

MINUTES OF THE TWO HUNDRED AND TWENTY-FOURTH MEETING
December 10, 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 December 10, 1968 with the key members of the staff; representatives, Mr. Fred S. Cresswell and Mr. H. A. Harnden, of the Consulting Engineers; a representative, Mr. P. Joseph Sesler, of the Trustee; 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, Teagarden, Chastang, Masheter, Shocknessy.

Absent: None.

The Chairman announced that a quorum was present.

A motion was made by Mr. Redman, seconded by Mr. Teagarden, that the minutes for the meeting of November 5, 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, 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 Trustee in December to date purchased Ohio Turnpike revenue bonds in the principal amount of \$3,312,000 at an average price of 86.3. He said the purchases brought redemptions in 1968 to \$13,444,000, and the total to date to \$100,949,000, and reduced the Commission's bonded indebtedness to \$225,051,000.

The Chairman reported also that revenue for November 1968 was \$2,572,004 as compared to \$2,446,322 in November of 1966 - the best previous November.

The Chairman reported also that the Commission was very proud of the fact that there was not a single fatal accident on the Ohio Turnpike during the five days of the Thanksgiving weekend. He said it was the eighth fatality-free Thanksgiving holiday period on the turnpike.

The Chairman said the report of the Chairman was accepted as offered. He said the report of the Secretary-Treasurer, Mr. Chastang, would be received.

The Assistant Secretary-Treasurer, Mr. John Soller, 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 1968.
2. Financial Statements as of October 31, 1968.
3. Draft of the minutes of the November 5, 1968 meeting.
4. Detail of investment transactions for November 1968.

The Chairman said that in the absence of questions, the report of the Secretary-Treasurer would be recorded as received. He said the report of the Committee on Budget and Finance would be received.

A resolution adopting supplement to annual budget for the fiscal year 1968 was moved for adoption by the chairman of the Committee on Budget and Finance, Mr. Redman, seconded by Mr. Chastang, as follows:

RESOLUTION NO. 25-1968

"WHEREAS pursuant to Sec. 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. 20-1967 adopted an annual budget for the fiscal year 1968;

"WHEREAS pursuant to Sec. 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 a need for certain supplementary budget allowances for the

remainder of the current fiscal year; and

"WHEREAS a supplemental budget for the remainder of the year 1968 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 supplemental budget of current expenses for the fiscal year 1968:

Supplemental Annual Budget for Fiscal Year 1968

Expenses

Administration & Insurance (increase in estimate) +\$10,000

Operations (increase in estimate) +230,000

Trust Indenture Expense (unchanged) -0-

Total +\$240,000

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

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 resolution stood adopted with all members voting in the affirmative. The resolution was identified as No. 25-1968.

A resolution adopting annual budget for the fiscal year 1969 was moved for adoption by Mr. Redman, seconded by Mr. Teagarden as follows:

RESOLUTION NO. 26-1968

"WHEREAS the Commission, by resolution No. 19-1968, adopted a preliminary budget for the fiscal year 1969, 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 Sec. 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 1969, to be designated the "Annual Budget"; and

"WHEREAS Sec. 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 1969

Income	\$34,000,000
Current Expenses	
Administration & Insurance	1,345,370
Operations	6,482,665
Trust Indenture Expense	<u>138,100</u>
Total Current Expenses	\$ 7,966,135

"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 of the preliminary budget heretofore adopted by resolution No. 19-1968; 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."

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 stood adopted with all Members voting in the affirmative. The resolution was identified as No. 26-1968.

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 during the month of November the remodeling of the food service areas at the Fallen Timbers and Oak Openings Service Plazas was completed. He said the wisdom of remodeling those facilities to include cafeteria and speed-snack bar service was confirmed when record numbers of patrons were served at the locations during the Thanksgiving holiday period with no apparent problems.

Mr. Teagarden reported also that during the Thanksgiving holiday each restaurant and gas station was visited by members of the staff to see how well the turnpike patrons were accommodated. He said the concessionaires had increased their staffs in anticipation of heavy traffic and they were not disappointed. He said new records for sales over a Thanksgiving holiday were established but, except in instances where the throngs of people exceeded the capacity of the facility, there were no service problems and sanitary conditions were satisfactorily maintained.

Mr. Teagarden reported also that the construction of the additional cafeteria seating area at the Middle Ridge Service Plaza was progressing on schedule and should be completed during December.

Mr. Teagarden asked that the record show that the news stories which appeared in The Journal of Lorain, Ohio and the editorials which appeared in that newspaper between the dates of November 17 and

December 8 had been brought to the attention of the Members of the Commission and were brought to the attention of the Commission in session at the meeting and the Commission directed the Executive Director to examine the charges made and give the same attention to The Journal's charges as would be given to any other complaint and the Commission would strive to see that a proper standard of food and service was maintained. He said the Commission reasserted to the Executive Director that there could never be any relaxation in the supervision given. He said the Commission further stated that when bids are taken for food service on the turnpike, which would be some time in 1970, the McDonald's System of Ohio, Inc., which The Journal mentioned, and any other properly qualified bid or bidder would be entertained.

