heads as were charged with that responsibility. He said that again he had prepared a listing of employees and days which was substantially the same as the previous year in the number of employees and the number of days. He said the number of names had been reduced from 20 to 16 but the number of days had increased from 182 and one-half days to 198 days. He said seven names had been removed from the listing of the previous year and three new names had been added.

The Executive Director said it was recommended that the Commission take favorable action to permit those employees listed on a resolution prepared for the purpose to defer the days of vacation listed opposite their names to the calendar year 1966.

A resolution authorizing deferment of annual vacations of certain named employees of the Commission from the calendar year 1965 until the calendar year 1966 was moved for adoption by Mr. Teagarden, seconded by Mr. Redman, as follows:

Resolution No. 27-1965

"WHEREAS certain of the Commission's employees have, during the calendar year 1965, 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 1965 be deferred until the calendar year 1966, 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 1966 as shall be designated by such department heads as are charged with that responsibility;

<u>Employee</u>	<u>1965 Vacation Leave Accumulated But Not Taken During Calendar Year 1965</u>
Burnham, Wilbur	6 1/2
Cole, Dorothy	1 1/2
Deetz, Russell S.	23
Hartford, C. W.	47
Hartshorne, James D.	11
Heil, John	3
Kappel, Norman	17
Knott, Gertrude	32
McBride, C. Paul	5
Meywes, Robert A.	5
Morrison, J. B.	9
O'Grady, Walter	5
Ployhart, Joseph	10
Reid, Ted	5
Soller, John	13
Van Oster, R. L.	5"

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

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

Nays: None.

The Chairman declared the resolution adopted with all Members voting in the affirmative. The resolution was identified as No. 27-1965.

The Executive Director reported further that the current agreement with the J. E. Greiner Company for the performance of the duties of Consulting Engineers with respect to the maintenance and operation of the Ohio Turnpike stipulated to be performed by Consulting Engineers

under the terms of the Trust Agreement would terminate December 31, 1965. He said that current agreement was a one-year agreement under which the Greiner Company agreed to perform the required services for \$5,000 a month. He said that rate of \$5,000 per month had prevailed since 1956 when the J. E. Greiner Company was initially engaged to perform those services.

The Executive Director said also that under date of August 6, 1965 the J. E. Greiner Company submitted a proposal that the Commission give favorable consideration to an increase in the monthly fee from \$5,000 per month to \$6,000 per month. He said that proposal was referred to the Committee on Budget and Finance for consideration in its deliberations concerning the proposed preliminary budget of expense for 1966. He said the proposal was approved by the Committee and an amount sufficient to cover that expense was included in the preliminary budget adopted by the Commission at its meeting on September 7, 1965.

The Executive Director said also that the current agreement was for one year. He said that, however, the previous agreement was for three years and the proposal before the Commission was for a three-year agreement with earlier termination by either party upon not less than thirty days written notice sent by registered mail.

The Executive Director said also it was recommended that the Commission authorize the execution of an agreement with the J. E. Greiner Company to perform the duties of Consulting Engineers with respect to the maintenance and operation of the Ohio Turnpike as contemplated by the Trust Agreement with said agreement providing a consideration of \$6,000 per month and for a period of three years terminable by either party upon thirty-days notice.

In response to a question by the Chairman, Mr. Redman, the chairman of the Committee on Budget and Finance, said that the committee reviewed the proposal of the Greiner Company and it seemed reasonable under the circumstances.

A resolution accepting proposal for Consulting Engineering services was moved for adoption by Mr. Masheter, seconded by Mr. Redman, as follows:

Resolution No. 28-1965

"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 a one-year agreement with the Ohio Turnpike Commission, which was originally executed under date of December 17, 1964, and which by its terms expires on December 31, 1965;

"WHEREAS the J. E. Greiner Company and the Commission desire to enter into a new agreement for a three-year period beginning January 1, 1966 and terminating December 31, 1968 whereby the J. E. Greiner Company is to be employed as consulting engineers in connection with maintenance and operation of the Ohio Turnpike;

