

MINUTES OF THE TWO HUNDRED AND SIXTEENTH MEETING  
March 5, 1968

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 in Columbus, Ohio at 11:00 A. M. on March 5, 1968 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; 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: Teagarden; J. W. Wilson, Assistant Director of Highways and Chief Engineer of the Ohio Department of Highways representing the Director of Highways who was out of the state; and James W. Shocknessy.

Absent: Chastang, Redman.

The Chairman announced that a quorum was present.

A motion was made by Mr. Teagarden, seconded by Mr. Wilson, that the minutes for the meeting of February 6, 1968 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 present responded to roll call. The vote was as follows:

Ayes: Teagarden, Wilson, Shocknessy.

Nays: None.

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

The Chairman reported that February revenue of approximately \$2,014,000 was by far the best ever for the shortest month of the year. He said that even without the advantage of the 29th day February income exceeded substantially the \$1,759,000 receipts of the best previous February, that of 1967. He said that on a 29-day comparative basis income

was \$500,000 greater than for February in the last previous leap year.

The Chairman reported also that a second death occurred on the Ohio Turnpike in February when a westbound truck ran off the road in the vicinity of Youngstown.

The Chairman reported also that the first women toll collectors to be employed on the turnpike began their duties on February 23rd. He said it was good to have the women because it was hard to get men. He ascertained from the Executive Director that very few applications for toll collector were being received from men and that other women applicants were being processed and would be used to build up the emergency call-out collector program. The Chairman commented that the coverage by news media of the advent of women toll collectors on the Ohio Turnpike had been good. The Director of Information and Research said the Superintendent of Toll Collections had indicated delight that women were available for the jobs in view of the increasing difficulty in obtaining men toll collectors.

The Chairman reported also that Interstate Route 71 was opened to traffic in Cleveland between West 25th Street and Interstate Route 90 and at the same time a portion of I-90 was opened from the junction with I-71 to the west end of the Innerbelt Bridge. He said that as a result there was an all-Interstate route from Berea, Kentucky to New York and Boston via Cincinnati, Columbus and Cleveland without a traffic light - probably the longest continuous Interstate mileage yet available. He said there was a great reaction in Cleveland to the opening of that last portion of I-71 in that area and a great deal of acceptance.

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 that since the last meeting the following had been sent to all Members:

1. Traffic and Revenue Report for January 1968.
2. Financial Statements as of January 31, 1968.
3. Draft of the minutes of the February 6, 1968 meeting.
4. Detail of investment transactions for February 1968.

The Assistant Secretary-Treasurer reported also that the Trustee purchased \$150,000 in Ohio Turnpike revenue bonds at 87-1/2 in February and had bought \$31,000 for settlement March 5 at a price of 87. He said the purchases brought the total of bonds retired to \$87,686,000 and the outstanding bonds down to \$238,314,000.

The Chairman said that in the absence of questions the report of the Secretary-Treasurer was accepted as offered. He ascertained there would be no report by the Committee on Budget and Finance. 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 a number of matters would come before the Committee at a meeting the next day. He said the agenda would include restaurant price and portion changes requested by the Howard D. Johnson Company, restaurant equipment changes proposed by the Gladioux Corporation at the Commodore Perry and Middle Ridge Service Plazas, installation of modified cafeteria lines at Oak Openings and Fallen Timbers Plazas proposed by the Gladioux Corporation and future service plaza needs on the turnpike.

The Chairman said the report of the Committee on Service Plazas was accepted as offered. He 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 would meet the next day with representatives of Local 20 of the Teamsters Union and the following day with spokesmen for non-union employees on the turnpike.

The Chairman said the report of the Committee on Employee Relations was accepted as offered. He ascertained there would be no report by the Committee on Interchange Development. He said the report of the Committee on Safety would be received.

The Executive Director reported for the Committee on Safety that at the meeting on January 2, 1968 he reported the Committee was making a survey of all accidents on the Ohio Turnpike during 1967 which involved a fixed object in an effort to determine if the fixed objects could be eliminated or relocated to further minimize their being a hazard to an out-of-control vehicle. He said he further reported that he did not hold much hope that there could be a substantial reduction in that type of accident because the fixed objects involved were incorporated in the highway with those same thoughts in mind when the highway was designed.

The Executive Director said further that it was found that during the year 1967 there were 481 vehicles involved in 422 accidents in which 440 vehicles struck 450 fixed objects, including the right-of-way fence. He said that, as expected, by far the greatest number of impacts were with guard rail which in most, if not all, cases protected the vehicle from a more serious accident. He said guard rail accounted for 355 of the 450 fixed objects struck, that other objects struck included signs, 42; boundary fence, 29; delineators, 12; and light poles, 3.

