

MINUTES OF THE TWO HUNDRED AND FORTY-FIRST MEETING
July 7, 1970

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 July 7, 1970 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, Mr. Allan V. Johnson, of the Interstate Coordinators' Conference; 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: Masheter, Teagarden, Chastang, Shocknessy.

Absent: Redman.

The Chairman announced that a quorum was present. He said Mr. Redman advised that he would not be present.

A motion was made by Mr. Chastang, seconded by Mr. Teagarden, that the minutes for the meeting of June 2, 1970 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, Teagarden, Masheter, Shocknessy.

Nays: None.

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

The Chairman said that despite the truck strike in Chicago which had just been concluded revenue for June was a record for the month of June - an estimated \$3,900,000. He said an income of \$17,136,000 for the first six months of 1970 was another record.

The Chairman reported also that another record was that there were only three deaths on the turnpike during June, making the total for the year eight as compared with 25 in the first six months of 1969. He said good roads were one of the answers to safe driving and also alertness. He said drivers always seemed to be more alert during periods of heaviest use. He said the Commission had always said that on the turnpike there were better records in periods of congestion than in light traffic periods and currently that was being borne out on the Interstate System.

The Chairman reported the attendance at the meeting of the Commission's Supervisor of Patron Services, J. Budd Morrison, and of the Ohio Department of Highways' Liaison Engineer to the Interstate Coordinator's Conference, Mr. Johnson.

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 Secretary-Treasurer, Mr. Chastang, said the report of the Secretary-Treasurer would be given by the Assistant Secretary-Treasurer, John Soller.

The Assistant Secretary-Treasurer reported that since the last meeting the following had been sent to all Members:

1. Traffic and Revenue Report for May 1970.
2. Financial Statements as of May 31, 1970.
3. Draft of the minutes of the June 2, 1970 meeting.
4. Detail of investment transactions for June 1970.

The Assistant Secretary-Treasurer reported further that, pursuant to the direction of the Commission, he did send copies of sympathy resolutions to Judge Lockwood Thompson, to Mrs. Grace M. Allen, and to the brothers of Mrs. Ruth Wilkins. He said he had replies from all of them thanking the Commission for its sympathy and consideration.

The Chairman said that the report of the Secretary-Treasurer was accepted as offered. He said the report of the Committee on Budget and Finance would be received.

In the absence of the chairman of the Committee on Budget and Finance, Mr. Redman, the Executive Director, Russell S. Deetz, reported

for the committee that operating expenses for the first five months of the year were \$10,123 over budget allocation for the period. He said expenses would have been under budget allocation except for a charge to the bridges and culverts account of about \$25,000 in May for which a credit was expected in the future when claim for damage to the Bagley Road Bridge over the turnpike in Lorain County was settled. He said a trucking company was carrying a backhoe on a flatbed and something came loose on the backhoe and allowed part of the backhoe to spring up and hit the bottom of the girders on the bridge.

The Executive Director said further that the administration and insurance account was \$10,529 under for the five month period, the operations account was \$27,938 over and the trust indenture account was \$7,285 under. He said total expenditures from budget for the five month period were \$3,807,358.

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. He said the Committee's report would include recommendations for the operation of the restaurants on the turnpike. He said that just went to show how routine business had become. He said that 16 years before when the Commission awarded contracts all kinds of people showed up to talk and no one appeared for that purpose at the current meeting. He said he hoped it proved that people had confidence in the Commission's integrity and the Commission's fairness. He said he knew the Commission had confidence in the committee and in its able and dedicated chairman.

The chairman of the Committee on Service Plazas, Mr. Teagarden, said that the committee certainly had people showing up, by invitation, at the several conferences it had while trying to evaluate the bids for operating the restaurants.

Mr. Teagarden reported that on May 14 bids for operating the 16 restaurants on the Ohio Turnpike were opened and read at the Commission's headquarters in Berea. He said bids were received from seven restaurant companies as follows: Ancorp National Services, Inc., Gladioux Food Services, Inc., Greenfield-Mills Restaurant Company, Howard Johnson Company, Marriott Corporation, Midway Smorgasbord and Prophet Foods Company.

Mr. Teagarden said further that the Committee studied the bids, interviewed the bidders, conferred with other toll road authorities regarding bidders' operations on their facilities and visited restaurants operated

by all but one of the seven bidders on other toll roads or elsewhere as that bidder operated only in the Minneapolis - St. Paul area. He said pertinent facts concerning each of the bidders which were given consideration by the committee in arriving at its recommendation to the Commission for award of contracts were as follows: (The pairs of restaurants referred to are numbered consecutively beginning with No. 1 in the west and ending with No. 8 in the east.)

