

MINUTES OF THE ONE HUNDRED & NINETEENTH MEETING
June 4, 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 June 4, 1968 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; 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: O. L. Teagarden, E. C. Redman, Charles J. Chastang, J. W. Wilson, assistant director of highways and chief engineer of the Ohio Department of Highways, who represented the Director of Highways, and James W. Shocknessy.

Absent: None.

The Chairman announced that a quorum was present.

A motion was made by Mr. Redman, seconded by Mr. Wilson, that the minutes for the meeting of May 7, 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 responded to roll call. The vote was as follows:

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

Nays: None.

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

The Chairman reported that that morning he had had handed to him a letter dated June 3 from the Executive Director, C. W. Hartford, advising the Commission of his resignation and of his intention to retire at the close of business on the 15th of July. He said it was needless to say that he received the resignation on behalf of the Commission with

feelings of deepest regret. He said C. W. Hartford, whom he had affectionately known for half a lifetime as Red, was a man of great consequence. He said it was rare that public service was graced by a man of such talent and devotion, experience and background as Red Hartford had and it was rare that the State of Ohio was the beneficiary of the service of one so able. The Chairman said Mr. Hartford had served the State of Ohio for 37 years, approximately 21 years in the Highway Department and approximately 16 with the Turnpike Commission. He said that if Mr. Masheter were present he would attest to the brilliance of Mr. Hartford's service in the Highway Department and he knew in Mr. Masheter's absence Mr. Wilson would do the same. He said Mr. Hartford was Chief of Right of Way of the Highway Department and he came to the Commission as Chief of Right of Way, becoming Executive Director about eleven years before. He said that during his tenure the Ohio Turnpike had grown up and become an integral part, not merely of the highway system of Ohio, but of the economy of the State and Nation.

The Chairman said further he had had the completest confidence in Red Hartford, that they had had a very close rapport over the years. He said they had talked together sometimes more than two or three times a day - usually once a day or several times a week. He said the operation of the turnpike had been no special concern to the Members of the Commission because Mr. Hartford was so loyal, so responsible, so competent, so endowed with good judgment that the job of being a Member of the Commission was greatly lightened just by his service.

The Chairman said further he congratulated Mr. Hartford on having the courage to resign and retire at his comparatively young age. He said he had had 37 years with the State of Ohio in the Highway Department and with the Turnpike Commission and had been eligible to retire with the full benefit of retirement for more than two years but he chose to stay on the job the additional two years. He said it would have been his hope and the hope of the other Members that he would stay on the job for many years longer if he had so chosen to do but instead of that he had chosen to retire. He said it took courage to do it when one did not have to and so it was his pleasure to pass out Mr. Hartford's biography on his retirement rather than his obituary. The Chairman said a lot of people without Mr. Hartford's good judgment and courage chose to stay on the job until the authority under which they worked received their retirement and their obituary at the same time. He said Mr. Hartford had not done that. He said Mr. Hartford was going to retire and he hoped he had many happy years in retirement. He said he hoped he would be available to the Commission and to his

successor for consultation as the occasions for consultation might dictate. The Chairman said Mr. Hartford's record spoke more eloquently than anything he could say of the validity of his service and, accordingly, he extended his hand and wished Mr. Hartford well and told him that the Commission would miss him like everything.

The Chairman reported also the Commission had another resignation. He said Mr. E. W. Meeker, Chief Engineer for the past 12 years, was also retiring. He said Mr. Meeker would retire at the close of business the 30th of June. He said Mr. Meeker had been a very valued, very competent, efficient official of the Ohio Turnpike Commission. The Chairman said he was not an Ohio native. He said he had had a rich experience before coming to Ohio as Director of Highways in South Dakota and in the highway industry in that state. He said Mr. Meeker would leave with all the Commission's expressions of good will, with all the Commission's expressions of the competence of his service. He said it was interesting that the Turnpike Commission had been in existence long enough to have top officials retiring after having served long tenures.

