

MINUTES OF THE TWO HUNDRED AND THIRTY-FOURTH MEETING
December 2, 1969

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 2, 1969 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; representatives 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: Chastang, Redman, Shocknessy.

Absent: Teagarden, Masheter.

The Chairman announced that a quorum was present. He said Mr. P. E. Masheter, the Ohio Director of Highways was being represented by Mr. J. W. Wilson, Chief Engineer of the Department of Highways, in accordance with the opinion of the General Counsel of the Commission. He said Mr. Teagarden was ill at home after four operations. He said Mr. Teagarden told him he appreciated the telegram the Commission sent him from its meeting in November. He asked that another telegram be sent to Mr. Teagarden from the Commission saying the Commission was happy at all his progress, that he continued to have the good wishes of all the Members, and the Commission missed him.

A motion was made by Mr. Chastang, seconded by Mr. Wilson, that the minutes for the meeting of November 4, 1969 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: Chastang, Wilson, Redman, Shocknessy.

Nays: None.

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

The Chairman reported that the Commission would be asked to adopt a budget for the year 1970. He said the budget would not differ from the preliminary budget adopted in October. The Comptroller, John Soller, and the Resident Engineer of the Consulting Engineers, the J. E. Greiner Company, Harvey A. Harnden, confirmed that the two budgets would not differ.

The Chairman reported also that the revenue for November was \$2,808,000, which was \$236,000 more than for November 1968 which was the best previous November. He said revenue for the first 11 months of 1969 was more than \$2,000,000 in excess of that for the first 11 months of 1968.

The Chairman reported also that there were two fatal accidents on the Ohio Turnpike in November and one person died in the month from an October accident, which brought the total deaths from accidents during 1969 to 40, equaling the figure of the previous high year, 1966.

The Chairman reported also that the Comptroller, and the Executive Assistant to the Chairman, James D. Hartshorne, would represent the Commission at a meeting of the Public Improvements Inspection Committee of the General Assembly at the State House on December 4 in response to a request the Commission had from the chairman of that committee, Representative Roger W. Tracy, to give the committee a presentation with particular emphasis on the Commission's capital improvements program.

The Chairman said the report of the Chairman would be recorded as offered. He said the report of the Secretary-Treasurer would be received.

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

1. Traffic & Revenue Report for October 1969.
2. Financial Statements as of October 31, 1969.
3. Draft of the minutes of the November 4, 1969 meeting.
4. Detail of investment transactions for November 1969.

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

The chairman of the Committee on Budget and Finance, Mr. Redman,

reported that operating expenses for the ten months ending October 31 were \$186,040 under budget allocation for the period. He said total expenditures from budget for the ten month period were \$6,493,369. He said the accounts substantially under budget were insurance and retirement, shoulder maintenance, maintenance of service plazas, general toll collection and Highway Patrol.

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

RESOLUTION NO. 22-1969

"WHEREAS pursuant to Section 505 of the trust agreement dated June 1, 1952, entered into between the Ohio Turnpike Commission and The Ohio National Bank of Columbus, as trustee, and The National City Bank of New York (now First National City Bank, New York), as co-trustee, the Commission, by Resolution No. 26-1968, adopted an annual budget for the fiscal year 1969;

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

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

"WHEREAS an amendment to the annual budget for the remainder of the year 1969 has been submitted to the Commission and the adoption thereof has been recommended by the Commission's Budget and Finance Committee, and said amendment to the budget is now before the Commission;

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission, having duly and fully considered the same, hereby adopts the following amendment to the previously adopted budget of current expenses for the fiscal year 1969:

Amendment to Annual Budget for Fiscal Year 1969

Expenses

Administration & Insurance (decrease in estimate)	-\$10,000
Operations (no change)	0
Trust Indenture Expense (increase in estimate)	+ <u>10,000</u>
Total	0

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

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

Ayes: Redman, Chastang, Wilson, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 22-1969.

