

MINUTES OF THE TWO HUNDRED AND FIFTY-SECOND MEETING  
July 6, 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 July 6, 1971 with the key members of the staff; a representative, Mr. Harvey A. Harnden, of the Consulting Engineers; representatives, Mr. P. Joseph Sesler and Mr. Robert H. Bartholomew, 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: Chastang, Teagarden, Richley, Shocknessy.

Absent: None.

The Chairman announced that a quorum was present.

The Chairman said Mr. E. C. Redman had submitted his resignation from the Commission to the Governor dated the 30th of June to be effective at the close of business upon that day. He said Mr. Redman had sent it to the building at 139 East Gay Street for delivery to the Governor, which was a courtesy to the Commission, and that the resignation had been sent to the Governor's office by messenger; so the Chairman could say that the resignation had been submitted to the Governor and that a vacancy on the Commission existed. He said Mr. Redman's term had expired on the 30th but that in addition Mr. Redman had been appointed to another commission by Governor Gilligan's predecessor and Mr. Redman said that even if the Governor chose to reappoint him, he would not be able to serve.

The Chairman said also that because it was the first of July and the beginning of a new biennium the Commission customarily, if it had any bylaws, offered them at the July meeting. The Chairman said there were three amendments that had been discussed by telephone by the Members of the Commission. He said the first bylaw was an accommodation of the fact that the Commission believed that all its personnel that worked in Berea, with the exception of General Counsel, should be under the direction of the Executive Director. He said he had spoken to the Members of the Commission and the Members had agreed that it would be a good plan to put the whole organization under the Executive Director with the exception of General Counsel who would continue to

report to the Commission and to advise the Commission of its legal duties and responsibilities as well as advising the Executive Director. The Chairman also said that it was appropriate to refer to the fact that Mr. Soller, the faithful Achatas of 19 years, was retiring.

The Chairman said Mr. Soller had also been serving as Assistant Secretary and the Commission had thought for a number of years that none of the officers elected to office by the Commission should be non-members. The Chairman said the Commission would provide by resolution at the current meeting that the bylaws be changed so that the secretary-treasurer might designate an assistant secretary-treasurer who would continue in his position at the pleasure of the secretary-treasurer. The Chairman said that needless to say, in the event of separation from the Commission of the assistant secretary-treasurer, by choice or otherwise, the office would be vacant. The Chairman said that previously there had been no one except the Comptroller authorized to sign checks upon the Revolving Fund which was retained at the Commission and was almost nominal for an operation the size of the Ohio Turnpike. He said it was in the amount of \$10,000. He said that when Mr. Soller was in Australia the checks had to wait until he returned so it was the opinion of the Commission that the Executive Director should also be able to sign the checks.

The Chairman said the Commission was doing housekeeping at the July meeting because it was the usual date for the Commission's housecleaning and housekeeping. He said it was also election day and the Commission would proceed with the bylaw changes because the changes in the bylaws would affect the election of officers.

A resolution amending Sections 2.00 and 3.10 of Article V of the Code of Bylaws pertaining to the Comptroller was moved for adoption by Mr. Chastang, seconded by Mr. Teagarden, as follows:

RESOLUTION NO. 13-1971

"WHEREAS the Commission deems it advisable to amend certain provisions of the Code of Bylaws with respect to the authority of the comptroller of the Commission;

"NOW, THEREFORE, BE IT

"RESOLVED that Sections 2.00 and 3.10 of Article V of the Commission's Code of Bylaws be amended, effective immediately, to read as follows:

Sec. 2.00 Executive Director. Subject to legislation and directives of the commission, the executive director shall have general control of, and be responsible for, the construction, operation, and maintenance of projects undertaken by the commission, shall have supervisory control over all employees of the commission at its headquarters or elsewhere in those departments whose heads report to him, and in those departments whose heads report directly to the commission shall have supervisory control of the employment, transfer, termination, and the conditions of employment, of all non-supervisory employees, said nonsupervisory employees being secretarial, stenographic, clerical, and such other employees as shall be designated "nonsupervisory" by their department heads and the executive director. The executive director shall have supervision over the following departments, and the following heads thereof shall report to him:

<u>Department</u>	<u>Head</u>
Accounting and Auditing Department	Comptroller
Administrative Services Department	Director of Administrative Services
Construction, Engineering and Maintenance	Chief Engineer
Information and Research Department	Director of Information and Research
Operations Department	Director of Operations
Right-of-Way Department	Chief of Right of Way

Sec. 3.10 Comptroller. The comptroller shall be responsible for the work of the accounting and auditing department. He shall report and be answerable to the executive director."

