

MINUTES OF THE TWO HUNDRED AND TWELFTH MEETING
November 7, 1967

Pursuant to bylaws the Ohio Turnpike 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 November 7, 1967 with the key members of the staff, a representative, Mr. H. A. Harnden, of the Consulting Engineers; a representative, Mr. P. Joseph Sesler, of the Trustee; members of the press and others in attendance.

The meeting was called to order by the Chairman, the roll was called, and the attendance was reported to be as follows:

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

Absent: None.

The Chairman announced that a quorum was present. He said it was really remarkable that the Commission had such good attendance at its meetings. He said in the eighteen years of the Commission's existence it had never had a problem of attendance.

A motion was made by Mr. Redman, seconded by Mr. Teagarden, that the minutes for the meeting of October 3, 1967 which had been examined by the Members 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, Teagarden, Masheter, Chastang, Shocknessy.

Nays: None.

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

The Chairman reported that the Commission had received a copy in the mail of the letter of the Ohio State Director of the Selective Service System, Colonel Heber L. Minton, acknowledging with regret the resignation of Mr. Teagarden as a Member of Local Board No. 95 of Ottawa County.

He said that in a note attached to the copy of the letter Colonel Minton said that "Men like Mr. Teagarden are rare patriots who quietly perform a tremendous task for Ohio Selective Service". He read Colonel Minton's letter as follows:

"October 31, 1967
In reply refer to:4-7n

"Mr. O. L. Teagarden
435 Church Street
Oak Harbor, Ohio 43449

"Dear Mr. Teagarden:

"It is with regret that I acknowledge receipt of your letter of resignation as Member of Local Board No. 95 in Ottawa County, effective no later than December 1, 1967.

"You have devoted many years of your valuable time to the best interests of the Selective Service System in an uncompensated capacity, and the only thing we have to offer in return for this period of service is our sincere appreciation and gratitude.

"Please accept my heartfelt thanks for the patriotic contribution you have made to the Selective Service System during your long tenure with this Local Board.

"Sincerely yours,

/s/ Heber L. Minton
Colonel, AGC
State Director

CC:Local Board No. 95"

The Chairman reported also that the revenue for October was still adversely affected by the steel haulers' strike which began the 21st of August and ended the 24th of October but the revenue was approximately \$2,685,000, which was only \$27,000 less than October of 1966 which was the best previous October. He said it was really better than appeared in those figures because the October 1966 revenue included a \$57,000 payment from the salt companies so that if the 1966 income was reduced by the amount of money paid by the salt companies the October 1967 operations produced \$30,000 more than October of 1966.

The Chairman reported also that bond retirements during October were \$2,961,000, bringing the outstanding balance of the bonds to \$242,165,000. He said the average price paid for bonds purchased in October was 92.818.

The Chairman reported also there were two fatal accidents on the turnpike in October and the total fatalities for the first ten months of 1967 were only 20 as compared to 36 for the first ten months of 1966. He said there had been two fatalities to date in November.

The Chairman reported also that the status of construction of Interstate Route 71 was interesting without being wholly satisfactory at that time. He said Governor Rhodes had asked the Interstate Coordinators' Conference to take over the 14 transportation studies being made in various areas of Ohio. He said the Interstate Coordinators would begin with the Cleveland-Seven County Transportation - Land Use Study and would have a meeting on the 17th of November with the people conducting that study.

Mr. Masheter said he agreed with the Chairman that the Cleveland-Seven County Study was a maze of bureaucracy primarily because it was dictated by Washington - 78% of the funds coming from Washington, the rest from local sources. He said the State of Ohio was trying to keep from being dictatorial in the management of the study because it was supposed to be a local situation. He said the study had become confused by the Demonstration Cities and Metropolitan Development Act of 1966 in which some agency must approve every federal grant project in the cities concerned. Mr. Masheter said further that as a result, in order to get the Highway Program to move, it was necessary to get a bloc of approvals in addition to those previously acquired so that it became mandatory that the Interstate Coordinators take an active part in the Seven Counties Study if the Interstate System was going to advance. He said the Interstate Coordinators were getting into a range where there were so many people involved that it took a great deal of liaison and people of broad concept and judgment to find a way out of the maze.