A resolution adopting annual budget for the fiscal year 1970 was moved for adoption by Mr. Redman, seconded by Mr. Chastang, as follows:

RESOLUTION NO. 23-1969

"WHEREAS the Commission, by resolution No. 19-1969, adopted a preliminary budget for the fiscal year 1970, and caused copies thereof to be filed with the trustee and mailed to the consulting engineers and the principal underwriters;

"WHEREAS no request whatsoever for a public hearing thereon has been made to the Commission by any person or persons whomsoever;

"WHEREAS pursuant to Section 505 of the trust agreement dated June 1, 1952, entered into between the Ohio Turnpike Commission and The Ohio National Bank of Columbus, as trustee, and The National City Bank of New York (now First National City Bank, New York), as co-trustee, the Commission desires

finally to adopt a budget of income and current expenses for the fiscal year 1970, to be designated the 'Annual Budget'; and

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

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission, having duly and fully considered the same, hereby adopts the following budget:

<u>Annual Budget of Income and Current Expenses</u> <u>for the Fiscal Year 1970</u>	
Income	\$ 36,500,000
Current Expenses	
Administration & Insurance	1,492,628
Operations	7,104,397
Trust Indenture Expense	<u>143,500</u>
Total Current Expenses	\$ 8,740,525

"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. 19-1969; 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 engineers and to the principal underwriters forthwith."

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

Ayes: Redman, Chastang, Wilson, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 23-1969. The Chairman said the Commission had had exceptional experience with its budgets. He said when one realized the amount of money the Commission spent, the amount of money it collected, and the only adjustment which had to be made for the last budget was a \$10,000 transfer, that that was good budgeting and he congratulated everybody who had anything to do with it.

The Chairman said the report of the Committee on Budget and Finance was recorded as offered. He said the report of the Committee on Service Plazas would be received.

In the absence of the chairman of the Committee on Service Plazas, Mr. Teagarden, the Executive Director reported for the Committee that on November 6, 1969 members of the Committee met with area and regional representatives of the Howard D. Johnson Company. He said the purpose of the meeting was to discuss whether or not the Commission should purchase restaurant equipment as provided for in the TR-1-B contract. He said the representatives of the Howard Johnson Company indicated their desire that the Commission purchase the equipment if the Johnson Company should not be the successful bidder for the new restaurant contract. He said the company would prepare an equipment inventory for the Commission listing items of equipment, date of purchase and purchase price.

The Executive Director reported also that the Commission's legal department had completed and forwarded the final draft of the new turnpike restaurant contract to the Committee for its review and comments. He said the legal department had also submitted the final draft to the Commission's legal advisor, Squire, Sanders & Dempsey, for its review and comments. In response to a question by Mr. Redman, the Executive Director said it was planned to take bids for the new restaurant contracts about March or April of 1970.

The Chairman said in the absence of further questions, the report of the Committee on Service Plazas would be recorded as offered. He ascertained there would be no report by the Committee on Employee Relations. He said the report of the Committee on Safety would be received.

The Executive Director reported for the Committee on Safety that at the request of the Commission a study of truck traffic on the Ohio Turnpike was undertaken including enforcement, speed, volume, accidents and surveillance. He said that during the first ten months of 1969 there were 3,154 drivers of commercial vehicles arrested on the turnpike by the patrolmen of the Turnpike District of the Ohio State Highway Patrol for speed in

excess of the limit. He said that of those arrests 2,579 were for speeds between 60 and 65 miles per hour, 324 for speeds between 66 and 69 miles per hour, 212 for speeds between 70 and 75 miles per hour and 39 for speeds between 76 and 79 miles per hour and none for speed in excess of 80 miles per hour.

The Executive Director said further that in addition to those commercial drivers arrested for speed in excess of the limit for the ten month period, 373 drivers were arrested for other hazardous moving violations such as following too closely, unsafe operations and improper passing. He said there were another 611 arrests for equipment violations and 94 arrests for registration or chauffeur's license violations. He said commercial driver arrests for all causes totaled 4,232.

The Executive Director said further that arrests for excessive speed for the ten month period averaged one for each 1,170 trucks which might be compared to one such arrest for each 972 passenger car traveling the turnpike. He said the Commander of the Turnpike Patrol, Captain M. L. Stansbery, advised that speed violations on the turnpike were being enforced just as vigorously against trucks as against passenger cars.