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

Ayes: Chastang, Teagarden, Richley, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 13-1971.

The Chairman said he hoped the Executive Director, Allan V. Johnson, would be able to make a proposal promptly for a comptroller and the Commission expected Mr. Soller and the Greiner Company to help set up qualifications for the position and Mr. Soller could assist Mr. Johnson in writing the job description. The Chairman said the Commission hoped that before the next meeting Mr. Johnson would have a candidate that the Commission would consider appropriate.

A resolution amending Sections 1.00, 1.10 and 5.10 of Article I of the Commission's Code of Bylaws with respect to the selection, tenure and duties of the Assistant Secretary-Treasurer was moved for adoption by Mr. Teagarden, seconded by Mr. Richley, as follows:

RESOLUTION NO. 14-1971

"WHEREAS the Commission desires to amend the Commission's Code of Bylaws with respect to the selection, tenure and duties of the assistant secretary-treasurer;

"NOW, THEREFORE, BE IT

"RESOLVED that Sections 1.00, 1.10 and 5.10 of Article I be amended to read as follows:

Sec. 1.00 Officers. As provided by law, the officers of the Ohio Turnpike Commission (hereinafter called the "commission") shall include a chairman, a vice chairman and a secretary-treasurer. Each of said officers shall be elected at the first meeting of the commission which is held after the 30th day of June in each odd-numbered year, and shall serve until his successor is elected and qualified as required by law.

There shall also be an assistant secretary-treasurer who shall be appointed by the secretary-treasurer with the assent of the commission, and shall serve at his pleasure.

Any of the aforesaid officers, who was a member or employee of the commission when elected or appointed

to office, shall cease to hold such office when and if he shall cease to be such member or employee.

Sec. 1.10. Any officer may resign by giving written notice to the chairman and secretary-treasurer, wherein he shall state when his resignation shall be effective. Any officer may be removed by vote of the commission if he shall become physically or mentally incapacitated from performing his duties as such officer. All vacancies except vacancies in the office of the assistant secretary-treasurer shall be filled by election by the commission.

Sec. 5.10. The assistant secretary-treasurer may perform any and all of the duties, and have the authority, of the secretary-treasurer, except only such authority and duties as only the secretary-treasurer, under the law, may have and perform, respectively. He shall discharge any and all of the responsibilities of the secretary-treasurer, subject to the exception aforesaid, the discharge of which the secretary-treasurer shall require of him. He shall have custody of the commission's counterparts of those contract documents which have been or shall be referred to him for safekeeping by the secretary-treasurer or the executive director; provided that if the office of the assistant secretary-treasurer shall be vacant or he shall be absent, such documents, unless in the actual possession of the secretary-treasurer, shall be in the custody of the executive director."

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

Ayes: Teagarden, Richley, Chastang, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with all Members voting in the affirmative. The resolution was identified as No. 14-1971.

A resolution designating the Executive Director as alternate signatory for the drawing of checks on the Revolving Fund was moved for adoption by Mr. Richley, seconded by Mr. Teagarden, as follows:

RESOLUTION NO. 15-1971

"WHEREAS the Commission has heretofore established a revolving fund not to exceed \$10,000 pursuant to Section 506 of the Trust Agreement, and has by Resolution No. 15-1957 designated the Union Commerce Bank (through its Berea office, 40 Front Street, Berea, Ohio) as depository for said revolving fund, and has authorized the comptroller to draw checks on said fund on behalf of the Ohio Turnpike Commission; and

"WHEREAS the Commission desires to designate an alternate signatory who may draw such checks on behalf of the Commission;

"NOW, THEREFORE, BE IT

"RESOLVED that the executive director be, and hereby he is, authorized on behalf of the Ohio Turnpike Commission to draw checks upon the aforesaid revolving fund account with the Union Commerce Bank, and said bank is authorized and directed to honor checks drawn against said account and signed by the executive director of the Ohio Turnpike Commission, and the secretary-treasurer of the Ohio Turnpike Commission is authorized and directed to certify this resolution as duly adopted and to provide for the delivery thereof to the Union Commerce Bank; and

"FURTHER RESOLVED that nothing herein shall derogate from the authority granted to the comptroller by Resolution No. 15-1957, nor require more than one signature upon the revolving fund account."