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

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

1. Traffic and Revenue Report for September 1967.

2. Financial Statement as of September 30, 1967.
3. Budget Report, First 9 Months of 1967.
4. Draft of the minutes of the October 3, 1967 meeting.
5. Detail of investment transactions for October 1967.

The Assistant Secretary-Treasurer said further that the Members had in their folders a comparison of diesel fuel sales for the first nine months of 1967, 1966 and 1965. He said the 1965 period was under the former service station contracts which provided that rental would be paid on diesel fuel sales at the same rate per gallon as on gasoline sales. He said that was about 6.6¢ per gallon in that period. He said the new contracts provided for a payment of 3¢ per gallon on diesel fuel sales. He said the purpose of the comparison of sales was to show that the return to the Commission was substantially greater under the lower rate and that that result justified the Commission's decision to lower the rental rate and consequently the price per gallon to the patrons.

Mr. Redman said it was obvious that the decision was a wise one on the part of the Commission both for revenue purposes and for the public.

The Chairman said that in the absence of further questions the report of the Secretary-Treasurer was 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, said he had no formal report. In a general discussion of the budget the Executive Director and the Comptroller said it appeared it might be necessary to present a supplemental budget for 1967 to the Commission in December. The Executive Director said he would comment further when submitting his report.

The Chairman ascertained from the chairman of the Committee on Service Plazas, Mr. Teagarden, that the Committee's report would be submitted by the Executive Director. The Chairman said the report of the Committee on Employee Relations would be received.

The chairman of the Committee on Employee Relations, Mr. Teagarden, reported that the Committee held two meetings during the month of October 1967. He said one meeting was with the Teamsters Union Local 20 on October 10 and the other was with spokesmen for employees not members of the Teamsters Union Local 20 on October 11. He said the Teamsters

Union Local 20 represented approximately 50 percent of the Commission's employees in maintenance and toll collections. He said the spokesmen represented the remaining employees in maintenance and toll collections.

Mr. Teagarden said also that the agenda presented by the Union for the meeting of October 10 included fourteen items of which some were for clarification of existing policy and others for improvement of existing benefits. He said those items set down for clarification were discussed and it was concluded that the lawyers for both parties would get together and agree upon a clarification communication which would be sent to supervisors by the Commission. He said those items involving additional cost to the Commission were denied on the basis that the Commission had done all it could currently with respect to items involving money.

Mr. Teagarden said also that the agenda for the meeting with the spokesmen was prepared by the Committee and included discussions on the recent changes made in the Employee Manual, a report on some items raised at previous meetings but not finalized, and new business. He said that group was also advised that the Commission had done all it could currently with respect to items involving money.

Mr. Teagarden said further that both meetings were conducted in a friendly and cooperative manner. He said there were no further meetings currently scheduled.

The Chairman congratulated Mr. Teagarden on the way he was getting along with the Committee's responsibilities. He said that when he saw the turmoil that existed at some universities especially he was greatly appreciative of the way Mr. Teagarden had handled the Commission's employee relations on the turnpike.

The Chairman said that in the absence of questions the report of the Committee on Employee Relations would be accepted as offered. He ascertained from the chairman of the Committee on Interchange Development, Mr. Chastang, that the Committee had no report, and from the Executive Director that the Committee on Safety had no report.

The Executive Director reported for the Committee on Service Plazas that at the last meeting he distributed the report of the Consulting Engineers with respect to the need for additional service plaza facilities on the turnpike. He said copies of the report were given also to the two companies operating restaurants on the turnpike. He said comments had been received from both operators, and the Committee on Service Plazas had met several times to discuss the report. He said the Committee

agreed with the Consulting Engineers with respect to the need for new facilities near Interchange 15. He said the Committee gave more consideration to that recommendation than to any other because it was recommended for May 1969 for operation. He said the Committee was not wholly satisfied with the selection of the dual-type facility recommended by the Consulting Engineers, that it felt the recommendation was based more on cost of the facility than on complete service to the patrons of the turnpike or than on economical operation for the operator. He said the Committee therefore had asked the Consulting Engineers to study the recommendation on the basis of service to the public and economics of operation rather than cost of the facility because even though a different type of facility might cost more money it would be a better investment over the remaining years of the turnpike as a toll facility.