The Chairman said that with his usual efficiency and his usual foresightedness Mr. Hartford had prepared for his retirement. He said he had had as his assistant and deputy those many years a man in whom the Commission had great confidence, Mr. Russell S. Deetz, who had an early experience in running the turnpike from December of 1954 until October 1, 1955 when it was only 22 miles long. The Chairman said it was his recommendation - a recommendation which the Commission had already received from Mr. Hartford by memorandum - that Mr. Deetz be appointed effective the 16th of July to succeed Mr. Hartford as Executive Director. He said the successor to Mr. Meeker likely would be chosen at the next meeting of the Commission.

The Chairman reported also that in order to accomplish the necessary adjustments which would be occasioned by the resignation and retirement of Mr. Hartford and the accession of Mr. Deetz to the position certain adjustments in the organization of the staff of the Commission should be made. He said it was Mr. Hartford's recommendation that the Commission not fill the position of Deputy Executive Director at that time, and that instead it divide the duties and make some promotions and adjustments within the organization which Mr. Hartford might proceed to make prior to his retirement and effective July 1st.

The Chairman ascertained that the Members were agreeable to Mr. Hartford's recommendation. He said that was an indication

of the Commission's authority to Mr. Hartford to proceed to make the adjustments necessary in the organization of the Commission.

On behalf of the whole Commission the Chairman offered a resolution appointing executive director as follows:

RESOLUTION NO. 11-1968

"WHEREAS C. W. Hartford has submitted his resignation as executive director effective at the close of business July 15, 1968:

"NOW, THEREFORE, BE IT

"RESOLVED that Russell S. Deetz be and he is appointed hereby executive director of the Commission effective July 16, 1968, to serve at his and the Commission's mutual pleasure, and that his compensation shall be at the rate of \$20,000 per annum. "

The Chairman asked Mr. Deetz if he would accept the position of Executive Director. Mr. Deetz replied in the affirmative. The Chairman said it could be assumed that all the Members would second the resolution.

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

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

Nays: None.

The Chairman said the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 11-1968.

The Chairman addressed Mr. Deetz and said he had the Member's expressions of confidence and good will implicit in the resolution. He said he knew Mr. Deetz would carry on in the tradition of his predecessor and that he would not feel bound by any precedent, however, other than those which progress dictated. He said Mr. Deetz had his best wishes and he would shake his hand on behalf of the whole Commission.

The Chairman said further to Mr. Deetz that the Commission had great confidence in the organization which he would inherit. He said he had been a cornerstone of it and he was sure that he would become the keystone. The Chairman said he would assure him that anything he

could personally do, or the Members of the Commission could personally do, to assist him, all five Members stood ready to offer.

Mr. Hartford responded to the Chairman's remarks and said he had spent a great deal of his working life with the Commission and he certainly would have many fond memories especially of starting out in a bathroom in a hotel and from there on to where the Commission currently was with the operation of the Ohio Turnpike. He said he deeply appreciated the confidence the Commission had placed in his service with the Commission over those 16 years. He said it certainly had been a gratifying experience and he did feel in his heart that part of the turnpike was his although he could not take it with him. He said that if he could ever be of service to the Commission after he left he would be happy to do so.

Mr. Deetz responded to the Chairman's remarks and said he greatly appreciated the confidence the Commission had shown toward him. He said he had enjoyed tremendously working with the Commission ever since the beginning days when it was in the hotel referred to by Mr. Hartford, and he hoped he could continue to serve the Commission well in the future. He said he had the advantage of having had Mr. Hartford to set the guidelines for him for many years and not only Mr. Hartford but the previous Executive Directors, General Robt. S. Beightler and Frank C. Dunbar, when he was Project Manager and Eastgate Section Manager.

The Chairman reported also that the May revenue was the best for May so far. He said the Commission's income for the first five months of 1968 was more than a million dollars more than for any previous similar period. Toll revenue from trucks and buses in May amounted to more than \$1,122,000, which is more than for any previous month.

The Chairman reported also that during May there were three fatal accidents, in each of which one person was killed.