Mr. Teagarden said further that Ancorp National Services, Inc. of New York City, known over the years as Union News, bid on each of the four "basic" contracts and thereby in total on all the restaurants. He said the company had six restaurants and two snack bars on the New York Thruway. He said in earlier years it had had restaurants on the Kansas and Connecticut Turnpikes and on the Berkshire Extension of the New York Thruway but did not succeed itself in any of those operations.

Mr. Teagarden said further that the Committee was not favorably impressed with what it was able to learn about the company's former and current operations on toll roads.

Mr. Teagarden said further that Gladieux Food Services, Inc. of Toledo, Ohio bid on each of the four "basic" contracts and on each of the combinations of those contracts offered. He said the company had over 60 retail food service outlets including management contracts for five restaurants on the Garden State Parkway, one on the Atlantic City Expressway, three on the Kentucky Turnpike, nine on the New York Thruway and six on the Ohio Turnpike. He said the company was a new one organized following Mr. Virgil A. Gladieux's separation from Ogden Corporation and began operation on December 19, 1969. He said many of the officers and supervisory personnel of the company were experienced turnpike restaurant operators.

Mr. Teagarden said further that since the committee had become aware that Mr. Gladieux had had as a partner in his operation of the six restaurants known as "Holiday House" on the Ohio Turnpike the Sportservice Corporation of Buffalo, the committee was concerned with that relationship with respect to those bids. He said both Mr. Gladieux and his attorney, E. Donald DeMuth, assured the committee that Sportservice Corporation had no interest whatsoever in any future Ohio Turnpike restaurant contract or contracts which might be awarded to Gladieux Food Services, Inc.

Mr. Teagarden said further that The Greenfield-Mills Restaurant Company of Toledo, Ohio bid on three contracts. The company as a wholly

owned subsidiary of ABC Consolidated Corporation which in turn was wholly owned by Ogden Corporation was responsible for the operation of 32 restaurants -- four of which were on the Ohio Turnpike. He said the bidder's responsibility for the turnpike operations began about January 1970.

Mr. Teagarden said further the company had had experience in operating toll road restaurants only on the Ohio Turnpike and there but for a few months.

Mr. Teagarden said further that the Howard Johnson Company of New York City bid on three contracts. He said the company operated 80 restaurants on toll roads including six on the Ohio Turnpike, 27 on the Pennsylvania Turnpike, 17 on the New Jersey Turnpike, eight on the Massachusetts Turnpike, six on the Maine Turnpike, six on the Kansas Turnpike, four on the Oklahoma Turnpike, five on the Garden State Parkway and one on the Texas Turnpike.

Mr. Teagarden said further that the Marriott Corporation of Washington, D. C. bid on one contract. He said it had six restaurants on the New York Thruway, seven on the Florida Turnpike and one on the Delaware Turnpike.

Mr. Teagarden said further that Midway Smorgasbord, Inc. of Minneapolis, Minnesota bid on three contracts. He said the company had only one restaurant which was a franchise operation known as "Sveden House". He said that the restaurant provided smorgasbord dining in a shopping center area catering primarily to nearby residents. He said the bidder failed to understand that the existing restaurant equipment was not owned by the Commission and that it would be necessary for the company to be prepared to fully equip each restaurant.

Mr. Teagarden said further that the Committee questioned whether the bidder had sufficient experience to operate turnpike restaurants, whether it had a staff that could set up the turnpike operations bid upon, and whether it had the financial resources to perform the contract sought.

Mr. Teagarden said further that Prophet Foods Company of Detroit, Michigan bid on one contract only. He said the company was a wholly owned subsidiary of Greyhound Corporation. He said the company had no toll road operations. He said it was hopeful of being awarded the contract in order to gain experience in toll road feeding.

Mr. Teagarden reported further that the committee recommended to the Commission:

1. That contract TR-4E consisting of four pairs of restaurants (Nos. 1, 2, 3, and 4) be awarded to Gladieux Food Services, Inc. of Toledo, Ohio at its bid of 18.10 percent.
2. That contract TR-4G consisting of four pairs of restaurants (Nos. 5, 6, 7, and 8) be awarded to Howard Johnson Company of New York, New York at its bid of 17.10 percent.

Mr. Teagarden said further that both companies had operated on the Ohio Turnpike continuously for many years. He said Gladieux Food Services, Inc., as a successor to Buddies Lunch Service, Inc., had been on the turnpike for nearly 15 years. He said the Howard Johnson Company, as successor to the Howard D. Johnson Company, had been on the turnpike for more than twelve years. He said that over those periods both companies had served the Ohio Turnpike traveler reasonably satisfactorily.