The Executive Director said further that all arrests, of course, meant that the arresting patrolmen's further services to the turnpike were lost in each instance for an hour or more while taking the offenders to court. He said the Patrol advised that more time was generally involved with an arrest of a truck driver than with that of a passenger car driver. He said the truck cargo might be valuable and need to be safeguarded or it might be explosive, acid, or radio-active and thus require special attention. He said the Patrol also advised that trucks were very seldom stopped along the turnpike roadways for a speed arrest. He said that for safety reasons they were generally flagged to follow the patrol car to a service plaza, toll plaza, or maintenance building where they could be pulled off the roadway and the cargo secured.

The Executive Director said further that an engineering study of the speed of trucks on the turnpike was conducted at four select locations on four good weather days during the month of November. He said the study utilized a radar unit completely concealed from traffic.

The Executive Director said further that tabulation of the speed data collected revealed that 0.3 percent of the trucks were operating at 70 to 75 miles per hour, 3.3 percent at 66 to 69 miles per hour, 32.2 percent at 60 to 65 miles per hour and 31.2 percent at 56 to 59 miles per hour. He said this meant that 67 percent of trucks were traveling above 55 miles

per hour. He said the 85 percentile speed for trucks was 61 miles per hour. He said that was the speed at or below which 85 percent of the trucks were observed to be operating and it was generally considered in traffic engineering determinations to be the popular speed.

The Executive Director said further that a check of previous speed studies conducted on the turnpike during the past ten years revealed that the 85 percentile speed for trucks had always been in excess of 55 miles per hour and during the last several years to be between 59 and 61 miles per hour. He said the studies indicated that there had been no change in the truck speed pattern on the turnpike in the past several years and only a slight upward change of a few miles per hour over the past ten years.

The Executive Director said further that during the first ten months of 1969 more than 3,688,000 trucks traveled more than 281 million vehicle miles on the turnpike. He said that volume represented 20.8 percent of the traffic on the turnpike and was equivalent to approximately one truck to every four passenger cars.

The Executive Director said further that the truck accident ratio for the first ten months of 1969 was 1.2 accidents per one million vehicle miles of travel. He said that might be compared to a ratio of 1.6 for the year 1968 and 1.4 for the year 1967. He said the lowest ratio was 1.1 for the year 1966 and the highest ratio was 2.7 for the year 1956. He said that taking a look at the 29 fatal accidents that occurred to date in 1969 trucks were involved in nine of the accidents and apparently responsible in three of them. He said that with a total of 45 vehicles involved in the 29 fatal accidents, the ratio between truck and passenger car involvement remained about the same as the volume ratio - one truck to four passenger cars.

The Executive Director said further the Patrol's surveillance of speed on the turnpike was by radar, Vascar, patrol car and limited use of aircraft. He said Vascar was a rather ingenious new development. He said the name stood for visible average speed computer and recorder. He said it was a device by which the patrolman could determine speeds of vehicles in the opposite direction, in the same direction of travel, in front or in back of him. He said it was based upon measuring distance and determining the travel time involved and then computing it into miles per hour. He said it had been very successfully used on the turnpike. He said there were three such units on the turnpike currently and Patrol expected to add some additional units in the near future. He said the four radar units in use on the turnpike were replaced in 1969 with new and modern equipment. He said 47 patrol cars were currently being used on the turnpike.

The Executive Director said further that within the last several months the Patrol changed its thinking on the use of unmarked patrol cars on the turnpike. He said the roto-beacon light which was the most distinguishing feature had been reinstalled on the top of the patrol cars. He said that with that light the cars were more readily identified. He said it was the thinking that the visible patrol car was a deterrent to many careless drivers and speeders. He said that also during the year the Patrol organized two tactical squads of three patrolmen each to cover such problems as smooth tires, speeding trucks and passenger cars and other moving violations. He said it was the opinion of the Patrol that those squads had contributed greatly to enforcement of the speed limits particularly in the Akron-Cleveland-Sandusky portion of the turnpike where truck speed violations were the most prevalent.

The Executive Director said further that use of new and modern equipment was an aid to the Patrol in making more apprehensions of speed limit violations and provided more positive evidence in speed violations. He said the Patrol expected to increase the number of Vascar units on the turnpike in the near future.

