

MINUTES OF THE TWO HUNDRED AND FORTY-FIFTH MEETING
December 8, 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 December 8, 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, members of the press, and others in attendance.

The meeting was called to order by the Chairman. The roll was called and the attendance was reported to be as follows:

Present: Chastang, Masheter, Shocknessy

Absent: Teagarden, Redman

The Chairman announced that a quorum was present. He said Mr. Teagarden was in Florida and the understanding at the last meeting was that he would not be at the current meeting. He said Mr. Redman told him the day before that he would not be present.

A motion was made by Mr. Chastang, seconded by Mr. Masheter, that the minutes for the meeting of November 3, 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, Masheter, Shocknessy

Nays: None.

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

The Chairman reported that Ohio Turnpike revenue for November was approximately \$2,712,000, about \$97,000 less than November of 1969. He said November experience was directly attributable to the admitted deterioration in the economy which was aggravated by the continuing strike in the automotive industry. He said he had seen an editorial in the New York Times in which President Nixon was quoted as saying just about the same thing except the Times editorial made note of the fact that he did not charge any of the unemployment that he was talking about to the automotive strike.

The Chairman said that in the case of the Turnpike there was not any doubt but that the automotive strike had something to do with revenue because a lot of the revenue came from transportation in that industry. He said that, as ever, the Ohio Turnpike was an accurate economic barometer. He said when the economy was rising, Turnpike revenue rose and when the economy deteriorated, Turnpike revenue promptly deteriorated. He said revenue for November deteriorated more than the mere strike. He said he had made a point in the revenue release issued for October that the Turnpike was showing the effect of the economy and it was continuing to show the effect of the economy and it was also showing the effect of the strike on the economy. He said the Ohio Turnpike had been a barometer of the economy ever since it had been in business for the obvious reason that the things which it sold were things which an affluent economy bought to a greater extent than a suffering economy.

The Chairman said further that the financial report of the Pennsylvania Turnpike Commission for October reflected not only the current economic condition and the toll increase it had in 1969 but also, apparently, the effect of the opening of Interstate Route 80 across the center of Pennsylvania from east to west to connect with the Ohio Turnpike at the Niles-Youngstown (No. 15) Interchange. He said that for October the Pennsylvania Turnpike tolls were down \$850,000 from October of 1969 and its operating expenses were up \$295,000. He said the average length of a commercial vehicle trip dropped on that turnpike 9.9 miles or 11 per cent under that of the previous October. He said the Pennsylvania Turnpike times-interest-earned figure was 0.25 compared to 3.32 for October 1969. He said he was only mentioning the Pennsylvania experience to compare with that of the Ohio Turnpike. He said the Ohio Turnpike drop of \$97,000 in November was just nothing compared to what the Pennsylvania Turnpike suffered in October and its November report would probably be worse.

In response to a question by Mr. Chastang, the Executive Director, Allan V. Johnson, said that traffic was declining substantially east of the Niles-Youngstown Interchange on the Ohio Turnpike. The Comptroller, John Soller, said that in the month of November the number of vehicles processed at Eastgate (No. 17) Terminal was down 15.8 per cent while the number of vehicles over all on the Turnpike was down only one-tenth of one percent. He said traffic at the Youngstown (No. 16) Interchange was down 14.5 per cent while, as was expected, traffic at the Niles-Youngstown Interchange was up 49.3 per cent.

The Chairman reported also that Ohio Turnpike bonds were purchased through the Trustee, the Ohio National Bank, in the amount of \$3,699,000 during December, bringing outstanding bonds down to some \$189,000,000. He said the target for the year was for the debt to be under \$190,000,000 and it was about \$500,000 less than that so the Commission

had retired bonds in the amount of about \$137,000,000, or about 42 per cent. He said the Commission once again could take great satisfaction in that record and it was good. He said that because of the effort that the Commission had over the years to retire bonds its annual interest cost was approximately \$6,000,000. He said the Turnpike could face a downturn in the economy much better than a facility which had not been making money and paying its debts as the Commission had been doing over the last ten years.