The Executive Director said the dual type might be accepted in the final determination but the Committee felt further consideration ought to be given to the over-the-road type and to a facility built on one side of the road to serve traffic in both directions. He said the topography selected for an over-the-road facility could be adjusted for a cost. He said further that the Consulting Engineers were going to give their attention to the questions raised by the Committee and answer by the next meeting of the Commission.

The Chairman said that four years before he had made a trip over several other toll roads and subsequently had asked that an over-the-road restaurant be considered for the Ohio Turnpike. He said he was not convinced as to the validity of the proposal by the Consulting Engineers which he thought followed too closely to the existing pattern whose efficiency he did not think had been proved at all. He said the interior of the service building contemplated by the suggestion was likely to be the same interior as in existing service buildings on the turnpike. He said there had never been a time when he had been totally happy with the service plazas and he would like the new ones to be an improvement over the existing ones.

The Comptroller said the Committee felt there was apt to be a substantial difference in volume service plaza business on the two sides of the road at Interchange 15, that the volume on the north side of the road probably would be substantially more than on the south side, and that duplicate facilities would hardly be justified if that were true. The Chairman said he thought the report looked like the examination the Consulting Engineers made assumed a simpler situation than existed. He said he did not consider the situation was simple at all and he did not think the Commission had an answer to it as yet.

The Executive Director read from an inter-office communication

of the Ohio Department of Highways addressed to P. E. Masheter, Director from R. E. Shultz, Deputy Director, Design and Construction under date of November 2, 1967 on the subject of "Ohio Turnpike Plaza Facilities" the following excerpt:

"We obtained an informal opinion from the Bureau of Public Roads relative to operation of service facilities on freeways after tolls have been removed, because it is expected that the proposed new facilities will have been in operation only 6 to 10 years when tolls are removed in 1978 to 1980. Present BPR regulations do not permit operation of service facilities on freeways, however because the presence of such facilities on toll roads has discouraged the provision of such services at interchanges, it is thought probable that legislation will be passed which will authorize the States to continue the operation of service facilities. "

The Chairman and Mr. Chastang agreed that the Bureau of Public Roads would be forced to continue the operation of service facilities after toll roads became free roads and part of the interstate system of highways.

Mr. Redman asked whether any reports had been received from the special investigator who was to check on the restaurants on the turnpike during the previous summer. The Executive Director replied that the woman employed for that purpose during the summer visited each of the restaurants at least once a week. He said most of her visits were made during the busy times and she filed reports of her observations. He said she had been asked to report as a customer would view the operation which she did but that, of course, she was trained in the field, being head of the home economics department of the Berea Schools. He said the investigator found a lot of things to like, and some unfavorable also. He said she brought things to light that had not previously been thought of. He said the investigator had a better approach to customer appeal than the staff did so that she did make some very worthwhile suggestions which were put into operation. He said he thought the expense of employing the investigator was money well spent.

In response to a question by Mr. Redman, Mr. Teagarden said he had received copies of the investigator's reports which were furnished also to the operators of the restaurants. He said very good cooperation was received from both operators with respect to matters dealt with in the reports.

In response to a question by Mr. Redman as to whether the restaurant operators would correct the problems of service experienced during

the summer because of shortage of help, Mr. Teagarden said one thing to be remembered was that every one of the restaurants was located out in the country and there were going to be times when the operators were going to have similar difficulties in having sufficient help on hand. Mr. Redman said he thought the operators should hire extra help beyond what they would normally expect to show up. Mr. Teagarden said he thought the operators were having difficulty obtaining sufficient help as it was. He said that all in all he would have to say that the restaurant operators were making an honest effort to do a good job.

The Chairman said that in the absence of further questions the report of the Committee on Service Plazas was accepted as offered. He said the report of the Executive Director would be received.