Mr. Chastang asked Mr. Soller if he was bonded. Mr. Soller replied that he was under a blanket bond and also under a separate bond as assistant secretary-treasurer and that he was not under bond as comptroller. Mr. Chastang said he wondered whether after the resolution passed Mr. Johnson would need a separate bond or a different bond. Mr. Soller replied that the blanket bond should be sufficient. He pointed out that while the indenture set \$10,000 as a proper limit to the Revolving Fund, the fund had been limited to a maximum of \$5,000 throughout the history of the Ohio Turnpike Commission. Mr. Chastang said he believed that inquiry should be instituted from the bonding company to determine whether or not the bond would be affected by the change in the bylaws.

The Chairman suggested that the staff of the Commission

should determine whether or not the change in bond was needed and should advise Mr. Chastang by letter with copies to the Members. He instructed that this should not wait until the next meeting of the Commission because it was a question that should be answered promptly. He said that if a bond were needed it should be effective at once. The Chairman inquired about the use of the Revolving Fund. Mr. Soller replied that it was used for expense accounts, refunds of tolls, paying cleaning women at the interchanges, and recorders' fees. Mr. Chastang asked whether the fund was used to pay court costs and Mr. Soller replied in the affirmative.

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

Ayes; Richley, Teagarden, Chastang, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 15-1971.

The Chairman said the Commission's housekeeping had been finished. He said that the next order of business on the agenda was the election of officers. Customarily, the Chairman said, the Director of Highways as the representative of the administration on the Commission had made the first offer of nominations. He said that the Director of Highways represented the administration; he was the swing man who moved from administration to administration. He said that fortunately the Commission had never had a stance political in character. He said the Commission had always asked the Director of Highways to be the first to nominate, but it could not be done on any basis other than the best interests of the Commission irrespective of other considerations.

A resolution nominating and electing officers of the Commission was moved for adoption by Mr. Richley as follows:

RESOLUTION NO. 16-1971

"RESOLVED that the following officers be nominated and elected, each to serve until July 1, 1973, and until his respective successor is elected and qualified; provided, however, that should any officer hereby elected, who is now a member or employee of the Commission cease to be such a member or employee, the term of such officer shall terminate at such time as he ceases to be such member or employee:

For Chairman James W. Shocknessy

For Vice Chairman O. L. Teagarden

For Secretary-Treasurer Charles J. Chastang<sup>11</sup>

The nominations were seconded severally as to each nominee by the remaining Members as follows:

The nomination of James W. Shocknessy for Chairman was seconded by Mr. Teagarden and Mr. Chastang.

The nomination of Mr. Teagarden for Vice Chairman was seconded by Mr. Chastang.

The nomination of Mr. Chastang for Secretary-Treasurer was seconded by Mr. Teagarden.

There being no further nominations the Chairman declared the nominations closed and each office was voted upon in turn by roll call and the votes were as follows:

For Chairman, Mr. Shocknessy.

Ayes: Richley, Teagarden, Chastang.

Nays: None.

Abstaining: Shocknessy.

For Vice Chairman, Mr. Teagarden.

Ayes: Richley, Chastang, Shocknessy.

Nays: None.

Abstaining: Teagarden.

For Secretary-Treasurer, Mr. Chastang.

Ayes: Richley, Teagarden, Shocknessy.

Nays: None.

Abstaining: Chastang.



The Chairman declared the officers elected and the resolution adopted. The resolution was identified as No. 16-1971.

Mr. Chastang said he had been treasurer for a number of years and had never signed a check and he hoped that some day he would get to sign a check. He said the Commission spent millions and millions of dollars and there was a possibility that he was not allowed to sign checks. Mr. Soller said that he disliked to tell Mr. Chastang that he would still not be able to sign a check because he was not an authorized signer on the Revolving Fund and that all other checks were trustee checks. He said Mr. Chastang could sign bonds.

The Chairman said that that arrangement had been deliberate, that there would never be any money, not only at the disposal of the treasurer, but at the disposal of the Commission. He said too many organizations had written checks because they were able to do so and the Commission started out with the full intent of making certain that the Commission had no money. He said that when the indenture was drawn bond counsel and the underwriters and the Trustee as well had said "Oh, you will need some money". The Chairman said that he had said no. He pointed out that the Commission did not need any money beyond a very modest amount -- never more than \$5,000.