The Executive Director said further the survey was broken down further into types of guard rail and what it protected, whether or not the fixed object was on the left or median side or on the right side, the vehicular property damage, and the fatalities and injuries resulting from those accidents. He said it included also the type and number of vehicles involved and the primary causation factor of each accident. The Executive Director said further that those accidents accounted for nine fatalities, 250 injuries and more than one-half million dollars in property damage. He said the major categories of primary causation factors were:

Excessive speed .....	9
Too fast for conditions .....	173
Defective tires .....	65
Driver sleepy or asleep .....	51
Driver inattention .....	28
Improper passing or failure to yield .....	28
Mechanical failure .....	20
Driver inexperienced or unskilled .....	15
Drinking driver .....	11

He said the remainder had miscellaneous causation factors.

The Executive Director said further the statistics quoted related to the main turnpike roadways only. He said a separate and companion study was made of 96 fixed-object accidents which occurred at toll plazas, at service plazas, on ramps and on service and access roads. He said the favored targets in those accidents were light poles, 29; guard rail, 15; and signs, 14. He said 28 accidents occurred in the toll booth area and involved fixed objects related to the toll plaza other than signs and roadway lights.

The Executive Director said further the next step in the study would be to pick it apart in detail in an effort to determine whether or not there were any problems of a nature which could be corrected by physical improvements and whether the cost of those improvements was within reason.

The Executive Director said further that obviously better drivers and proper maintenance of vehicles were the cure to practically all the problems involved.

The Chairman said the report of the Committee on Safety was accepted as offered. He said the report of the Executive Director would be received.

The Executive Director reported that at the meeting on February 6, 1968 he reported five resurfacing projects had been scheduled for 1968. He said bids were opened on three projects on March 1.

The Executive Director said further that on Project RMP 59-68-1, which comprised the original contract sections C-36 and C-37, extending from Milepost 92.4 to Milepost 101.5 in Sandusky County, one bid was received - from S. E. Johnson Company and Ohio Road Paving Company, a joint venture, of Maumee, Ohio - in the amount of \$1,193,747.30. He said the estimate was \$1,172,968.85.

The Executive Director said further that on Project RMP 59-68-3, which covered the original construction sections C-13 and C-14, extending from Milepost 177.4 to Milepost 186.7 in Summit and Portage Counties, three bids were received of which the low bid was submitted by The McCourt Construction Company of Akron, Ohio in the amount of \$1,026,269.37. He said the estimate for that project was \$1,334,977.95.

The Executive Director said further that on Project RMP 59-68-5, covering original contract sections C-1 and C-2, extending from Milepost 230.6 to Milepost 241.2 in Mahoning County, one bid was received - from The City Asphalt and Paving Company of Youngstown, Ohio in the amount of \$1,375,595.05. He said the estimate for that project was \$1,645,979.00.

The Executive Director said further that all the bids had been analyzed by the Consulting Engineers and the Chief Engineer and had been reviewed by him and the Deputy Executive Director. He said General Counsel had examined the bids and found them to be in order. He said it was recommended to the Commission that it take favorable action on three resolutions prepared for the purpose of making awards as follows:

On Project RMP 59-68-1 to the S. E. Johnson Company and Ohio Road Paving Company, a joint venture, in the amount of \$1,193,747.30.

On Project RMP 59-68-3 to The McCourt Construction Company in the amount of \$1,026,269.37.

On Project RMP 59-68-5 to The City Asphalt and Paving Company in the amount of \$1, 375, 595. 05.

The representative of the Consulting Engineers said his principal recommended passage of the resolutions.

A resolution awarding Contract RMP 59-68-1 was moved for adoption by Mr. Wilson, seconded by Mr. Teagarden, as follows:

RESOLUTION NO. 4-1968

"WHEREAS the Commission has duly advertised, according to law, for bids upon a contract for the repair and resurfacing of original Construction Sections C-36 and C-37, between Milepost 92.4 and Milepost 101.5 in Sandusky County, Ohio, which contract is designated Contract RMP 59-68-1, and proof of said advertising is before the Commission;

"WHEREAS at the bid opening for the performance of said contract there was but one bid received which was duly opened and read as provided in the published notice for said bid, and said bid is before this meeting;

"WHEREAS said bid has been analyzed by the Commission's consulting engineer and by its chief engineer, and they have reported thereon to the Commission with respect to said analysis and they, and also the Commission's executive director, have made their recommendations predicated thereon;