The Chairman adverted to his report at the October meeting about the two Turnpike maintenance employees who were killed in September and about how saddened the Members and the staff were especially by the death of the young man who was going to go back to school. The Chairman reported that the driver of the vehicle that killed the maintenance men had been tried in Sandusky County Court in Clyde on the third of December on charges of failure to maintain an assured clear distance and second degree traffic homicide and was fined \$25.00 and costs on the assured clear distance charge and on the homicide charge he was fined \$150.00 and costs and sentenced to 30 days in jail and his driver's license suspended for 30 days and the jail sentence was suspended.

The Chairman reported also that there was one fatal accident on the Turnpike in November but on December 2 there were two fatal accidents and two deaths and on December 4 one fatal accident and one death.

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, Mr. Chastang, that since the last meeting the following had been sent to all Members:

1. Traffic & Revenue Report for October, 1970.
2. Financial Statements as of October 31, 1970.
3. Draft of the minutes of the November 3, 1970 meeting.
4. Detail of investment transactions for November 1970.

The Assistant Secretary-Treasurer reported also that a new chart of accounts with updated account descriptions had been prepared and he presented a copy for inspection by the Members.

The Assistant Secretary-Treasurer reported also that the pick-up of money and tickets started off well and everything had been on schedule. He said things were being handled with more dispatch than previously and there had not been a single complaint on the operation. He said the Highway Patrol was swarming over the operation more than had been expected. He said the Highway Patrol was giving tremendous, almost continuous, coverage.

The Chairman said the Commission had a fine patrol. He said the Highway Patrol was one of the great assets of the Turnpike. He said the Patrol had earned the respect it had from the public. He said he did not know of any better way the policing of the Turnpike could be handled than it had been.

The Chairman commented that he was constantly inquiring if the Commission was keeping up with all developments in the headquarters at Berea and along the Turnpike. He said he had a feeling that the headquarters telephone system ought to be evaluated to see that it was comparable to services and operations of similar facilities. He said he wanted to be sure that the Commission was complying as far as possible with the Governor's order on reducing highway pollution by state-owned vehicles. He said he wanted to lend the Commission's support to any anti-pollution experience anybody else had that might be adaptable for the Commission. He said the Commission did not want to do like the railroads and freeze into its patterns because it liked what it was doing. He said he wanted what the Commission was doing to be improved, always consistent with and comparable to, advances that were made in technology. He said he just did not want ever to ignore something that might be in the best interest of the Commission's long-term objectives. He said that contemplated changes would, of course, have to be examined on the basis of the duration of their use. He said the reason he brought those things up was that he wanted everybody to understand and especially the new Executive Director that the Commission did not have any pride in authorship of anything it did merely because the Commission did it. He said the Commission had pride in keeping up with all progress in similar operations.

The Chairman said the railroads froze in their own self-satisfaction and he did not believe that the railroads would be in the condition they were in currently if they had kept up with the advances in public demands. He said he did not think the railroads ever cared what the public wanted. He said they operated to suit themselves. He said that was not the way to merchandise. He said that was not the way the Commission operated the Turnpike. He said that was not the way that it would ever be operated. He said the Commission was going to operate the Turnpike always in favor of progress and advance technology.

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

The Comptroller reported for the Committee on Budget and Finance in the absence of the chairman of the Committee, Mr. Redman, that the Commission had before it a proposed resolution adopting a supplemental budget for the fiscal year 1970 which showed an increase in the budget of administration and insurance of \$60,000 and an increase in the budget for operation of \$140,000 and no change in the budget for trust indenture expense, making a supplemental annual budget of \$200,000. He said administration and insurance would need the additional budget allowance because of increased workmen's compensation, employees' insurance, and Public Employees Retirement System contributions. He said all were exceeding the allowances set up over the year before. He said the PERS cost would be high in December because of there being 27 salary payments in 1970 -- just the way the calendar happened to fall. He said operations would need additional budget allowance because of increased Highway Patrol salaries, increased maintenance costs under the R C A Corporation contract, additional supervision in the maintenance sections, work to be done on the service plazas during the remainder of 1970 because any billings of those costs would not come until 1971, and, most important, the need to have adequate allowance for snow and ice control in the event of bad weather during the following 23 days. He said it was believed the budget for trust indenture was adequate.