Mr. Teagarden said further that of the two the Gladieux organization had required more nudging to maintain the high standards of operation expected by the Commission. He said that in the latter connection the Committee welcomed the addition to the staff of the Gladieux Food Services, Inc. of a man who had devoted most of his business career to turnpike feeding and whose ability in that field was highly regarded by the committee. He said that man had been named by the Gladieux Corporation to be directly responsible for the operation of any Ohio Turnpike restaurant for which it received an award of contract.

Mr. Teagarden said further that during the interviews between bidders and the committee Mr. Gladieux tendered assurance that he would personally guarantee the performance by Gladieux Food Services, Inc. of any and all terms and conditions of any contract entered into with the Ohio Turnpike Commission.

Mr. Teagarden said further that the Howard Johnson Company had been long and favorably known for its restaurant operations extending over the nation including many toll roads. He said that on the Ohio Turnpike the experience with the company as a restaurant operator had been satisfactory in the main and the committee felt that the Commission could be confident that the quality of the relationship would continue if the company was again awarded a contract.

Mr. Teagarden said further that in recommending the award of those two contracts the Committee recognized that on the basis of gross annual sales for the restaurants in 1969 the combination might produce approximately \$320,000 per year less revenue to the Commission than

the highest possible combination. He said it was the opinion of the committee, however, that the turnpike traveler would be better served with this combination of bidders and that revenue would increase with customer satisfaction.

Mr. Teagarden said further that although the combination of awards might not produce the highest possible revenue to the Commission, it would provide substantially more revenue -- \$71,000 -- than would the existing contracts, based on gross retail sales of the year 1969.

Mr. Teagarden reported further that the Consulting Engineers had examined the bids and concurred in the recommendation of the committee as theretofore described. He said the Executive Director also concurred in the recommendation both as Executive Director and as a member of the committee. He said the General Counsel had examined all bids and legal documents and had advised the Commission it might lawfully award contracts as theretofore described.

Mr. Teagarden said further that, accordingly, it was the recommendation of the committee that favorable action be taken on the resolutions prepared for the purpose of making an award of Contract TR-4E to Gladieux Food Services, Inc., Toledo, Ohio on its bid of 18.10 percent and an award of Contract TR-4G to Howard Johnson Company, New York, New York on its bid of 17.10 percent.

The Chairman said that before the Commission considered the recommendations he wanted first to thank the chairman of the committee for the arduous hours and days of labor that the chairman and the other members of the committee had put into the preparation of the recommendations. He said the Members of the Commission had been kept advised of the progress of the committee's efforts. He said that personally, he subscribed to the validity of the recommendation principally because of the integrity with which it was invested and the skill which had gone into its preparation. He said no pressure of any kind had been exerted by any Member of the Commission or by anybody outside the Commission in behalf of any bidder.

The Chairman said further that the Commission had a long record of being free of the efforts of influence peddlers and finders in the conduct of its business. He said nobody had spoken to him in behalf of any bidder except Martin A. Janis, the Director of Mental Hygiene, who called and offered to give him a personal recommendation in behalf of Mr. Gladieux. He said he told Mr. Janis that he did not need any recommendation in behalf of Mr. Gladieux, that a recommendation unsupported by investigation

was not welcome and that he would prefer not to talk at all about the Gladieux organization but that the Commission's Committee was fully advised of the structure of the Gladieux organization and, as Mr. Teagarden had mentioned, very careful attention was given to any connection Gladieux might have with any organization which might be suspect. He said Mr. Janis very promptly said, "All I wanted to do was just tell you I knew Virgil Gladieux and that I am sure he is a very high type man." The Chairman said he told Mr. Janis the Commission would proceed to examine the recommendation on the basis of the facts, to examine all the bids, including Gladieux's, on the same basis. He said the only reason he mentioned the matter was that it was the only call he had had and he always disclosed to the Commission any recommendation of any kind that he received from anyone. He said he had no criticism of Mr. Gladieux nor of Mr. Janis; no criticism of Gladieux because Mr. Janis called, no criticism of Mr. Janis for calling. He said he merely mentioned Mr. Janis called to advise him of his personal opinion of Mr. Gladieux. He said he told Mr. Janis the Commission made its decisions on an objective basis independent of personal recommendations.

The Chairman addressed Mr. Harnden and said his firm had been with the Commission for more than 20 years, that the Commission first met his firm in 1949. He said the firm examined the bids that the Commission took 16 years before and made its recommendations concerning the bidders at that time. He said that in behalf of the Commission currently he asked Mr. Harnden to speak in behalf of his firm with respect to the Committee's recommendation.