"WHEREAS all bids for said contract were solicited on the basis of the same terms and conditions, and the same specifications, with respect to all bidders and potential bidders, and the bid of S. E. Johnson Company and Ohio Road Paving Company, Joint Venture, Maumee, Ohio, for the performance of said Contract RMP 59-68-1, is, and is by the Commission determined to be, the lowest, being the only bid received for the performance of said contract, and the same appears to be satisfactory, and the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.04 of the Revised Code of Ohio and to the terms, conditions, and specifications in the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the lowest and best bid, being the only bid received, for the performance of the work required under said contract and of the incidental obligations thereof; and

"WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of S. E. Johnson Company and Ohio Road Paving Company, Joint Venture, Maumee, Ohio, for the performance of Contract RMP 59-68-1 be, and hereby it is, determined to be the lowest and best, being the only bid received, and is accepted, and that the chairman and executive director, or either of them, be, and each of them hereby is, authorized, (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission, pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a performance bond as heretofore approved by the Commission, (2) to direct the return to said successful bidder of its bid security when the aforesaid contract has been duly executed and said performance bond furnished, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract. "

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

Ayes: Wilson, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with all Members present voting in the affirmative. The resolution was identified as No. 4-1968.

A resolution awarding contract RMP 59-68-3 was moved for adoption by Mr. Wilson, seconded by Mr. Teagarden, as follows:

RESOLUTION NO. 5-1968

"WHEREAS the Commission has duly advertised, according to law, for bids upon a contract for the repair and resurfacing of original Construction Sections C-13 and C-14, between Milepost 177.4 and Milepost 186.7 in Summit and Portage Counties, Ohio, which contract is designated Contract RMP 59-68-3, and proof of said advertising is before the Commission;

"WHEREAS bids for the performance of said contract have been received and were duly opened and read as provided in the published notice for said bids, and said bids are before this meeting;

"WHEREAS said bids have been analyzed by the Commission's consulting engineer and by its chief engineer, and they have reported thereon to the

Commission with respect to said analysis and they, and also the Commission's executive director, have made their recommendations predicated thereon;

"WHEREAS all of the aforesaid bids for said contract were solicited on the basis of the same terms and conditions, and the same specifications, with respect to all bidders and potential bidders, and the bid of The McCourt Construction Company, Akron, Ohio, for the performance of said Contract RMP 59-68-3, is, and is by the Commission determined to be, the lowest of all said bids for the performance of said contract, and the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537. 04 of the Revised Code of Ohio and to the terms, conditions, and specifications in the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the lowest and best bid for the performance of the work required under said contract and of the incidental obligations thereof; and

"WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

"NOW, THEREFORE, BE IT

"RESOLVED that the Bid of The McCourt Construction Company, Akron, Ohio, for the performance of Contract RMP 59-68-3 be, and hereby it is, determined to be the lowest and best of all said bids and is accepted, and that the chairman and executive director, or either of them, be, and each of them hereby is, authorized, (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission, pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a performance bond as heretofore approved by the Commission, (2) to direct the return to all bidders for the aforesaid contract, other than said successful bidder, of the bid security furnished by each of them, respectively, (3) to direct the return to said successful bidder of its bid security when the aforesaid contract has been duly executed and said performance bond furnished, and (4) to take any and all action necessary or proper to carry out the terms of said bid and of said contract. "

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

Ayes: Wilson, Teagarden, Shocknessy.

Nays: None.



The Chairman declared the resolution adopted with all Members present voting in the affirmative. The resolution was identified as No. 5-1968.

A resolution awarding contract RMP 59-68-5 was moved for adoption by Mr. Wilson, seconded by Mr. Teagarden, as follows:

RESOLUTION NO. 6-1968

"WHEREAS the Commission has duly advertised, according to law, for bids upon a contract for the repair and resurfacing of original Construction Sections C-1 and C-2, between Milepost 230.6 and Milepost 241.2 in Mahoning County, Ohio, which contract is designated Contract RMP 59-68-5, and proof of said advertising is before the Commission;

"WHEREAS at the bid opening for the performance of said contract there was but one bid received which was duly opened and read as provided in the published notice for said bid, and said bid is before this meeting;

"WHEREAS said bid has been analyzed by the Commission's consulting engineer and by its chief engineer, and they have reported thereon to the Commission with respect to said analysis and they, and also the Commission's executive director, have made their recommendations predicated thereon;

"WHEREAS all bids for said contract were solicited on the basis of the same terms and conditions, and the same specifications, with respect to all bidders and potential bidders, and the bid of The City Asphalt and Paving Company, Youngstown, Ohio, for the performance of said Contract RMP 59-68-5, is, and is by the Commission determined to be, the lowest, being the only bid received for the performance of said contract, and is by the Commission determined, on the basis of the aforesaid analyses and recommendations, to be a satisfactory bid for the performance of said contract, and the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.04 of the Revised Code of Ohio and to the terms, conditions, and specifications in the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the lowest and best bid, being the only bid received, for the performance of the work required under said contract and of the incidental obligations thereof; and

"WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of The City Asphalt and Paving Company, Youngstown, Ohio, for the performance of Contract RMP 59-68-5 be, and hereby it is, determined to be the lowest and best, being the only bid received, and is accepted, and that the chairman and executive director, or either of them, be, and each of them hereby is, authorized, (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission, pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a performance bond as heretofore approved by the Commission, (2) to direct the return to said successful bidder of its bid security when the aforesaid contract has been duly executed and said performance bond furnished, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

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

Ayes: Wilson, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with all Members present voting in the affirmative. The resolution was identified as No. 6-1968.

The Executive Director reported also that the previous July, in keeping with new laws of the State of Ohio, the Commission authorized an increase in the length of trucks effective August 11, 1967. He said the length of single units was increased from 35 to 40 feet, and the length of any combinations was increased from 60 feet to 65 feet. He said that in making his report to the Commission he predicted that because of the increased lengths permitted under the new rule a negative effect on revenues under the permit program could be expected. He said it was suggested at that time that the permit-fee structure be reviewed in the hope that the negative effect would be minimized or overcome.

The Executive Director said further that, in comparison to permit revenues of 1966, the Commission lost a total of \$13,973 during the months of August, September and October of 1967 but plusses began to appear in November 1967 and continued through December 1967 and January 1968 to a total of \$7,346. He said it appeared from those figures that, if the latter trend should continue, the reduction in permit fees had

stimulated use of the turnpike by over-dimensional vehicles to the extent that the increased usage would more than offset the reduction in costs of the individual permits.

The Executive Director said further that in August 1967 the Consulting Engineers recommended the adoption of a new schedule of fees as they related to overwidth vehicles as a deterrent to the growth experienced in the use of the turnpike by that type vehicle. He said that in giving consideration to that recommendation the consensus of the staff favored a postponement of further consideration of an increase in permit fees pending additional experience under the new length regulations. He said the staff would continue its surveillance of the use of the turnpike by overwidth vehicles and, should it appear that that use interfered with the normal traffic flow or became a hazard to traffic, a review of the recommendation of the Consulting Engineers would be made at that time.

The Chairman said that in the absence of questions the report of the Executive Director was accepted as offered. He ascertained there would be no report by the Director of Highways. He said the report of the General Counsel would be received.

The General Counsel reported that since the last meeting he attended the taking of depositions in Clark Summit, Pennsylvania in the suit of the Commission against International Salt Company. He said the United States Circuit Court of Appeals in St. Louis, Missouri on February 15 had heard the Commission's arguments in the same case on a preliminary question of proof in which the District Court in Minneapolis had ruled in favor of the Commission.

The General Counsel reported also that a suit by others against the City of Broadview Heights in Cuyahoga County, Ohio with reference to the sewer tax imposed by the City had been decided in favor of private plaintiffs and against the City. He said the Commission had preferred not to consolidate its suit against the City with the suit that had been decided because the question of sovereignty in the Commission's case was considered to be so important. He said the Commission's motion for summary judgment was argued January 5, 1968 in Common Pleas Court of Cuyahoga County.

The Chairman said that in the absence of questions the report of General Counsel was accepted as offered. He ascertained that there would be no reports by the Consulting Engineers or by the Director of Information and Research.

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

RESOLUTION NO. 7-1968

"WHEREAS the executive director, deputy executive director, chief engineer, general counsel, assistant general counsel, secretary-treasurer, assistant secretary-treasurer, comptroller, and the director of information and research of the Commission, have by various written and oral communications fully advised the members of the Commission with respect to their official actions taken on behalf of the Commission since the Commission's last meeting on February 6, 1968, and the Commission has duly reviewed and considered the same;

"NOW, THEREFORE, BE IT

"RESOLVED that all official actions taken by the aforesaid administrative officers of the Commission on its behalf since the Commission's meeting on February 6, 1968 hereby are ratified, approved and confirmed."

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

Ayes: Teagarden, Wilson, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with all Members present voting in the affirmative. The resolution was identified as No. 7-1968.

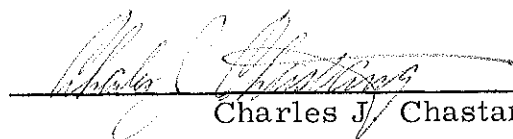
There being no further business to come before the Commission, a motion was made by Mr. Teagarden, seconded by Mr. Wilson, that the meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all Members present responded to roll call. The vote was as follows:

Ayes: Teagarden, Wilson, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 11:28 A. M.

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



Charles J. Chastang, Secretary-Treasurer