

MINUTES OF THE TWO HUNDRED AND FORTY-EIGHTH MEETING
March 2, 1971

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 March 2, 1971 with the key members of the staff; a representative, Mr. H. A. Harnden, of the Consulting Engineers; a representative, Mr. John C. Ruetty, of the Trustee; and others in attendance.

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

Present: Redman, Chastang, Teagarden, Shocknessy.

Absent: Richley.

The Chairman announced that a quorum was present. He said he believed that was the first meeting the Commission had ever had in its approximately 22 years when it did not have the Director of Highways or his deputy at the meeting.

A motion was made by Mr. Chastang, seconded by Mr. Teagarden, that the minutes for the meeting of February 2, 1971 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, Redman, Shocknessy.

Nays: None.

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

The Chairman reported that the revenue for February 1971 was about \$2,125,000, which was about \$76,000 less than for February of 1970 which was the Commission's best February to date. He said the income experience was reflective of the general economic conditions of which the turnpike had always been a true and unfailing barometer.

The Chairman reported also that the Commission's 1970 Annual Report had been most favorably received throughout the United States. He said he had had letters from people all over the United States commenting on the report and mentioning, as the Commission agreed at its February meeting, that it was the best report the Commission had ever put out. He said he also had a call from one of the newspapers wanting to know how much the Report cost and he advised that the printing bill was approximately \$10,500, which did not include the overhead and all the costs that were in the report, and that he did not consider anything even as much as \$20,000 excessive to report to the United States, and the world for that matter, on a business which produced approximately \$38,000,000 annually in income and which used the Annual Report as its principal public relations tool over the course of a year. He said people got information about the Commission and its experience from the report and so he hoped that the expenditure which the Commission had made was agreeable with every Member and with the Trustee. Mr. Ruetty indicated that it was agreeable with the Trustee. The Members indicated their satisfaction also. Mr. Redman said he thought the Commission was obligated to make the results of its operation public and if it did not do so through an annual report the Commission would have to send its bondholders a letter and it did not know who the owners were. Mr. Teagarden said the law required the Commission to make a report to the Legislature and to the Governor. The Chairman said the Commission did not need to do a souvenir job but he was of the opinion the job as done was a dignified and proper manifestation of its activity to the world.

The Chairman reported also that the remarks he made in orientation of the Commission's new member at the February meeting with respect to the Ferguson Act were very favorably received and were the subject of very favorable editorial comment. He read an editorial titled "The Ferguson Act" from the Columbus Citizen-Journal of February 15, 1971 as follows:

"The General Assembly would do well to listen to Ohio Turnpike Commission Chairman James W. Shocknessy on public employe labor relations.

"The time has come," he told the commission, "to repeal or amend the Ferguson Act with an enlightened public employes labor relations act."

"The need, as Shocknessy sees it, is a law 'which would set guidelines for public employers and give public employes proper safeguards of employment and remedies for settlement of their

grievances and other conditions of employment. '

"Shocknessy offers sound advice that ought to be heeded. Fifteen years or so ago, he drew up a grievance procedure for Turnpike employes that was published in a manual for them. The commission also provides a checkoff of union dues for about 200 Teamster Union Members, although it has not signed a contract. The result of this enlightened policy has been years of labor peace on the Turnpike.

"The flaws in the Ferguson Act are so well known, and painfully felt, it is pointless to hash them over again. The punitive law forbids strikes but strikes happen regularly. There is no grievance machinery and governors, mayors and others have had to deal with that awkward situation as best they could.

"As a Council of State Governments task force recently concluded after a nationwide study of the problem: 'Now is the time to act. For those states which have yet to develop state policies in public employe labor relations, time is running out. '"

The Chairman said The Cleveland Press did an editorial which was similar.

The Chairman reported also that there were two fatal accidents in February, each resulting in one death.

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

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

1. Traffic and Revenue Report for January 1971.
2. Financial Statements as of January 31, 1971.
3. Draft of the minutes of the February 2, 1971 meeting.
4. Detail of investment transactions for February 1971.

The Chairman said the report of the Secretary-Treasurer was accepted as offered. He ascertained there would be no report for the Committee on

Budget and Finance. He said the report of the Committee on Service Plazas would be received.

The chairman of the Committee on Service Plazas, Mr. Teagarden, reported that in order to learn how customers at the turnpike restaurants felt about the food service operations the Patron Services Department conducted a study by soliciting comments from patrons on a business reply card. He said that from January 18 through January 31, 1971 members of that department visited the restaurants and passed out cards which invited the patrons to comment on the quality of food, employee courtesy, restaurant cleanliness, rest room cleanliness and whether or not portions were adequate. He said the patrons were asked also to make suggestions and/or comments regarding the restaurant operations.