The Executive Director said further that the Commander of the Turnpike District of the Patrol advised that the use of aircraft was rapidly developing as an aid to traffic enforcement and had been used on occasion on the turnpike. He said the Commander further advised that the use of aircraft would not only provide an aid to apprehensions of speed violators but would also provide an aid in spotting disabled motorists and controlling traffic at disaster points and otherwise assist in the control and regulation of traffic. He said it was the Commander's recommendation that the Commission give consideration to adding aircraft to the present enforcement facilities.

The Chairman said the Commission would accept that recommendation as a casual recommendation but if the Patrol wished to make the recommendation on a formal basis, the Commission would be glad to consider it.

Mr. Redman said he thought the answer to increased arrests was more patrolmen. Mr. Chastang said he thought the best control for speed was a policeman in a patrol car patrolling the highway. The Chairman said he had been informed that since there had been publicity about speed on the turnpike there had been a general reduction in speed. He said the pressure should be kept on. Mr. Redman suggested that speed studies be made more frequently for purposes of comparison. The Chairman said with almost 70 percent of the trucks exceeding the speed limit it was

understandable why people were complaining. Mr. Chastang said speeding was a problem not only on the turnpike but also on the freeways. He asked that the Commission be given some figures on speeding passenger car drivers. The Chairman asked that Captain Stansbery be advised that the Commission would like to see the complement of the Patrol's Turnpike District fulfilled.

The Chairman said that in the absence of further questions, the report of the Committee on Safety was recorded as offered. He said the report of the Executive Director would be received.

The Executive Director reported that in December each year there was a proposal to grant permission for certain employees to defer until the following year vacation leave earned but for a variety of reasons not taken during the year. He said that in 1968 deferment of 163.5 days of vacation leave for 21 employees was requested. He said currently the list had been reduced to 119 days of vacation leave for 11 employees. He said only eight employees appeared on the current list who were also on the 1968 list. He said it was his recommendation that the Commission take favorable action on the appropriate resolution.

A resolution authorizing deferments of days of annual vacations of certain named employees of the Commission from the calendar year 1969 until the calendar year 1970 was moved for adoption by Mr. Wilson, seconded by Mr. Chastang, as follows:

RESOLUTION NO. 24-1969

"WHEREAS certain of the Commission's employees have, during the calendar year 1969, 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 1969 be deferred until the calendar year 1970, 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 1970 as shall be designated by such department heads as are charged with that responsibility:

<u>Employee</u>	<u>1969 Days of Vacation Leave Accumulated But Not Taken During Calendar Year 1969</u>
Deetz, R. S.	37
Hartshorne, J. D.	13½
Heil, J.	4
Kappel, N.	7
Knott, G.	19½
McBride, C. P.	6
O'Grady, W.	10
Ployhart, J.	12
Staib, F. C.	3
Sturdevant, D.	4
Van Oster, R.	3"

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

Ayes: Wilson, Chastang, Redman, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 24-1969.

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, he expected to excuse a portion of the employees on Wednesday, December 24, and the remainder on Wednesday, 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 a notice would be distributed as in past years to the employees of the Commission reminding them of the Commission's policy that the acceptance by its employees of gifts or gratuities of any description from contractors or suppliers doing business with the Commission was neither tolerated nor condoned by the Commission.

The Executive Director reported also that unaudited figures for the Thanksgiving holiday period between 12:01 A.M. Wednesday, November 26, and midnight Sunday, November 30, showed that \$442,086 in cash tolls were paid on 363,829 vehicles. He said that in comparison with the Thanksgiving holiday period of 1968 there was an increase of \$16,702 and 14,682 vehicles. He said the restaurant and service station operators increased their complement of employees in anticipation of heavy holiday traffic and they were not disappointed. He said new records for sales over the Thanksgiving holiday period were established. He said reports by staff members of the Commission indicated that the patrons of the service plazas received speedy and efficient service. He said that except for one incident, traffic was kept moving at about normal speed throughout the holiday period. He said a two mile backup of traffic occurred in the west-bound roadway at about milepost 121 at about 5:00 P.M. Wednesday afternoon when a resurfacing contractor failed to complete some remedial work and open a closed lane to traffic. He said temporary repairs were ordered made and the lane was then opened to traffic by 5:45 P.M. He said the holiday period safety record was marred by one fatal accident which occurred early Friday morning. He said that in the fifteen Thanksgiving holiday periods experienced on the turnpike there had been nine that were free of fatalities.