The Executive Director reported that with respect to the possibility of an amended budget for 1967 he would like to comment on the cost of the steel haulers' strike. He said the strike during September and October had no well defined beginning nor well defined ending insofar as its effects upon usage of the Ohio Turnpike. He said that, even so, commercial traffic on the turnpike had a well defined pattern and by relating the pattern for 1967 to the pattern for 1966 it had been possible to determine fairly well the effect on commercial traffic of the steel haulers strike. The Executive Director said further the negative effect first became apparent on September 12 and continued to October 23, during which period tolls from commercial traffic were almost \$100,000 less than the commercial tolls for the like period in 1966. He said harassment of the steel haulers began earlier than September 12 and persisted to the extent that all patrolmen of District 10 of the Ohio State Highway Patrol were put on 12-hour duty effective October 8 and were continued on an overtime basis until October 23. He said the personnel of District 10, exclusive of the captain and the three lieutenants, were entitled to overtime pay and worked a total of 5,497 overtime hours during the period at a cost to the Commission of \$23,000. He said the cost to the Commission of transportation for those overtime hours had not been determined but on the assumption that each overtime hour would result in approximately 30 miles of transportation the cost of additional transportation would be about \$10,000.

The Executive Director said further that a reasonable estimate of loss in revenue and additional expense by reason of the steel haulers' strike amounted to \$130,000.

The Executive Director reported also that he had received a letter from the Ohio Director of Highways under date of October 31, 1967, with reference to outdoor advertising along the route of the Ohio Turnpike, particularly at the interchanges. He said the Director of Highways offered

his cooperation with respect to the problem of billboards along the turnpike especially those at the interchanges. He said there was only one billboard along the turnpike. The Chairman commented that the one billboard along the turnpike needed treatment and the situation at the interchanges was difficult to cope with.

The Executive Director said further that the law with respect to advertising along the interstate highways gave only the Director of Highways the right to take action. He said the Commission had no right in itself by reason of the law. He said a determination of the constitutionality of the law had been awaited and after the constitutionality was determined the advertising at a turnpike interchange was brought to the attention of the Director of Highways with the request to order the advertising removed under his authority. The Executive Director said he discussed the matter with a representative, Mr. Harry R. Paulino, from the office of the Attorney General of Ohio, who was handling such matters for the Director of Highways. He said Mr. Paulino had been very cooperative. He said Mr. Paulino brought to the attention of the Executive Director that a case was pending in Ashtabula County which involved conditions similar to the Ohio Turnpike advertising. He said Mr. Paulino said a new question had been raised in the Ashtabula County case and asked that any action on the advertising on the turnpike be deferred until that case should be settled. The Executive Director said further he understood the Ashtabula County case had been settled so that the Director of Highways could go forward with the test case on the Ohio Turnpike. He said he would expect that a new question would be brought out as to whether or not the Director of Highways actually had authority to take action on the recommendation of the Ohio Turnpike Commission.

The General Counsel said that to the extent that the Commission was part of the interstate system it would seem the Director of Highways did have authority specifically. The Chairman said he thought all the Director of Highways had to do was to take notice of the fact the offending billboard was at the location described, and that he had authority under the law to order it off. He said the Commission had controlled billboards by virtue of authority it got from the acquisition of right-of-way and by plantings and that kind of thing but it had not had any statutory authority. He said the legislature gave the Director of Highways authority to order billboards located within 660 feet of the right-of-way removed. The Executive Director said the Director of Highways, under the law, had developed some rules and regulations which the Commission had adopted for its guide also which did permit certain types of advertising around the interchanges.

The Chairman suggested that, pursuant to an interpretation of the law, the Commission request the Director of Highways to take action under his authority.