The Comptroller said further that the Commission had a letter from the Consulting Engineers recommending that the 1970 budget be supplemented by \$200,000, which was a 2.2 per cent increase over the budget adopted for 1970 a year before.

The representative of the Consulting Engineers, Mr. Harnden, said he had written a letter recommending that the supplemental budget be approved as being reasonable and apparently sufficient to cover any expenses for the remainder of 1970. Mr. Johnson said he also recommended adoption of the supplemental budget.

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

RESOLUTION NO. 35-1970

"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. 23-1969 adopted an annual budget for the fiscal year 1970;

"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 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 1970 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 1970;

Supplemental Annual Budget for Fiscal Year 1970

Expenses

Administration & Insurance (increase in estimate)	+\$ 60,000
Operations (increase in estimate)	+ 140,000
Trust Indenture Expense (unchanged)	<u>-0-</u>
Total	+\$200,000

"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 present responded to roll call. The vote was as follows:

Ayes: 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. 35-1970.

The Executive Director reported further for the Committee on Budget and Finance, that at its meeting on October 13, 1970 the Commission by resolution No. 31-1970 adopted a preliminary budget for fiscal year 1971. He said copies of the preliminary budget had been distributed to the Trustee, Consulting Engineers and principal underwriters as provided for under the terms of the Trust Agreement. He said there had been no request for a public hearing. He said that accordingly, it was recommended by the Committee on Budget and Finance and by the Executive Director that the Commission adopt the preliminary budget as the annual budget for the fiscal year 1971. He said the Consulting Engineers had similarly recommended in a letter addressed to the Executive Director under date December 4, 1970.

The Chairman said that Mr. Redman, as chairman of that committee, had recommended the adoption of the preliminary budget and the annual budget was the same as the preliminary which the Commission adopted in October.

A resolution adopting annual budget for the fiscal year 1971 was moved for adoption by Mr. Chastang, seconded by Mr. Masheter, as follows:

RESOLUTION NO. 36-1970

"WHEREAS the Commission, by resolution No. 31-1970 adopted a preliminary budget for the fiscal year 1971, 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 1971, 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;

Annual Budget of Income and Current Expenses
for the Fiscal Year 1971

Income	\$37,500,000
Current Expenses	
Administration & Insurance	1,666,230
Operations	7,914,810
Trust Indenture Expense	<u>156,200</u>
Total Current Expenses	\$ 9,737,240

"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. 31-1970; 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: 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. 36-1970.

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 Executive Director reported for the Committee on Service Plazas in the absence of the chairman of the Committee, Mr. Teagarden,

that remodeling activity at the Middle Ridge and Vermilion Valley Service Plazas was brisk during the early part of November as the Howard Johnson Company rushed to get those restaurants opened in their entirety prior to the Thanksgiving Day holiday. He said that at Middle Ridge the Johnson Company was in 100-per-cent operation prior to the Thanksgiving holiday. He said the Company was a little further behind on the Vermilion Valley restaurant but both were currently in excellent shape. The Chairman said that the remodeling was for all practical purposes completed and the public was being served by the new operators at the plazas where new operators took over.

Mr. Johnson reported also for the Committee that the remodeling of rest rooms at the Commodore Perry Plaza continued and he hoped the work could be completed on schedule.

Mr. Johnson reported also for the Committee that he had conferred with a person who he thought would be excellent in the capacity of shopper of Turnpike restaurants and she had indicated an interest.

The Chairman said the report of the Committee on Service Plazas was accepted 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 chairman of the Committee on Safety, Mr. Johnson, reported that on the evening of November 24 a small van began a movement to pass a vehicle ahead on the eastbound roadway west of the Sandusky-Norwalk Interchange. He said that just as the driver started to do so he saw another vehicle to his rear that was already in the passing lane. He said the driver attempted to pull back in and hit the truck in front of him, careened off and hit the guard rail and as a result his wife, a passenger, was fatally injured.

Mr. Johnson reported also that on December 2 at 6:25 a. m. a truck accident occurred in which a westbound truck struck a bridge pier and caught on fire, resulting in the deaths of the driver and a passenger. He said it was thought the driver had gone to sleep.