Mr. Harnden said he attended many of the meetings of the committee - all that he could - during the preparation of the contract documents, during the consideration of the bids received, and during the interviews with the bidders. He said all of that information was transmitted to his firm in Baltimore for its consideration and as a result he had written a letter concurring in the recommendation of the committee and Baltimore was, of course, aware of that. He said he recommended the contracts be awarded as recommended by the Service Plaza Committee.

In response to a question by Mr. Chastang, Mr. Teagarden recited for the record the members of the committee, in addition to himself, as follows: Executive Director Mr. Deetz, Deputy Executive Director James D. Hartshorne, Comptroller Mr. Soller, General Counsel Lockwood Thompson and Director of Operations Mr. Grace. Mr. Chastang said he knew that arriving at a recommendation had been a tremendous effort on the part of the committee and also on the part of

its chairman. He said the Members had been kept fully advised from the beginning, months before, when the matter was first brought to the attention of the Commission. He said the Members had received drafts of the proposed contracts from legal counsel. He said that from time to time the Members had been kept advised by Mr. Teagarden of the progress of the work, of the finalizing of the bid specifications, and finally of the calculating of the various 25 bids as to just how they would work out with respect to the Commission. Mr. Chastang said further that he was particularly pleased with Mr. Teagarden's reference to the desire of the Committee to come up with a recommendation which had a direct relationship to the service to be rendered to the patrons on the turnpike. He said that certainly revenue was of importance but service was of greater importance when a captive audience was being served as it was on the Ohio Turnpike. Mr. Chastang said that Mr. Teagarden had advised him and others, he was sure, that whenever there had been any criticism of service on the turnpike the Gladioux organization immediately endeavored to correct whatever was brought to its attention. He said that, with that in mind, he believed the Commission was fully justified, keeping in mind service to the patrons, in supporting the recommendation of the committee not only because Mr. Teagarden made it - which would be sufficient for him in itself - but also on the basis of the study of the record and the bids. Mr. Chastang said he would support the recommendation.

Mr. Masheter commented that it was not necessarily true that the awards as recommended would not produce additional revenue. He said that, considering the increased service to be offered, one could only say the awards might not produce more revenue. The Chairman said he agreed with that statement. Mr. Masheter said he agreed heartily with the comments of Mr. Chastang. He said he had a tremendous amount of confidence in the chairman as well as the committee and thanked them for their tremendous analysis of the problem. He said he supported the recommendation.

Mr. Teagarden said that had the highest bid from the standpoint of earnings been taken and had consideration of the best interests of the public not been taken the result could have been probably 3-1/2 million dollars more revenue over a nine-year period. He said the recommendation contemplated less than a million dollar increase. Mr. Teagarden said he would not be fair if he did not recognize and express his appreciation to the committee that had worked with him. He said he especially wanted to point out that practically every bidder who appeared before the committee said the documents prepared by the Commission's Legal Department were the finest set of documents that had been presented to them. He said that while he wanted to recognize the committee's work, he did want to point out that Judge Thompson and the Assistant General Counsel, Francis K. Cole, and others in the department did a lot of work.

The Chairman said the bidding procedure represented a monumental amount of work and he was sure Judge Thompson must have been sighing with great relief to have the matter so far along even though, once a resolution would be adopted, he still would have the execution of the contract to accomplish. He said he thought the work that had been done was most effective. He said he thought the documents accommodated the deficiencies which the documents 16 years before had when the Commission had no experience and there was little experience in the country on preparing documents of that kind of service.

The General Counsel said it was his opinion the documents were adequate to protect the Commission in all events. He said the Commission had before it his letter of July 6, 1970 which said the Commission was entirely able to, as far as legal considerations were concerned, award in the manner that was intended. He said it was true that the contract was rather monumental in its preparation, which took many months. He said Mr. Cole participated equally in the work. He said he thought the Commission had a good contract and that legally the committee was not recommending anything that would result in any law suits.

In response to a question by the Chairman as to whether the Commission had adequate protection in the event the contractors did not perform so that the Commission might take action which would protect it and the public, the General Counsel said he thought that taking such action would be even easier than it was under the original contracts. He recalled that even under those contracts the Commission did release itself from another contractor.