Mr. Teagarden said further that altogether there were five hundred cards distributed at the restaurants during different hours on different days. He said approximately 80 per cent of those cards were returned to the Commission's headquarters at Berea. He said the results showed that, of the restaurant patrons who responded, 95 per cent thought the quality of food was satisfactory or better; 99 per cent indicated that employee courtesy was satisfactory or better; 99 per cent indicated the cleanliness of the restaurant was satisfactory or better; 97 per cent indicated the cleanliness of the rest rooms was satisfactory or better; and 93 per cent felt that portions were adequate. He said nine per cent of the cards had comments relating to restaurant prices and 14 per cent had comments which praised Turnpike restaurant operations. He said a few of those comments were: "attractive, clean, relaxing - a pleasant experience;" "Rest room is one of the cleanest I have ever seen (women's);" "Good to see personal supervision reference quality and cleanliness;" "Food quality and service have improved in the last year;" "I would say the Ohio Turnpike is one of the best run toll roads in the country;" "I am sure the quality of service found here is no accident;" "I like the idea of the Ohio Turnpike Commission's controlled food prices."

Mr. Teagarden said also that the survey showed that although travelers did not take time to write letters, many patrons were satisfied with the turnpike restaurants. He said a similar survey made in January 1969 produced almost identical results.

The Chairman said the response was remarkable. Mr. Chastang said that it certainly was, that it was too good to be true. Mr. Teagarden said the report showed that the restaurants, encouraged through constant contact and follow-up by the Commission's representatives, were trying to do a pretty good job.

Mr. Teagarden reported also that both restaurant concessionaires had requested price increases on certain controlled items, citing increased food costs and operating expenses as the reason for the adjustments. He said a study of prices in restaurants near the turnpike was being made and the committee had scheduled a meeting for March 3 to consider the requests.

Mr. Teagarden reported also that the old contract with restaurant operators provided that the restaurants were to be turned back to the Commission in the same condition as when the operators took them over in the beginning subject, of course, to normal wear and tear.

Mr. Teagarden said further that following the award of the new restaurant contracts in 1970 the Executive Director designated the Commission's Assistant Maintenance Superintendent, Dale Sturdevant, and a representative of the Consulting Engineers to accompany representatives of the three concessionaires under the old contracts on a survey of all 16 restaurants to determine what was necessary on the part of the operators to put them into the required condition.

Mr. Teagarden said further that copies of the survey were sent to the three operators. He read excerpts from the survey as follows:

"Great Lakes Service Plaza -- Vestibule: cover on entrance door closer missing, threshold loose and edges broken off, ceiling light diffuser warped. Men's rest room: entrance door binding in frame - needs adjusting, escutcheon plates missing on No. 2 and No. 4 stalls, holes in marble partitions where paper dispensers have been relocated, edge tile missing on sink counter, floor tile cracked, and so on. Ladies rest room: No. 1 stall flush valve loose in wall, No. 5 stall top door hinge loose. Dining room: three window edge panes leaking, one center thermopane leaking, one center pane cracked."

Mr. Teagarden read also from Mr. Sturdevant's letter transmitting the report of the survey to the Commission's Chief Engineer, Frank A. Dutton, the following:

"Representatives of the concessionaire during the inspection indicated they felt many of the deficiencies which were disclosed were due to normal wear and tear in relation to door hardware, tanks, water softening equipment and pumps. They also indicated they felt some items were housekeeping items and other equipment which would still be the responsibility of the concessionaire." ***

"In regard to supply and return air grilles which are noted as being dirty, requisition has been submitted by this office for service to clean

supply and return air grilles, duct areas, and the S-1, S-2 and S-4K air-handling units. As this was the responsibility of the concessionaire under the old contract whether performed by their forces or performed by Commission forces and charged back to the concessionaire, the cost of the cleaning service will be relayed to the concessionaire."

Mr. Teagarden said further after that survey was completed the Committee on Service Plazas appointed a sub-committee consisting of the Assistant General Counsel, Francis K. Cole, as chairman; Mr. Sturdevant; the Superintendent of Patron Services, J. Budd Morrison; and the Director of Operations, Andrew R. Grace, to discuss with the concessionaires any items which the concessionaires might feel were not their responsibility to correct.

Mr. Teagarden said the purpose of reporting on the survey was to show what was being done to protect the interest of the Commission on its investment in the service plaza buildings.

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

The chairman of the Committee on Employee Relations, Mr. Teagarden, reported that the committee would meet the following day to prepare for meetings with the union and non-union representatives.

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 received.