Mr. Johnson reported also that near midnight on December 4 near the bridges over the Cuyahoga River a wheel separated from an eastbound passenger car, flew across the median and struck the windshield of a westbound car, killing the passenger in the front seat.

Mr. Johnson reported also that at the last meeting it was reported that the Highway Patrol had requested an increase in the rate per mile paid on patrol cars assigned to District 10 from 6 cents to 8-1/2 cents effective January 1, 1971.

He said that, as directed by the Commission, the matter had been discussed with the Superintendent of the Highway Patrol, Colonel Robert M. Chiaramonte and his staff and the Highway Patrol had agreed to a rate of 7-1/2 cents per mile subject to monthly adjustment based on actual depreciation cost when that should be known.

The Chairman said he had talked to Colonel Chiaramonte about the matter and told him that the Commission would be willing to amend the overall contract to provide for the proposed monthly adjustment. He said Colonel Chiaramonte said that the existing contract between the Commission and the Highway Patrol only provided for a semi-annual adjustment and so what the Highway Patrol was doing in its projection was making sure that it would be safe. He said Colonel Chiaramonte said that the manufacturers had dropped the so-called discount which they had allowed for cars similar to the patrol cars used on the Turnpike but the Highway Patrol did not know whether or not some part of it might be reinstated so he and Colonel Chiaramonte agreed and the conferees agreed that 7-1/2 cents would be realistic with respect to mileage subject to adjustment on the question of the impact of the loss of the fleet discount on the overhead of the Highway Patrol.

Mr. Johnson reported also that during November the Highway Patrol advised that it had been allowed a salary increase by the State Employee Compensation Board effective November 1, 1970. He said that, in order to handle that increase, and the mileage increase, and to incorporate other agreement modifications approved during 1969 and 1970 it was deemed advisable by the parties to prepare a new agreement. He said that was done by the General Counsel, Lockwood Thompson and the new agreement had been signed and sent to the Highway Safety Director for other necessary signatures by the Director and by the Attorney General of Ohio.

The Chairman said the Commission had no control over the salaries of Highway Patrolmen. He said the Commission had to pay the salaries as they were established. He said that affected the Commission's budget. He said that possibly in 1971 the Commission was going to have a bigger supplemental budget than in 1970.

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 in December each year it was proposed to grant permission for certain employees to defer until the following year vacation they had earned but for a variety of reasons had not taken. He said that 119 days were carried over in 1969. He said

the current carry-over request was for 166 days for 23 employees. He said it was his recommendation that the Commission take favorable action on the resolution prepared for that purpose. The Chairman said the days carried over were for the Commission's convenience.

A resolution authorizing deferment of days of annual vacations of certain named employees of the Commission from the calendar year 1970 until the calendar year 1971 was moved for adoption by Mr. Chastang, seconded by Mr. Masheter, as follows:

RESOLUTION NO. 37-1970

"WHEREAS certain of the Commission's employees have, during the calendar year 1970, 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 1970 be deferred until the calendar year 1971, and the department heads concerned therewith have recommended such deferment;

"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 1971 as shall be designated by such department heads as are charged with that responsibility:

<u>Employee</u>	<u>1970 Days of Vacation Leave Accumulated But Not Taken During Calendar Year 1970</u>
Cole, Dorothy	5
Fletcher, Forest	11-1/2
Freimark, Kenneth	3
Grace, A. R.	9
Hartshorne, James D.	31
Heil, John	4
Hein, Dorothy	3
Kappel, Norman	2
Knott, Gertrude	7
Kropp, Harlan	5
McBride, C. Paul	12
Morrison, J. B.	5

O'Grady, Walter	13
Ployhart, Joseph	6
Pratt, Ray	5
Radyk, Charles	5
Schroeder, Edwin	2
Smith, Roberta	5
Soller, John	9-1/2
Stafford, Julius	5
Van Oster, Russell	5
Vartorella, Alvin	11
Wanstreet, Michael	2

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

Ayes: 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. 37-1970.

The Executive Director reported also that in past years the Executive Director had excused employees 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, provided 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 Thursday, December 24, and to excuse the remainder on Thursday, December 31. He said schedules for the employees to be excused would be recommended by the various department heads and coordinated so the central operational functions would be maintained.