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, on being notified by the Teamsters Union, Local 20, that its membership also approved a joint wage proposal as the nonunion spokesmen did at the meeting on November 4, recommended that wage increases scheduled to go into effect in January 1969 be placed in effect in December 1968. He said the recommendation had been approved by the Executive Director and accordingly would go into effect the first full pay period after December 1, 1968.

The Chairman said the report of the Committee on Employee Relations was accepted as offered. He said the Executive Director would offer the report of the Committee on Safety.

The Executive Director, Mr. Russell S. Deetz, reported for the Committee on Safety that in an effort to minimize the severity of traffic accidents involving vehicles striking sign posts a post of breakaway design was being used in the repair of damaged signs. He said the post was a slip-base type. He said that when a vehicle struck such a signpost the bolts at the base, being the weakest part, failed and allowed the top portion of the support and the sign to rotate from the path of the vehicle. He said a standard drawing of the Bureau of Traffic of the Ohio Department of Highways was employed in making the post. He said none of the new posts had yet been struck. He said that whenever a sign was damaged it would be replaced by the breakaway type sign.

The Executive Director reported also for the Committee on Safety that further delay in the construction of the proposed median barrier be-

tween Mileposts 126 and 127 had been experienced. He said no bids had been received at the opening on November 6. He said several contractors advised they did not bid because of the variety of jobs involved and because they were too busy to take on any additional work at that time. He said a portion of the work was then assigned to the Commission's maintenance forces and was nearing completion. The Executive Director said further that that portion included all earthwork, raising drainage inlets, paving the median ditch, and other incidental work. He said a contract for furnishing and installing the guard rail only was then advertised, bids were received on November 29 and a contract was awarded on December 3 to Ben-Tom Corporation of Columbus, Ohio. He said it appeared the installation would be completed by about the middle of January.

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 it was the time of year to submit a proposal that the Commission grant permission for certain employees to defer until the next year vacation leave earned but for a variety of reasons not taken during 1968. He said that the previous December deferment of 181-1/2 days of vacation leave for seventeen employees had been asked. He said that currently the list had been reduced to 163-1/2 days but the number of employees had increased to twenty-one. He said only nine employees appeared on the current list who were also on the last year's list. He said it was his recommendation that the Commission take favorable action on an appropriate resolution.

A resolution authorizing deferment of days of annual vacations of certain named employees of the Commission from the calendar year 1968 until the calendar year 1969 was moved for adoption by Mr. Chastang, seconded by Mr. Redman, as follows:

RESOLUTION NO. 27-1968

"WHEREAS certain of the Commission's employees have, during the calendar year 1968, 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 1968 be deferred until the calendar year 1969, and the department heads concerned therewith have recommended such deferments;

"NOW, THEREFORE, BE IT

"RESOLVED that the employees hereinbelow listed are hereby granted permission to defer the accumulated days of vacation leave hereinbelow set forth opposite their respective names, until such time or times in the calendar year 1969 as shall be designated by such department heads as are charged with that responsibility:

<u>Employee</u>	<u>1968 Days of Vacation Leave Accumulated But Not Taken During Calendar Year 1968</u>
Carrizzo, J.	7
Deetz, R. S.	24-1/2
Finn, R.	4-1/2
Fletcher, F. E.	4-1/2
Grace, A. R.	5
Hartshorne, J. D.	9
Heil, J.	3
Hillman, N.	5
Jocke, V.	2
Ketchem, M.	3
Knott	18
McBride, P.	10
O'Grady, W.	6
Ployhart, J.	10
Pratt, R.	2
Reid, T.	15
Root, D.	3
Smith, R.	7
Van Oster, R.	15
Vartorella, A.	5
Winters, F.	5"

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

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

Nays: None.

The Chairman said the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 27-1968.

The Executive Director reported also that at the meeting of the Commission in October he reported the expectation of having a contract for the construction of a toll plaza at the interchange of Interstate Route 80 and Interstate Route 80S and the Ohio Turnpike in Mahoning County ready for award of contract at the December meeting. He said three bids were received on December 5 on that project, identified as Contract RMP 55-68-1. He said the low bid was submitted by The Jos. Bucheit & Sons Company of Youngstown, Ohio in the amount of \$485,000. The Executive Director said further that the Consulting Engineers had reviewed the bids and had recommended an award to the low bidder. He said the Chief Engineer had concurred in the recommendation of the Consulting Engineers and the General Counsel had examined the low bid and related documents and had advised in writing that the Commission might lawfully award a contract to the low bidder.

The Executive Director said further that he, therefore, recommended an award of Contract RMP 55-68-1 be made to The Jos. Bucheit & Sons Company.

In response to a question by the Chairman, Mr. Harnden said the Consulting Engineers were still of the opinion that the award as recommended by the Executive Director was the best thing to do.