"WHEREAS said J. E. Greiner Company, a partnership, has submitted to the Commission under date of August 6, 1965 a proposal for an agreement for a three-year period to perform the duties of consulting engineers in connection with the maintenance and operation of the Ohio Turnpike commencing January 1, 1966 and terminating December 31, 1968; 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 August 6, 1965, to perform the duties of consulting engineers in connection with maintenance and operation of the Ohio Turnpike pursuant to a new three-year agreement beginning January 1, 1966 and terminating as of midnight December 31, 1968, and providing that the J. E. Greiner Company is to be paid \$6,000 per month for its services as such consulting engineers, and providing further that the services aforesaid may be earlier terminated by either party upon not less than thirty days' notice in writing given to the other party be, and the same hereby is, accepted; and

"FURTHER RESOLVED that the executive director be, and hereby he is, authorized and empowered to execute an agreement on behalf of the Commission carrying into effect the proposal of the J. E. Greiner Company to perform the duties of consulting engineers in connection with the maintenance and operation of the Ohio Turnpike for the three-year period commencing January 1, 1966 and terminating as of midnight December 31, 1968, except as either the J. E. Greiner Company or the Commission may, upon not less than thirty days' notice in writing, earlier terminate the said agreement, 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 responded to roll call. The vote was as follows:

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

Nays: None.

The Chairman declared the resolution adopted with all Members voting in the affirmative. The resolution was identified as No. 28-1965.

The Chairman said the reports of the Committee on Interchange Development, of the Committee on Safety and of the Executive Director were accepted as offered. He said the report of the Director of Highways would be received.

The Director of Highways said he had no report. The Chairman commented that the task of completing Interstate Route 71 was still going ahead on a day-to-day basis. He said those concerned with the task went from daily crisis to daily crisis.

The Chairman ascertained that there would be no report by the General Counsel. He said he wanted to mention that he had had a telephone call which he referred to the General Counsel from a man who represented himself as general counsel for the National Association for Truck Stop Operators who challenged the Commission's right to advertise to the extent that it was advertising by pamphlet and otherwise on the turnpike the advantages of buying diesel fuel. He said he referred the caller to the General Counsel of the Commission because he alleged that the Commission was in violation of the anti-trust act.

The General Counsel said the representative of the Association called him the same morning and had been asked to present the matter by letter. General Counsel said no letter had as yet been received.

The Chairman said the report of the Consulting Engineers would be received.

Mr. Harnden said he would like to thank the Commission for its continued confidence in the Greiner Company as evidenced by the renewal of the agreement for the company's services.

The Chairman said the report of the Consulting Engineers was accepted as offered. He ascertained that there would be no report by the Director of Information and Research.

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

Resolution No. 29-1965

"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 November 2, 1965, 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 2, 1965 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 adopted with all Members voting in the affirmative. The resolution was identified as No. 29-1965.

Mr. Chastang said he would like the record to show that he complimented the administrative section of the Commission: the Executive Director, the Comptroller, the Deputy Executive Director, the General Counsel, the Assistant General Counsel, the Director of Information and Research, and all concerned for the fine work they had done the past year. He said they certainly had built up a fine reputation for themselves and for the Commission. The Chairman said he agreed with that sentiment. Mr. Teagarden said he would like to subscribe to the commendation.

The Chairman said the record could show that all Members had extended felicitations and expressions of gratitude and congratulations to the members of the staff for the excellent service the Commission had received from the staff during the past year.

The Chairman said Mr. Chastang had reminded him that the Commission always made a point that no gratitudes would be received

by any employee of the Commission from anybody doing business with the Commission or from anybody who had any relationship with the Commission. He said the Commission probably had a longer record on making that point than anybody because it had been making the point every Christmas until it was routine.

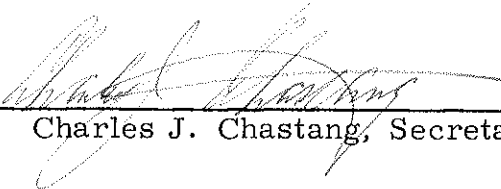
There being no further business to come before the Commission, a motion was made by Mr. Chastang, seconded by Mr. Teagarden, that the meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

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

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 12:10 P. M.

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



---

Charles J. Chastang, Secretary-Treasurer