The Chairman said he would have preferred that all five of the Commission Members were present when the Commission took action on the recommendation but the matter could not wait another month. He said the time for award would expire on July 13 so action had to be taken that day. He said that was why Mr. Chastang had made a special point of being present so he could share in the action. He said he did not know how Mr. Redman would have felt but four Members of the Commission had expressed themselves and he would doubt that Mr. Redman would feel differently. He said Mr. Redman had been kept advised. Mr. Teagarden said the committee's recommendation was for an award to Gladioux Food Services, Inc. at a rental of 18.10 percent as compared to the 16.51 percent the company was currently paying, and to the Howard Johnson Company at a percentage of 17.10 compared to the 15.15 percent it was currently paying.

The Chairman said the date in 1979 when the contract would expire had been taken as a suggested date when the turnpike might become

toll free. Mr. Teagarden said the contracts provided for their termination should the turnpike become a free road prior to 1979.

A resolution awarding contract TR-4E was moved for adoption by Mr. Teagarden, seconded by Mr. Chastang, as follows:

RESOLUTION NO. 22-1970

"WHEREAS pursuant to Resolution No. 12-1970 of the Commission, the executive director and general counsel were authorized to advertise and solicit bids for a contract or contracts for the operation of the Commission's sixteen restaurants along the route of Ohio Turnpike Project No. 1, including possible combinations of contracts bearing the general designation Contract TR-4, namely, Contracts TR-4A, TR-4B, TR-4C, TR-4D, TR-4E, TR-4F, TR-4G, TR-4H, TR-4J and TR-4K, together with Exhibits A, B and C, a part of each such contract, and to cause advertisements for said contracts to be published;

"WHEREAS such advertisements have been duly published, and there are before this meeting forms of contract documents for the various combinations of contract aforesaid; to wit, Forms of Proposal, Affidavit, Questionnaire, Notice to Bidders, and Contract, including exhibits;

"WHEREAS twenty-five combinations of bids submitted by seven different bidders were received, and have been 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 executive director and general counsel, and by its consulting engineers, and by the Commission's Service Plaza Committee, who have reported thereon to the Commission with respect to said analysis; and

"WHEREAS the Commission has given due and full consideration to the bids received and to the qualifications and abilities of the several bidders to perform the contract for which they submitted their respective bids;

"NOW, THEREFORE, BE IT

"RESOLVED that all actions heretofore taken by the executive director and the general counsel, or either of them, with reference to said contract and combinations of contracts be, and the same hereby are, ratified, approved and confirmed;

"FURTHER RESOLVED that the bid of Gladieux Food Services, Inc. for Contract TR-4E, which is a contract providing for the operation, until September 30, 1979 (except as the term thereof is subject to extension or to earlier termination or cancellation) of eight service plaza restaurants, namely, Service Plaza Restaurants 1N and 1S in Williams County, 2N and 2S in Lucas County, 3N and 3S in Sandusky County, and 4N and 4S in Sandusky County, with respect to which the term of said contract commences on October 1, 1970, and providing for the payment to the Commission of 18.10 percent of gross receipts, be, and hereby it is, determined to be the best bid in consideration of the public interest of all the bids received for the performance of Contract TR-4E, and the best of all combinations of bids in consideration of the public interest, for the operation of the restaurants covered by said Contract TR-4E, and said bid is accepted; and

"FURTHER RESOLVED that the executive director hereby is authorized to execute a contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, and to take any and all action necessary or proper to carry out the terms of said bid and said contract."

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

Ayes: Teagarden, Chastang, Masheter, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 22-1970.

A resolution awarding contract TR-4G was moved for adoption by Mr. Teagarden, seconded by Mr. Chastang, as follows:

RESOLUTION NO. 23-1970

"WHEREAS pursuant to Resolution No. 12-1970 of the Commission, the executive director and general counsel were authorized to advertise and solicit bids for a contract or contracts for the operation of the Commission's sixteen restaurants along the route of Ohio Turnpike Project No. 1, including possible combinations of contracts bearing the general designation Contract TR-4, namely, Contracts TR-4A, TR-4B, TR-4C, TR-4D, TR-4E, TR-4F, TR-4G, TR-4H, TR-4J, and TR-4K, together with Exhibits

A, B and C, a part of each such contract, and to cause advertisements for said contracts to be published;

"WHEREAS such advertisements have been duly published, and there are before this meeting forms of contract documents for the various combinations of contract aforesaid; to wit, Forms of Proposal, Affidavit, Questionnaire, Notice to Bidders, and Contract, including exhibits;

"WHEREAS twenty-five combinations of bids submitted by seven different bidders were received, and have been 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 executive director and general counsel, and by its consulting engineers, and by the Commission's Service Plaza Committee, who have reported thereon to the Commission with respect to said analysis; and