A resolution awarding contract RMP 55-68-1 was moved for adoption by Mr. Masheter, seconded by Mr. Teagarden, as follows:

RESOLUTION NO. 28-1968

"WHEREAS the Commission has duly advertised, according to law, for bids upon a contract for the construction of toll plaza and utility building for the interchange of the Ohio Turnpike with Interstate Highways I-80 and I-80S in Mahoning County, Ohio, which contract is designated Contract RMP 55-68-1, 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 Joseph Bucheit & Sons Company, Youngstown, Ohio, for the performance of said Contract RMP 55-68-1 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 Joseph Bucheit & Sons Company, Youngstown, Ohio, for the performance of Contract RMP 55-68-1 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 responded to roll call. The vote was as follows:

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

Nays: None.

The Chairman said the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 28-1968.

The Executive Director reported also that a notice was sent December 9 to turnpike installations for posting on bulletin boards reminding the employees of the Commission's longstanding policy against taking of gifts or gratuities from persons or firms doing business with the Commission.

The Executive Director reported also that in past years the Executive Director had excused employees of the Commission working in the Administration Building either on the day prior to Christmas or the day prior to New Year's Day, if the employees were not otherwise excused, providing the necessary personnel were present in order that the essential operational functions of the turnpike were maintained. He said that in accordance with that practice established by his predecessor he expected to excuse a portion of the employees on Tuesday, December 24, and the remainder on Tuesday, December 31. He said schedules for employees to be excused would be recommended by the various department heads and coordinated so that essential operational functions would be maintained.

The Executive Director reported also that winter weather conditions set in before any of the six roadway resurfacing contracts could be completed. He said that on four of those contracts only corrective work on bridge decks or approaches to bridges remained to be performed, that one of the remaining two contracts awarded in the fall of the year was within 20 percent and the other within 8 percent of completion. He said nearly all work had been suspended on those contracts until in the spring of 1969 but the roadways throughout the six contract zones were in safe, usable condition.

The Executive Director reported also that Contract RMP 43-68-2 with F. Buddie Contracting, Inc. of Cleveland, Ohio for repairs to the decks of the Tinkers Creek bridges was terminated on November 7, 1968. He said the contractor failed to perform in accordance with terms and specifications of the contract and within the time allotted for the contract. He said the project was then assigned to the Commission's maintenance forces for completion of the work which was begun by the contractor but not completed. He said that work included the removal of all loose concrete in the holes opened by the contractor, sandblasting exposed reinforcing steel, placing a bonding compound on the steel and existing concrete and placing concrete in the holes.

The Executive Director said further that in addition to that work the remainder of the deck of the bridge on the westbound roadway and the entire deck of the bridge on the eastbound roadway were examined

and temporary repairs were made as determined necessary. He said the decks were currently in satisfactory condition and the westbound bridge was opened to traffic on December 1 and traffic conditions were restored to normal.

A resolution amending Section 2.10 of Article V of the code of bylaws pertaining to the authority of the Executive Director was moved for adoption by Mr. Teagarden, seconded by Mr. Redman, as follows:

RESOLUTION NO. 29-1968

"WHEREAS the Commission deems it advisable to amend the Code of Bylaws in order to grant authority to the executive director to terminate or rescind contracts;

"NOW, THEREFORE, BE IT

"RESOLVED that Sec. 2.10 of Article V of the Code of Bylaws be amended, effective immediately, by adding the following language at the end of said section:

"(20) To terminate or rescind any contract; provided, however, that the executive director shall not, without approval of the Commission, terminate nor rescind any contract which he is not authorized under these bylaws to enter into, including within this exception any construction or repaving contract for the furnishing of labor and materials involving an expenditure or proposed expenditure of more than \$250,000 awarded pursuant to (16) of this section; and, provided further, that the executive director shall not terminate nor rescind any contract without receiving the advice of general counsel concerning the legal aspects of such action."

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 said the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 29-1968.

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

The Director of Information and Research, Mr. James D. Hartshorne, reported that the Commission's Employee Manual had been revised and distributed to all employees. He said special binders had been obtained for the Manuals distributed to all supervisors down to and including maintenance foremen and senior toll collectors so that their Manuals would stay in better shape and also so that they would find it easier to make inserts for new sheets that might be issued. He thereupon presented each Member with a copy of the Manual in the special binder.

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

RESOLUTION NO. 30-1968

"WHEREAS the 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 5, 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 November 5, 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, Chastang, Redman, Masheter, Shocknessy.

Nays: None.

The Chairman said the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 301968.

The Members agreed to dispense with the regular meeting of the Commission for January 1969 unless it would become necessary to call a meeting during the month.

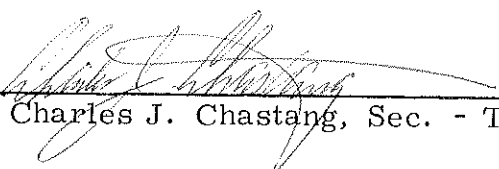
There being no further business to come before the Commission, a motion was made by Mr. Chastang, seconded by Mr. Redman, that the meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

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

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 12:06 P. M.

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



Charles J. Chastang, Sec. - Treas.