The Executive Director reported further that a query to "Action Line", a question and answer column in the Akron Beacon-Journal, on October 26, 1967 was "The Pennsylvania Turnpike has women toll collectors. Why doesn't the Ohio Turnpike have any?" He said the answer to the question was that women had shown no interest in Ohio. He said that since that answer appeared the personnel department of the Commission had been flooded with applications from women from the Akron-Ravenna area and that at last count almost 100 applications had been received. The Executive Director said further that in expectation that sooner or later there would be female collectors the interchange utility buildings were designed so that with minor modifications the locker room space could be divided to provide separate locker rooms for men and women. He said that after 12 years of service the foresight of the designers in making that provision might bear fruit. He said a good many of the applications from women were for part-time toll collection jobs. He said part-time women toll collectors might answer some of the problems in obtaining part-time collectors.

The Executive Director reported also that several months previous the General Counsel advised that the Commission had reached agreement with the National Aeronautics and Space Administration on a matter that had been in negotiation with various agencies of the federal government since 1953. He said the agreement provided that the Commission should restore rail service to the Plum Brook Station of NASA from the south to replace a spur line severed by construction of the turnpike. He said details of the restoration were resolved in cooperation with the B & O Railroad and NASA and bids were opened on October 26, 1967 for the rehabilitation and construction of a spur railroad track to serve Plum Brook Station. He said five bids ranging from a low of \$79,405 to a high of \$99,320 were received. He said the low bidder, Atlas R. R. Construction Company of Bentlyville, Pennsylvania, had been approved by both the railroad and NASA as a contractor. He said the contract had not yet been awarded because of a problem which had arisen with respect to the remainder of the track serving the new spur line track from the south and that matter must be resolved between the B & O Railroad and NASA before the contractor could go to work.

The Chairman said the Superintendent of the Ohio State Highway Patrol, Colonel Robert M. Chiaramonte, had talked to him about some unhappiness the patrol had in maintaining communication between the patrolmen on the turnpike and the rest of the Highway Patrol. The Chairman said he told Colonel Chiaramonte he had no objection to any arrangement he could work out with the Executive Director. The Executive Director said the initial request of the Highway Patrol was to have some connection with the regular patrol circuit and specifically that a radio receiver and transmitter be installed in one patrol car assigned to each of the three Highway Patrol

posts on the turnpike. He said those radios had been ordered and should be delivered shortly. The Deputy Executive Director said he understood from the Commander of District 10 of the Highway Patrol on the turnpike that the Highway Patrol would like to have similar radio sets installed on all the patrol cars on the turnpike.

The Chairman asked that the Deputy Executive Director inform the Commander of District 10 that the Chairman had raised the point and to ask the Commander to advise Colonel Chiaramonte that the Chairman mentioned at the meeting that Colonel Chiaramonte had called him with respect to the matter and that he had referred Colonel Chiaramonte to the Executive Director.

The Chairman said that in the absence of further questions the report of the Executive Director was accepted as offered. He ascertained that the Director of Highways would not make a report. He said the report of the General Counsel would be received.

The General Counsel reported that a brief had been filed in the United States Court of Appeals for the eighth circuit at St. Louis in support of a favorable preliminary ruling in the United States District Court at Minneapolis in the case of the Ohio Turnpike Commission v. International Salt Company.

The General Counsel reported also that in the case of May v. Ohio Turnpike Commission he had prepared an endorsement which was satisfactory to the Executive Director and to the Chief Engineer on the map for the plan for the building of a road required by the ruling of the Supreme Court of Ohio in the case. He said the endorsement and map were sent to Mr. John May more than two months before with the request that, if they were satisfactory, they be signed and sent back. He said no reply had been received.

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

The Director of Information and Research displayed several maps and other information intended for distribution to travelers at interchanges which had recently been reissued to include the use of color. The Chairman said he thought the material presented was very good and very useful.

The Chairman said the report of the Director of Information and Research 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. 18-1967

"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 October 3, 1967, 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 October 3, 1967 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. 18-1967.

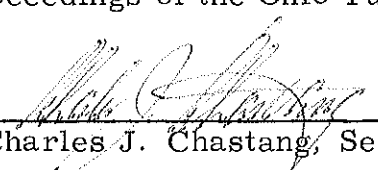
There being no further business to come before the Commission, a motion was made by Mr. Chastang, seconded by Mr. Teagarden, that the meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

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

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 12:43 P. M.

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



Charles J. Chastang, Secretary-Treasurer