The chairman of the Committee on Safety, Allan V. Johnson, Executive Director, reported that the two fatal accidents during February involved unusual circumstances and were single-car accidents. He said the first occurred on February 8 at 7:30 A.M. when an eastbound automobile, traveling at a high rate of speed, crossed the median and westbound pavement at Milepost 9.1, went through the right-of-way fence and turned right, broke off a utility pole, climbed an embankment, hurdled over Williams County Road No. 10 (which crosses over the turnpike) and landed in the turnpike ditch. He said the 33 year old male driver was thrown from the car and killed. He said it was determined that the victim had a form of epilepsy and had been advised by a physician not to drive a car. He said it was probable that the driver had had an epileptic seizure which caused the accident.

Mr. Johnson said further that the second accident occurred on February 20 at about 3:30 P. M. He said an eastbound automobile crossed the median and westbound pavement at Milepost 137.6 and came to rest against the right-of-way fence. He said a patrol car came upon the scene and the officer proceeded to investigate the accident. He said the driver was not hurt and was seated in the patrol car while the patrolman prepared his report. He said when the patrolman left the patrol car to get a tape from the trunk to make measurements required in the report, the driver involved in the accident drove off in the patrol car at a high rate of speed and, after driving about five miles, lost control, careened over a guard rail, went down a steep slope and into the swollen and ice-filled Vermilion River where he was drowned in the car. He said investigation revealed a long list of driving convictions, financial instability, and other great personal and emotional problems which probably led to the irrational act. He said the man had just been divorced the day before by his wife, an action that he had resisted, and about two weeks before that he had filed bankruptcy.

Mr. Johnson said further that the Ohio State Highway Patrol explained that, especially in the wintertime and under such circumstances, it had been its practice to put the persons involved in the patrol car, especially if they were injured, and to leave the engine running so the radio would operate.

Mr. Johnson reported also that the committee met on February 25 to discuss the growing problem of transporting of 14-foot wide mobile homes on the turnpike. He said that while it had been the practice to grant entrance to certain oversized vehicles by special permit, it was the consensus of the committee that mobile homes over 12-foot wide represented special problems of safety and inconvenience to other users on the turnpike and should be prohibited from using the turnpike. He said that, accordingly, he proposed to exercise the restrictive authority granted to the Executive Director in the Commission's Rules and Regulations to prohibit mobile homes over 12 feet wide from using the turnpike and he hoped to do that promptly prior to the start of the use of the crossovers on turnpike resurfacing projects. He said it was obvious there was a great pressure on in Indiana where many of the 14-foot wide mobile homes were manufactured to unload a great block of them onto the market by way of the highway system. He said that if it were just a matter of random movements it might be possible to cope with them on the turnpike but a flood of them was going to create, he thought, very serious problems.

In response to questions, Mr. Johnson said mobile homes of that

size were not permitted on the Pennsylvania Turnpike and he did not know what happened to them after they left the Ohio Turnpike. He said the Ohio Department of Highways in December 1970 set up regulations to permit them on the state highway system in Ohio.

Mr. Chastang said it would be appropriate to obtain the rules and regulations covering the movement of such vehicles from Indiana and Pennsylvania to learn precisely what those states did with respect to oversized vehicles, not only mobile homes but all other oversized vehicles. Mr. Johnson said members of the staff met with representatives of the Indiana Toll Road Commission several weeks before and discussed the situation with them. He said the representatives informed the staff that there was a great pressure on the Indiana Legislature to permit movement of the very wide mobile homes in Indiana.

The Chairman said he thought Mr. Johnson should proceed rather carefully on the matter. He said he would want to be sure that everyone else, Indiana and Pennsylvania especially, had notice of what the Commission was doing. He said it was the intention of the Commission that the Executive Director proceed after gathering the facts with respect to the other turnpikes and highway systems so the Commission would not be doing something that would confuse the traffic pattern.

Mr. Johnson said further that it would also appear appropriate in view of the ever increasing traffic volumes on the turnpike to review the experience of allowing oversize loads, especially the wide loads, to use the turnpike under special permit except under extreme emergency situations vital to the national defense. He said he proposed to keep that item on the agenda of the Committee on Safety for future discussion and reporting to the Commission.

Mr. Johnson reported also that in keeping with practice in recent years centerline striping was started in the late winter months as soon as dry pavement conditions permitted. He said that as of the day before, 128 miles of centerline had been painted.

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 during February two safety committees that were agreed upon in discussions with employee representatives in 1970 and provided for in the Employee Manual effective January 1, 1971 were appointed by him and he called the first meetings

of the committees to organize and start reviewing safety matters. He said the Toll Collection Safety Committee met on February 11 and the Maintenance Safety Committee met on February 18. He said each committee elected a chairman and a secretary as provided in the Manual and established operating procedures. He said some of the resulting recommendations had already been adopted and acted upon. He said the committees got off to a very good start.