The Executive Director reported also that currently there were seven construction contracts in progress ranging from two percent to 99 percent complete and three others for which final papers were being processed. He said since the November meeting of the Commission final payment had been made on two completed contracts. He said that the three pavement repair and resurfacing contracts carried over from the spring construction program were complete except for some minor remedial work. He said the work should be completed within the week.

The Executive Director said further that all work had been suspended for the winter on the contract awarded last summer which provided for pavement repair and drainage work between Milepost 223.3 and 230.6 to be performed in the fall of 1969 and asphalt resurfacing in the spring of 1970. He said the project was on schedule and approximately 30 percent complete.

The Executive Director said further that the contract for construction of a toll plaza at the interchange between the turnpike and Interstate Highways 80 and 80S in Mahoning County was about 80 percent complete. He said the installation of the toll collection equipment had been delayed somewhat because of a union jurisdictional dispute. He said the dispute had now been resolved and it might be necessary for the electrical contractor to increase his production to make up the lost time.

The Executive Director said further that the contract for installation of supplemental air conditioning units at Erie Islands, Great Lakes, Middle Ridge, and Towpath Service Plazas was complete with the exception of some minor adjustments and testing. He said the contract for the installation of hot water heaters at Great Lakes and Towpath Service Plazas was being progressed satisfactorily.

The Executive Director said further that the contract for the construction of an additional entrance toll lane at Interchange No. 10 was complete except for the emergency generator tests scheduled to be made the current week.

The Executive Director said further that a new contract for work to be performed in the spring of 1970 would be advertised for bids the current week. He said the contract provided for the modification and resurfacing of the parking areas and driveways at Vermilion Valley and Middle Ridge Service Plazas.

The Chairman said the report of the Executive Director would be recorded as offered. He said the report of the General Counsel would be received.

The General Counsel, Lockwood Thompson, reported that the Commission filed a motion in the suit of F. Buddie Construction, Inc. against the Commission to strike various allegations from the petition on the basis of poor pleading. He said the motion was currently in the lap of the court. He said the deposition of the Commission's chief engineer, Frank A. Dutton, was to be taken by the plaintiff.

The General Counsel reported also the matter of certification of completion of construction of the turnpike was still met with two primary obstacles. He said Buckeye Pipeline Co. had given the Commission releases of easement on right-of-way parcels in three but in three other counties the releases were being delayed. He said he had a letter from the company saying that he would be obtaining the releases.

The General Counsel said further that he was still trying to get releases on 19 parcels from The Cleveland Electric Illuminating Co. He said the company was working at getting a release from their mortgagee. He said the Commission had furnished the company with all copies of its plats and legal descriptions.

The Chairman said he wanted to congratulate the General Counsel on the fine work that he did. He said he recently read several things - some

memoranda, some letters, a caveat - that he had written recently. He said there was nothing he liked better than reading good memoranda from good lawyers and good letters from good lawyers so he wanted to congratulate Judge Thompson on what he had seen. He said he wanted the record to show that some of the things that Judge Thompson put out were excellent.

The Chairman said the report of the General Counsel would be recorded as offered. He ascertained that there would be no reports from the Director of Highways, 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. Chastang, seconded by Mr. Redman, as follows:

RESOLUTION NO. 25-1969

"WHEREAS the executive director, deputy executive director, chief engineer, general counsel, assistant general counsel, secretary-treasurer, assistant secretary-treasurer, comptroller, and the director of information and research of the Commission have by various written and oral communications fully advised the members of the Commission with respect to their official actions taken on behalf of the Commission since the Commission's last meeting on November 4, 1969, 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 4, 1969 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: Chastang, Redman, Wilson, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 25-1969.

There being no further business to come before the Commission, a motion was made by Mr. Redman, seconded by Mr. Chastang, that the

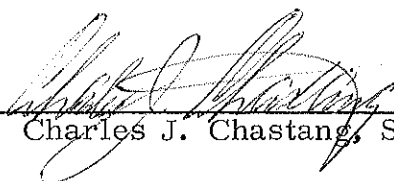
meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all Members present responded to roll call. The vote was as follows:

Ayes: Redman, Chastang, Wilson, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 12:15 P.M.

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



Charles J. Chastang, Secretary-Treasurer