The Chairman said that action was within the Executive Director's administrative authority.

The Executive Director reported also that in discussion with Commission employees' representatives it had been agreed to revise the days on which the holidays would be observed starting in 1971 to conform with an enactment by the State Legislature. He said it was his recommendation that the Commission take favorable action on the resolution prepared for that purpose.

A resolution amending Section 5.00 of Article IV of the code

of bylaws with respect to holidays was moved for adoption by Mr. Chastang, seconded by Mr. Masheter, as follows:

RESOLUTION NO. 38-1970

"WHEREAS the executive director has reported to the Commission on certain recommendations received by him from the committee on employee relations with respect to holidays, and has submitted to the Commission recommendations for changes in the Commission's Code of Bylaws with respect thereto;

"WHEREAS the consulting engineer has expressed concurrence in said recommendations; and

"WHEREAS the Commission, being fully advised regarding said recommendations and the reasons therefor, considers that adoption thereof will bring the conditions of employment of turnpike employees with respect to holidays into conformity with the holiday benefits recently granted by the General Assembly to employees of the State of Ohio, and the Commission desires to adopt said recommendations;

"NOW, THEREFORE, BE IT

"RESOLVED that effective immediately, Section 5.00 of Article IV of the Commission's Code of Bylaws be amended to read as follows:

"Section 5.00 Holidays:

The following shall be observed as holidays:

First day of January, known as New Year's Day; the third Monday in February, known as Washington-Lincoln Day; the last Monday in May, known as Memorial Day; the fourth day of July, known as Independence Day; the first Monday of September, known as Labor Day; the second Monday in October, known as Columbus Day; the fourth Monday in October, known as Veterans' Day; the fourth Thursday in November, known as Thanksgiving Day; the twenty-fifth day of December, known as Christmas Day; and any day appointed and recommended by the Governor of this state or the President of the United States as a holiday. When the first day of January, the fourth day of July, or the twenty-fifth day of December falls on Saturday, the Friday immediately preceding shall be observed as a holiday by employees whose workweek is Monday through Friday; and

when any of the aforesaid holidays falls on Sunday, the Monday immediately succeeding shall be observed as a holiday by such employees. The executive director shall issue instructions which shall provide benefits for employees whose workweek is other than Monday through Friday comparable to the benefits hereinabove provided for employees whose workweek is Monday through Friday.

The executive director shall issue instructions which shall provide for holiday pay or compensatory time off in any case in which an employee is required to work on a day which he would otherwise be entitled under this section to observe as a holiday."

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

Ayes: 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. 38-1970.

The Executive Director reported also that in discussion with Commission employees' representatives, it had been agreed to increase the sick leave benefits from 90 to 120 days to conform with action by the State Legislature. He said that it was his recommendation that the Commission take favorable action on the resolution prepared for that purpose.

A resolution amending section 2.10 of Article VI of the code of bylaws with respect to sick leave was moved for adoption by Mr. Chastang, seconded by Mr. Masheter, as follows:

RESOLUTION NO. 39-1970

"WHEREAS the executive director has reported to the Commission on a recommendation received by him from the committee on employee relations with respect to sick leave, and has submitted to the Commission a recommendation for a change in the Commission's Code of Bylaws with respect thereto;

"WHEREAS the consulting engineer has expressed concurrence in said recommendation; and

"WHEREAS the Commission being fully advised regarding said recommendation and the reasons therefor considers that adoption thereof will make available to Commission employees additional sick-leave benefits comparable to benefits recently granted by the General Assembly to employees whose salaries or wages are paid in whole or in part by the State of Ohio;

"NOW, THEREFORE, BE IT

"RESOLVED that effective immediately Section 2.10 of Article VI of the Commission's Code of Bylaws be, and the same hereby is, amended to read as follows:

"Sec. 2.10 Each full-time employee of the Commission, whether he be salaried or hourly rated, shall be entitled to an initial sick leave credit of five work days and, in addition, shall be entitled to sick leave of one and one-fourth work days for each month of continuous service. Unused sick leave shall be cumulative, but no employee shall be entitled to accumulate a credit exceeding one hundred and twenty days of sick leave. In the event of extreme hardship and where an employee has accumulated sick leave credit in excess of one hundred and twenty days, the executive director may recommend to the Commission additional sick leave to a maximum of the employee's sick leave credit which is in excess of one hundred and twenty days but the maximum recommendation shall be for a period of no more than an additional thirty days."