The Chairman reported also that the Interstate Coordinators' Conference was still struggling with the Equal Employment Opportunity conflict with respect especially to a contract in the Akron area. He said the Comptroller General of the United States has issued an opinion on the matter which was really illuminating. He said there were some people in the government who still respected the law. He said the Comptroller General by that opinion to Congressman William C. Cramer of Florida had indicated his respect for law. He said there was a paragraph

which especially set out the law. He said the Conference had been trying to persuade the Department of Transportation and the Department of Labor as to what the law was and the Comptroller General had stated it just as the Conference had often stated it. The Chairman said the Departments had said the Equal Employment Opportunity requirements should be applied to contracts after award - that some nebulous number of minority group members be employed but without being willing to say how many. He said the Comptroller General had said, "You can't do that," that once a contract had been awarded the terms could not be changed. He said that was what the Conference had been trying to tell them for some time. He said the Comptroller General said he was "therefore advising the Secretary of Labor that if the proposed order is adopted it should be appropriately implemented, before becoming effective, by regulations which should include a statement of definite minimum requirements to be met by the bidder's program, and any other standards or criteria by which the acceptability of such program will be judged." The Chairman said that, of course, the Comptroller General's opinion was not self-executing and the Departments could still ignore it.

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

The Secretary-Treasurer, Mr. Chastang, said the report would be made by the Assistant Secretary-Treasurer, John Soller. Mr. Soller reported that since the last meeting the following had been sent to all Members:

1. Traffic and Revenue Report for April 1968.
2. Financial Statements as of April 30, 1968.
3. Draft of the minutes of the May 7, 1968 meeting.
4. Detail of investment transactions for May 1968.

The Assistant Secretary-Treasurer reported also that to date in June the Trustee had purchased \$91,000 in Ohio Turnpike bonds at a price of 83-1/2.

A resolution designating persons to sign requisitions and certificates under Sections 408, 506, and 509 of the Trust Agreement was moved for adoption by Mr. Chastang, seconded by Mr. Teagarden, as follows:

RESOLUTION NO. 12-1968

"WHEREAS the Commission, by resolution No. 50-1956, designated certain persons to sign requisitions, certificates, statements, approvals, and opinions provided for by various sections of the trust agreement dated June 1, 1952, between 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; and

"WHEREAS subsequent to the adoption of said resolution certain changes have occurred in Commission personnel, and payments from the construction fund are no longer contemplated;

"NOW, THEREFORE, BE IT

"RESOLVED that the aforesaid resolution No. 50-1956 be, and the same hereby is, rescinded as of June 4, 1968 and the authorizations hereinafter set forth are to the extent needed substituted therefor effective as of June 4, 1968;

"FURTHER RESOLVED that requisitions for payments to be made by the trustee pursuant to Section 408 of the trust agreement shall be signed by the secretary-treasurer, or the assistant secretary-treasurer, who are officers of the Commission, or by the executive director, or in his absence, by the deputy executive director, or by the comptroller, employees of the Commission;

"FURTHER RESOLVED that certificates required by Section 408 of the trust agreement shall be signed by the secretary-treasurer, or the assistant secretary-treasurer, who are officers of the Commission, or by the comptroller, an employee of the Commission, and by the executive director, an employee of the Commission;

"FURTHER RESOLVED that statements, opinions, and approvals required by Section 408 of the trust agreement shall be signed by general counsel, or in his absence by assistant general counsel for the Commission;

"FURTHER RESOLVED that requisitions for payments made pursuant to Section 506 of the trust agreement and certificates required by the same section shall be signed by the chairman, or vice-chairman, or other officer of the Commission, or by the executive director or the comptroller, employees of the Commission; and

"FURTHER RESOLVED that payments made from the reserve maintenance fund pursuant to Section 509 of the trust agreement shall be upon requisition signed by an officer of the Commission, or by the executive director or the comptroller, employees of the Commission."

The Chairman said the resolution was necessary in order to accommodate the prospective changes in personnel. He said that hitherto authority was conferred by name of the person who was to exercise it but it was thought better to confer authority by the office.

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

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

Nays: None.

The Chairman declared the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 12-1968.

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 the contracts awarded in the spring for the furnishing and installation of composition flooring at Commodore Perry and Middle Ridge Service Plazas were completed prior to the beginning of the heavy Memorial Day holiday period.