"WHEREAS the Commission has given due and full consideration to the bids received and to the qualifications and abilities of the several bidders to perform the contract for which they submitted their respective bids;

"NOW, THEREFORE, BE IT

"RESOLVED that all actions heretofore taken by the executive director and the general counsel, or either of them, with reference to said contract and combinations of contracts be, and the same hereby are, ratified, approved and confirmed;

FURTHER RESOLVED that the bid of Howard Johnson Company for Contract TR-4G, which is a contract providing for the operation, until September 30, 1979 (except as the term thereof is subject to extension or to earlier termination or cancellation) of eight service plaza restaurants, namely, Service Plaza Restaurants 5N and 5S in Lorain County, with respect to which the term of said contract commences on October 1, 1970, and Service Plaza Restaurants 6N and 6S in Cuyahoga County, 7N and 7S in Portage County, and 8N and 8S in Mahoning County, with respect to which the term commences on January 14, 1971, and providing for the payment to the Commission of 17.10 percent of gross receipts, be, and hereby it is, determined to be the best bid on consideration of the public interest of all the bids received for the performance of Contract TR-4G, and the best of all combinations of bids in consideration of the public interest, for the operation of the restaurants covered by said Contract TR-4G, and said bid is accepted; and

"FURTHER RESOLVED that the executive director hereby is authorized to execute a contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, and to take any and all action necessary or proper to carry out the terms of said bid and said contract."

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

Ayes: Teagarden, Chastang, Masheter, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 23-1970.

The Chairman said he might not be as relieved as the General Counsel and the Assistant General Counsel but he was relieved. He said he was relieved because he had been concerned all the time about getting suitable bids and he thought the Commission had suitable bids. He said he had been critical of Mr. Gladioux in the past and he was taking the assurances of the committee that Mr. Gladioux would perform well and that the Commission would have no complaint about the performance.

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

The chairman of the Committee on Employee Relations, Mr. Teagarden, reported that the committee met on June 9 with spokesmen for field employees who were not members of Teamsters Union Local 20 to discuss wage adjustments, working conditions and other matters. He said that on the following day, June 10, the committee met with representatives of Teamsters Union Local 20 to discuss similar matters. He said that following those two meetings the committee met on various occasions to discuss the requests of the two groups of employees and to make individual assignments for further research on wages and benefits offered by other toll roads and governmental agencies. He said that on June 30 the committee again met with the spokesmen for employees who were not members of Local 20 to announce its recommendations to the Executive Director. He said the spokesmen for the non-union employees concurred in the recommendations of the committee. He said the union representatives deferred action on concurrence to a meeting of its members to be held the last week of July.

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

The Executive Director reported for the Committee on Safety that the Turnpike District of the Ohio State Highway Patrol made more arrests on the turnpike during the month of June than in any previous month. He said 3,711 arrests were made of which 1,059 were commercial vehicle drivers. He said approximately 90 percent of the arrests were for speed in excess of the legal limit. He said the aircraft operation was responsible for the apprehension and later arrest of 661 drivers, of whom 175 were commercial vehicle drivers. He said that in spite of the fact that the pilot's work week was Thursday through Monday, not including the normally heavy volume commercial vehicle days, 26 percent of the apprehensions by aircraft were of commercial vehicle drivers.

The Executive Director said further that it was significant that since the aircraft had been used on the turnpike the number of arrests for speed in excess of 90 miles per hour had been on the increase. He said that during the month of June 57 arrests were made for speed in excess of 90 miles per hour of which 25 were for speed in excess of 100 miles per hour. He said the highest speed was 112 miles per hour. He said the Commander of the Patrol attributed that increase in high speed arrests to the use of aircraft. He said the Commander said that the willful high speed driver was generally very alert to the presence of a patrol car and thereby avoided an arrest by reducing his speed accordingly but with the aircraft the high speed drivers could not be so alert. He said the Commander also attributed the increase in number of high speed arrests to better understanding and communication between the pilot and the ground patrolmen.

Mr. Chastang said the man driving 112 miles per hour was a potential murderer. He said that maybe some publicity on just how the courts treat those violators might have some effect upon using the turnpike for a raceway.

The Executive Director said he would ask the Patrol to select those arrests for speeds over 90 miles per hour and ascertain the disposition of the cases in court, and submit a report to the Commission.