The Executive Director reported also that during February an Assistant Chief Engineer, George A. Plain, was appointed. He said Mr. Plain had been most recently employed by the Ohio Highway Department and had experience in highway design, maintenance and bridge inspection and repair. He said Mr. Plain would be a valuable addition to the staff.

The Executive Director reported also that during February a revised Reserve Maintenance Fund program was formulated which reflected the funds expected to be available and the projects that had been committed. He said the revised program was designed to provide enough flexibility to allow for unexpected, necessary expenditures which were likely to occur, to permit the effective utilization of the Commission's own forces to perform required work at the lowest possible cost. He said that in line with this, the repair and resurfacing of Streetsboro (No. 13) Interchange by Commission forces was started the past week. He said that under normal circumstances that work would have been done by contract.

Mr. Johnson said further that the Reserve Maintenance Fund program would be revised periodically to fit into the available funds and also to incorporate any new items decided upon. He said he thought enough flexibility had been built into the program to give some cushion.

The Executive Director reported also that preconstruction conferences were held for the four mainline resurfacing contracts which were awarded at the last meeting. He said actual work was expected to start as soon as weather permitted, probably during March.

The Executive Director reported also that the staff was reviewing the available publicity and background information on the interchange between Interstate Route 90 and the turnpike. He said he had acquainted Mr. Harnden with the Areawide Transportation Study affecting the area which was prepared by the Cleveland Seven County Transportation Land Use Study (SCOTS) and currently known as the Northeast Ohio Areawide Coordinating Agency (NOACA) which had some bearing on the situation.

He said he expected to obtain also traffic forecast data on which to base further examination of the situation.

The Chairman said he wanted to be sure that the Commission was fully and thoroughly knowledgeable with respect to that situation because the Highway Department had already taken the position and it was being generally accepted that the Highway Department could make the final determination but the Commission had so much interest in it that he thought the determination should be coordinated and he thought the Commission had to be well informed in order to be able to coordinate. He said the Highway Department could not go ahead and make a final determination without the Commission's agreement but the Highway Department and Bureau of Public Roads had been going ahead and reaching a conclusion without very much, if any, consultation with the Commission.

The Chairman said further that the Lorain Journal had editorialized about the interchange and the Lorain County Commissioners and the Elyria Chamber of Commerce had expressed interest for a full interchange. He said he had seen quite a lot of interest exhibited in the area in that interchange and he just hoped that all concerned would be right when the determination was finally made. He said he had mentioned to the Ohio Director of Highways, Mr. Richley, that a controversy was raging in the City of Lorain and Lorain County on that interchange. He said the Consulting Engineers had to have a position on it whenever it came up again, so the Commission would know what it was talking about, because if the interchange should be a full interchange and the Highway Department made a half interchange out of it, it was the Commission's ultimate trouble too. Mr. Harnden said that was correct. He said that, however, Lorain County interests were trying to make not just a full interchange but a triple interchange involving three roads. Mr. Johnson said he had a package of information that had been furnished to him by Division 3 of the Highway Department in Ashland which was the first indication to him as to what was being discussed. He said that just that morning he and Mr. Harnden had talked briefly with the staff of the Bureau of Planning Survey of the Highway Department and obtained information relating to the situation.

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

The General Counsel, Lockwood Thompson, reported that he had a call two weeks before from the Court of Appeals at Youngstown asking whether he could be ready to argue the Interchange 15 case about March 16.

He said he replied that any time the Court wanted, he would be ready to argue the case. He said he had not heard further from the Court. He said he expected to file a brief with the Court within two days.

The Chairman said the report of the 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. Teagarden, seconded by Mr. Chastang, as follows:

RESOLUTION NO. 7-1971

"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 February 2, 1971, 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 February 2, 1971 hereby are ratified, approved and confirmed."

The Chairman said that before the vote he wanted to offer for the Commission congratulations to Mr. Teagarden on the celebration of his 75th birthday on February 24. He said Mr. Teagarden was probably the youngest 75-year old that anyone present knew. Mr. Teagarden thanked the Commission.

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

Ayes: Teagarden, 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. 7-1971.

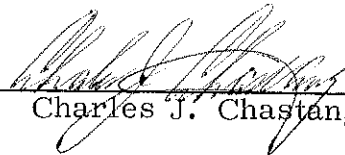
There being no further business to come before the Commission, a motion was made by Mr. Chastang, seconded by Mr. Teagarden, that the meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all Members present responded to roll call. The vote was as follows:

Ayes: Chastang, Teagarden, Redman, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 12:27 P.M.

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



Charles J. Chastang, Secretary-Treasurer