Mr. Teagarden reported also that the plans and specifications for the remodeling of the counter areas at Oak Openings and Fallen Timbers Service Plazas were received from the architect the past week. He said they were currently being reviewed by the staff and general consultant and it was expected that contracts for that work would be advertised within the next few days. He said that except for a limited amount of work in the lobby area those contracts could be progressed without any interference with patrons of the restaurant inasmuch as they were low volume plazas and accordingly it was anticipated the restaurant operator would be able to accommodate all persons expeditiously by using a temporary speed-service counter in the dining room in addition to table service.

Mr. Teagarden reported also that the remaining project of the 1968 remodeling program which provided for the construction of an additional dining room at Middle Ridge Service Plaza was in the design phase and it was not expected that the contract for the work would be advertised until middle summer.

Mr. Teagarden reported also that inspections made of service plazas by members of the Commission's staff over the Memorial Day holiday period extending from Wednesday, May 29, through Sunday, June 2, indicated that the patrons of the Ohio Turnpike were generally well accommodated.

In reply to a question by Mr. Redman, the Executive Director said the information supplied during the summer of 1967 by an outside investigator who paid regular visits to the service plazas on the turnpike was very enlightening and productive of many constructive suggestions which were followed by the restaurant concessionaires. He said the person who performed that service would not be available in 1968. The Chairman said he thought such a service should be instituted for the summer of 1968 if a suitable person could be found to perform it.

The Chairman said in the absence of further questions the report of the Committee on Service Plazas was accepted as offered. He ascertained there would be no reports by the Committee on Employee Relations or 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 one of the traffic fatalities during May was an employee of the Commission - the first employee so lost since the turnpike was constructed. He said there had been some serious injuries to Commission employees but that was the first fatal accident in which an employee of the Commission was a victim. He said the accident occurred in an area where the roadways were being resurfaced and traffic in both directions was on one roadway. He said Mr. Robert L. Williams, 53, the employee concerned, was western division technician in the Maintenance Department and had been working between the Commodore Perry and Erie Islands service plazas in the Fremont area and was crossing the turnpike at a crossover built for that purpose. He said Mr. Williams instinctively looked to his right and saw nothing coming but apparently failed to look to his left and pulled out of the crossover in front of a truck and was killed immediately. Mr. Hartford said the death of Mr. Williams was most regrettable.

The Chairman said that in the absence of questions 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 there were a number of construction projects in progress on the turnpike, most of which were resurfacing projects. He said the construction work had been plagued by wet weather and as a consequence was behind schedule but with an assist of good weather during the month of June might be brought up to schedule.

The Executive Director said further there were still two projects remaining in the 1968 construction program on which he expected to take bids late in June. He said those projects comprised 16.7 miles of resurfacing. He said no work would be done on those projects that would in any way interfere with traffic until after Labor Day.

The Executive Director said further that the resurfacing program for 1969 would be almost as large as the 1968 program. He said that with the completion of the next year's resurfacing, that activity should taper off to a normal program.

The Executive Director reported also that the Committee on Employee Relations recommended to him under date of March 21, 1968 that in the event of an extreme hardship and where the employee had earned sick leave in excess of 90 days the Executive Director might recommend to the Commission that additional sick leave be allowed for that employee to a maximum of 120 days but not more than his earned sick leave credit. He said he had now the first possible application for increased sick leave benefit for an employee, namely, Glen M. Link of the Kunkle Maintenance Section. He said Mr. Link was a Class II maintenance man who was driving a truck on the turnpike on February 2, 1968 which was struck in the rear by another truck and driven down the road some six or seven hundred feet where it overturned. The Executive Director said Mr. Link suffered injuries in that accident to the extent that he was still in the hospital and would use up his allowable 90 days sick leave shortly. He said he had a total accumulation of 107 days sick leave and he would recommend and, in the absence of any objection by the Commission, would grant the additional 17 days to Mr. Link. He said he doubted that Mr. Link would return to work at that time and, if so, would then go under industrial compensation. He said Mr. Link's hospital bill was currently being handled by industrial compensation and he would go on industrial compensation. He said Mr. Link was one of those employees who took a very limited amount of sick leave and only when necessary and he felt that in a case of such nature wherein he could be granted sick leave it would be the fair thing to do rather than have him go on

industrial compensation earlier. He said granting the additional sick leave required only the concurrence of the Commission and in the absence of any objection he considered he had that concurrence.