The Executive Director reported also that during the first six months of 1970 there were 739 traffic accidents on the Ohio Turnpike, or 86 more accidents than for the same period of 1969. He said the accident ratios in terms of 100 million vehicle miles of travel were 115.8

for 1970 and 106.0 for 1969. He said that except for the increased number of accidents occurring during snow and ice storms in 1970, the accidents experienced during all other weather, roadway and light conditions remained about the same as in 1969. He said that although the frequency of accidents in 1970 had been greater the severity had been less in all categories. He said the Chairman had mentioned that for the six-month period there were eight deaths in 1970 compared with 25 deaths in 1969. He said other statistics with respect to severity were not so meaningful but nevertheless they showed 48 fewer persons injured and \$57,000 reduction in estimated property damage.

The Executive Director said further that single vehicle accidents accounted for 72.1 percent of the total accidents while rear end collisions accounted for 23.8 percent; sideswipes, 3.8 percent, and pedestrians, 0.3 percent. He said those percentages by type of accident were substantially the same as those experienced previously.

The Executive Director said further that a review of the primary causation factors as determined by the investigating Highway Patrol officers showed that the driver was responsible in 71.9 percent of the accidents. He said the driver could also have been responsible for a portion of another 21.4 percent of the accidents attributable to defective tires and mechanical failures. He said that no doubt many of those accidents would never have occurred had the driver given his vehicle proper attention and maintenance. He said the remaining 6.7 percent of the accidents were attributable to miscellaneous causes generally beyond the driver's ability to avoid, such as a deer leaping in front of a moving vehicle, which resulted in 21 accidents; and objects being dropped from an overhead bridge on vehicles, accounting for 26 accidents. He said that driving too fast for conditions continued to be the most common hazardous vehicle operation, accounting for 186 accidents. He said the next three faulty-driver categories in terms of frequency were: driver sleepy or asleep, 75 accidents; driver inattention or carelessness, 63 accidents; and improper passing or failure to yield, 55 accidents. He said the sequence of those primary causation factors had remained unchanged from the previous year.

In response to a question by Mr. Chastang as to whether the Commission could adopt a rule or regulation for travel on the turnpike which would prescribe a minimum fine or suggested fine for violating the rules of the road, the General Counsel said that he would look into the matter.

The Chairman said that in the absence of further 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 representatives of the Department of Highways, State of Ohio, and the Ohio Turnpike Commission had throughout the last eight years considered, discussed and reviewed plans for a proposed connection of Interstate Route 480 (previously identified as Interstate Route 80) with the Ohio Turnpike at about Milepost 151.8 in Lorain County. He said the connection with the turnpike would necessitate the construction of a bridge to carry the eastbound lanes of I-480 over the turnpike, the modification of Root Road Bridge over the turnpike, the construction of ramp connections to the turnpike, and the construction of a toll plaza. He said all details of construction and the handling of traffic had been resolved.

The Executive Director said further that a form of agreement had been drafted by the Highway Department and reviewed by the Department and the Commission had been advised that it met with the Department's approval. He said the agreement had been reviewed by the Commission's Consulting Engineers, by its General Counsel, by its Chief Engineer and by others of the staff. He said a resolution had been prepared by General Counsel for consideration by the Commission. The Executive Director said it was his recommendation that the Commission take favorable action on the resolution prepared for the purpose of approving contract with the State of Ohio for the construction of a connection between Interstate Route 480 and the Ohio Turnpike.

A resolution approving contract with the State of Ohio for the construction of an interchange between the Ohio Turnpike and Interstate Route No. 480, including toll plaza and connecting approaches in the vicinity of Milepost 151.8 in the City of North Ridgeville, Lorain County, Ohio was moved for adoption by Mr. Chastang, seconded by Mr. Teagarden, as follows:

RESOLUTION NO. 24-1970

"WHEREAS the State of Ohio proposes to construct Interstate Route 480 to connect with the Ohio Turnpike in the City of North Ridgeville in Lorain County, Ohio, at Ohio Turnpike Milepost 151.8, the said road construction requiring the construction of a toll collection facility and a bridge to carry eastbound lanes of Interstate Route 480 over the Turnpike, a modification of Root Road Bridge over the Ohio Turnpike, and construction of ramp connections to the Ohio Turnpike;

"WHEREAS representatives of the State of Ohio and of the Ohio Turnpike Commission have considered and discussed the method of such proposed construction, inclusive of the interchange with the necessary bridge, toll plaza and roadway connecting Interstate Route 480 and the Ohio

Turnpike, and such consideration and discussion have covered the manner of doing the work, the portion of the work to be done by each of the parties, and the portion of the costs and expenses to be borne by each;

"WHEREAS a form of agreement between the Commission and the State of Ohio, to be executed for the State of Ohio by the Director of Highways, who is authorized on its behalf to carry forward such projects, has been drafted and is before this meeting; and

"WHEREAS the Commission's executive director, chief engineer and consulting engineers have reviewed said form of agreement and recommend its execution by the Commission; and its terms have been reviewed and approved by the Commission's general counsel;

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission's executive director be, and hereby he is, authorized to enter into an agreement with the State of Ohio, as approved by general counsel, substantially in the form presented to this meeting."