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

Ayes: 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. 39-1970.

The Executive Director reported also that the Humm Road Hill third-lane project on which the contract was awarded at the last meeting was started in the middle of November and was proceeding minimally. He said the project was not behind schedule and was proceeding satisfactorily.

The Executive Director reported also that as requested by the Commission at its last meeting, a comparison of the Commission's existing policy of medical insurance for its employees with the State of

Ohio policy had continued. He said the comparison had been started prior to the last meeting and in the time since then he had received a written submission from the agent of the Commission's carrier offering a comparison and he and the staff had also met with the agent and with a representative of the carrier company. He said that he and General Counsel had met that morning with a representative of the Aetna Insurance Company which carried the state's policy. He said he was currently in a position to condense the results of the review and would do so and would issue a comparison to the Commission shortly.

The Chairman said that the matter of liability insurance to cover employees of the Commission when they were driving Commission vehicles ought to be considered and the Executive Director could consider it.

The Executive Director reported also that the employees of the Commission had been again reminded of the Commission's policy that accepting gifts or gratuities of any description from contractors or suppliers doing business with the Commission was neither tolerated nor condoned.

In response to a question by Mr. Chastang, the Executive Director said it was planned to offer once again to travellers on the Turnpike New Year's Eve free coffee at all the Turnpike restaurants. He said the restaurant concessionaires cooperated by supplying the coffee. He said the program was being prepared by the Assistant to the Director of Information and Research, Blair Willison.

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

The General Counsel reported that an appeal had been filed in the Seventh Judicial Appellate District, Court of Appeals, by the plaintiffs in the case of Youngstown Motel No. 2 Associates vs. Ohio Turnpike Commission. He said the appeal was proceeding under the statutory time periods and the Commission had been advised by the other side that the case, as far as they were concerned, would be submitted on the case below. He said the Commission was willing to present it to Court of Appeals on the case below.

The General Counsel reported also that pursuant to the Commission's request he had taken up with John Lansdale, of the Commission's Fiscal Counsel Squire, Sanders & Dempsey, the matter of the certificate of completion and General Counsel's opinion in reference to the question

of completion of the Turnpike. He said he had had a telephone call from Mr. Lansdale who said that the matter was under consideration.

The General Counsel said further that the only trouble about an opinion was that there were several releases of easements by utilities which remained to be cleared up. He said two releases had to be executed by banks, one of them the Chase Manhattan Bank in connection with a mortgage by Toledo Edison Company, the other the National City Bank of Cleveland due to a mortgage by the Elyria Telephone Company.

The Chairman said that when General Counsel and Squire, Sanders & Dempsey were agreed that the certificate could be issued he would like to see it issued and, if possible, he would like it issued before the end of 1970.

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

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

RESOLUTION NO. 40-1970

"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 November 3, 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 November 3, 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: 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. 40-1970.

During the discussion which resolved that the Commission would next meet in January on its regular meeting day of the first Tuesday in January, 1971, the Chairman took the occasion to congratulate the Comptroller's secretary, Mrs. Lenora Nelson, on her record of unbroken attendance since 1956 at the meetings of the Commission for the purpose of taking the record of the meeting.

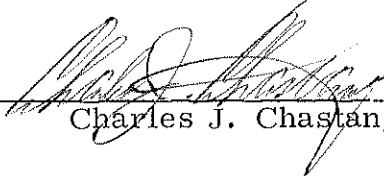
There being no further business to come before the Commission, a motion was made by Mr. Chastang, seconded by Mr. Masheter, that the meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all Members present responded to roll call. The vote was as follows:

Ayes: Chastang, Masheter, Shocknessy

Nays: None

The Chairman declared the meeting adjourned. The time of adjournment was 12:55 p. m.

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



Charles J. Chastang, Secretary-Treasurer