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, Lockwood Thompson, reported that within the last few days the Commission had had a ruling in the law suit that the Commission brought against the City of Broadview Heights in connection with an attempt by the City to levy against the Commission a water assessment - \$1.00 for every one thousand cubic feet of water consumed at Great Lakes and Towpath Service Plazas - in addition to the cost of the water. He said the Commission brought suit in the matter and filed a motion for summary judgment and a few days before the Commission received notice from Common Pleas Judge Perry B. Jackson that he had decided the motion for summary judgment in favor of the Commission. He said the journal entry had not yet been signed by all parties concerned so he did not know exactly what the court ruled.

The General Counsel said further that the Assistant General Counsel, Francis K. Cole, had the major work in the case and deserved great credit. The Chairman said the report was just fine.

The General Counsel reported also that with respect to certification of completion of construction of the turnpike he had completed his review of the right-of-way parcels acquired for the construction. He said that very exhausting task was currently at the stage of being primarily a stenographic matter and a question of obtaining the proper releases from public utilities in connection with such things as drainage easements. He said his count of the parcels of right-of-way taken in the building of the turnpike totalled 5,630 made up of 2,597 fee parcels, 2,092 permanent easements, and 941 temporary easements. In response to a question by the Chairman, the General Counsel said he thought the report of his review should be filed with the Comptroller. The Chairman said he thought the report belonged with the Secretary-Treasurer of the Commission.

In response to a question by the Chairman, the General Counsel said the Commission had received an executed instrument from the National Aeronautic and Space Administration providing a perpetual easement for highway purposes on a parcel of government land at Plum

Brook Station of NASA. He said NASA was to have given the Commission the easement as soon as construction was completed of a spur track by the Commission to replace a spur track which had given access to the Station over a piece of land required for the roadways of the Ohio Turnpike. He said the work was to be completed by June 30, 1968, but the Chief Counsel for NASA told him that NASA was willing, since the work had been commenced and NASA was satisfied the Commission was in good faith, to see that the Commission should have the easement to the parcel - Parcel 95E.

The General Counsel said the parcel was in the Commission's possession and the deed had been filed so that everything except certain utility releases was currently in hand to effect the perfection of the certification of completion.

The General Counsel said also that he was very regretful about Mr. Hartford's decision to retire. He said he had seen a good many governmental agencies within Ohio and outside of Ohio and his own opinion was that Mr. Hartford as Executive Director had been the ablest and finest director of any governmental agency he had known.

A resolution increasing compensation of General Counsel was moved for adoption by Mr. Shocknessy, seconded by Mr. Teagarden, as follows:

RESOLUTION NO. 13-1968

"WHEREAS it is the wish of the Commission to take note of, and give recognition to, the excellent service which the general counsel has provided the Commission over a period of years;

"NOW, THEREFORE, BE IT

"RESOLVED that the salary of the general counsel of the Commission, Lockwood Thompson, be \$19,000 per annum effective June 9, 1968."

The Chairman said the resolution was not especially significant in the amount of money involved but it was significant in that it indicated the Commission's gratitude to General Counsel for having done a good job.

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

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

Nays: None.

The Chairman declared the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 13-1968.

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

The Director of Information and Research, James D. Hartshorne, said it had been nice working with Red Hartford and he was sure all of the staff were going to miss him. He said he was sure also that the staff would be able to work nicely with Russell Deetz.

The Chairman said the report of the Director of Information and Research was accepted as offered. The Chairman asked Mr. Harnden to advise his office in Baltimore of the changes in personnel and otherwise that had been made at the meeting. He instructed the Assistant Secretary-Treasurer to advise the Trustee.

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

RESOLUTION NO. 14-1968

"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 May 7, 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 May 7, 1968 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, Redman, Chastang, Wilson, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 14-1968.

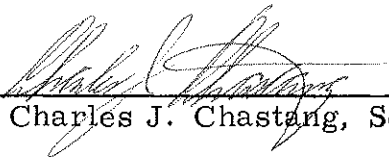
There being no further business to come before the Commission, a motion was made by Mr. Chastang, seconded by Mr. Teagarden, that the meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

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

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 12:23 P. M.

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



Charles J. Chastang, Secretary-Treasurer