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

Ayes: Chastang, Teagarden, Masheter, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 24-1970.

The Executive Director reported further that currently thirteen construction contracts were in progress ranging from 70 percent to 99 percent complete and there was one other contract for which final papers were being processed. He said the resurfacing contracts were all complete except for some minor work such as top soil and seeding. He said that within three or four days all the resurfacing contracts would be completed.

The Executive Director reported also that unaudited figures for the Independence Day weekend period extending from 12:01 A.M. Thursday, July 2, to midnight Monday, July 6, showed \$539,982 in cash tolls were paid on 427,359 vehicles. He said that in comparison with the Independence Day weekend period last year, that was an increase of \$15,091 and 5,641 vehicles. He said the weekend was a very normal holiday period especially

in comparison with the Independence holiday period of 1969 when the turnpike was affected by the worst storm in the history of the State. He said the deluge of water and breaks in the dams at the Milan and Norwalk reservoirs caused the Huron River and its tributaries to overflow and flood a section of the turnpike in the vicinity of Berlin Heights. He reported that during the July 4 weekend of 1970 all construction and maintenance work on the roadways was halted at noon on Thursday and not resumed until July 7. He said reports from staff members indicated that the situation across the entire turnpike was very satisfactory, that there was no noticeable reduction in overall speed, or any traffic stoppages due to heavy volumes of traffic. He said a total of 34 traffic accidents were experienced during the period. He said that 23 of the accidents included property damage only and 11 were personal injury accidents resulting in injury to 16 persons. He said there were no fatal accidents during the period.

The Executive Director said further that on Saturday, July 4, a special element of the Cedar Point traffic plan on which he had reported at the June meeting of the Commission was put into effect by the officials of Cedar Point. He said the two lane, bi-directional Cedar Point Causeway was converted to one way entering traffic between the hours of 10:00 A.M. and 1:00 P.M. He said that alleviated the choked traffic condition on State Route US 250 and permitted traffic to resume flowing freely from the turnpike at Interchange No. 7.

The Executive Director reported also that the latest word he had on the prospective opening of Niles-Youngstown (No. 15) Interchange from Division 4 of the Ohio Department of Highways was that the opening date probably would be July 31. He said he had received one letter from an organization representing Trustees of each township in Mahoning County requesting that the Commission not close Interchange 15 or Youngstown (No. 16) Interchange. He said he advised the organization of the action of the resolution passed by the Commission at the meeting in June. He said he advised them further that there was no plan to close Interchange 16 and that the connection between the turnpike and Interstate Route 680 they were concerned about was a partial connection and that Interchange 16 would be needed to accommodate traffic to and from the west on the turnpike. He said further that the Resident Engineer, the Deputy Executive Director and he had looked over the area of the new Interchange 15 and thought it feasible that there might be some ramp connections made between the interchange and North Lipkey Road. He said such ramps would not give connection to I-80 but would give connection to the turnpike. He said the cost of the ramps could be estimated at \$200,000 to \$300,000 and would involve 2400 lineal feet of construction.

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

The Director of Information and Research, Mr. Hartshorne, commented that with respect to some comments about the sufficiency of the new restaurant contracts the Executive Director had been informed by an authoritative source that the reason two large restaurant operators on other major toll roads did not bid was because they considered the contracts contained too many controls and they did not want to be fenced in.

The Chairman said the report of the Director of Information and Research was accepted as offered.

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

RESOLUTION NO. 25-1970

"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 June 2, 1970, 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 June 2, 1970 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, Chastang, Masheter, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 25-1970.

The Chairman ascertained from the Members that since there was nothing prospective for the August meeting of the Commission, it would be agreeable not to meet in August unless it should be necessary that a special meeting be called. He said that subject to any exigency the Commission would not meet until September 1.

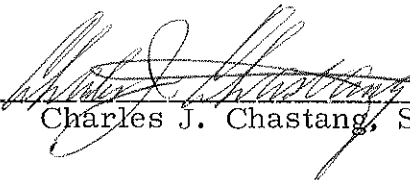
There being no further business to come before the Commission, a motion was made by Mr. Chastang, seconded by Mr. Teagarden, that the meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all Members present responded to roll call. The vote was as follows:

Ayes: Chastang, Teagarden, Masheter, 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