The Chairman read Mr. Soller's resignation as follows:

"June 23, 1971

"Mr. James W. Shocknessy, Chairman  
Ohio Turnpike Commission  
17 South High Street  
Columbus, Ohio 43215

"Dear Mr. Shocknessy:

"Last February I advised you informally of my desire to retire as of July 31, 1971 from the positions of Comptroller and Assistant Secretary-Treasurer of the Ohio Turnpike Commission. The purpose of this letter is to confirm this date.

"The decision to leave the employ of the Commission after nineteen years has not been an easy one and I know I will miss all the fine friends I have enjoyed during this time. Being a part of this organization since the sale of the bonds has been a wonderful experience and a development opportunity few people ever have. The integrity and high

level of ethics of the Commission has made me proud to be associated with the Ohio Turnpike. I leave with you my very best wishes for the Commission's continued success.

"Sincerely,

"John Soller"

The Chairman said that needless to say, Mr. Soller would leave not only with the Commission's good wishes for success but with the Commission's affection. He said he had known Mr. Soller longer than anybody present because they soldiered together in an office building in Chicago in World War II. He said if he were not feeling so benign he would not mention soldiering in an office building but they did. The Chairman said it was the beginning of their association and he had come to know Mr. Soller's wife and daughter long ago and he wanted Mr. Soller to give them his best wishes and tell them that they would always be not only part of Mr. Soller's family but a part of the Commission's family. He said Mr. Soller would always be a part of the Commission's family. He said the Members of the Commission and the Executive Directors -- there had never been another Comptroller -- who had been associated with the Commission had all had a feeling of family with the Commission after they left. He said Mr. Hartford was still a close friend. He said Russell Deetz was mourned as a close friend. He said General Beightler continued to be a dear friend and that was the way the Commission had lived and that was the way Mr. Soller had been with the Commission. He said the Commission would miss Mr. Soller. He said Mr. Soller had given the Commission great service. The Chairman said he never had a moment's concern about the Commission's financial affairs or the integrity of the Commission's office where Mr. Soller was concerned because he knew that Mr. Soller had integrity, he had honor, and he had great loyalty to the Commission. He said the Commission would miss Mr. Soller; always wish him well. He said the Commission had affection for Mr. Soller, for his family, and always would consider him a friend of the Commission.

Mr. Soller expressed his thanks.

Mr. Chastang said that he appointed and designated Mr. Soller as Assistant Secretary-Treasurer of the Commission until the date of his retirement, July 31, 1971, and designated Allan V. Johnson as Assistant Secretary-Treasurer from July 31 according to the resolution adopted at the current meeting. He requested the Commission to give assent to the appointment of the two men as indicated.

The Chairman said the record would show that Mr. Chastang had appointed Mr. Soller according to the resolution just adopted to serve for the remainder of his term as Assistant Secretary-Treasurer and that, if the Commission were not in session at the time that Mr. Soller's retirement became effective, Mr. Johnson would continue in the office of Assistant Secretary-Treasurer.

The Chairman said he would be glad if Mr. Richley would advise the Governor of the election of Commission officers and tell the Governor that the Commission would be pleased to give the same service to his administration as the Commission had given all his predecessors and if the Commission could improve the service the Commission would do so. The Chairman said that he was sure the Governor knew that the Commission paid its respects to him at the meeting in July, which was a milestone meeting of the Commission.

A motion was made by Mr. Teagarden, seconded by Mr. Richley, that the minutes of the meeting of June 1, 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 responded to roll call. The vote was as follows:

Ayes: Teagarden, Richley, Chastang, Shocknessy.

Nays: None.

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

The Chairman reported that the revenue for June was estimated at \$3,910,000 which was approximately the same revenue as for June 1970. The Chairman said he thought the audited figure might be somewhat higher and he had anticipated that the estimate might be a little better than that of June 1970 because there had been a large increase in the number of passenger cars during the latter part of the month. He said truck traffic had gone up at the end of the month. He said the income for the first six months of the year was \$17,882,000, which was approximately \$736,000 more for the period in 1970 so that traffic was still increasing.

The Chairman reported also that there were six fatal accidents in June and that at least five of those accidents were attributable to driver inattention and they looked like sleepiness. The Chairman said he wished

that Mr. Richley could figure out what to do. The Chairman said that he had talked to the Superintendent of the State Highway Patrol, Colonel Robert M. Chiaramonte, about the problem. He said that he did not know what to do about driver inattention and especially sleepiness. The Chairman said the Commission had signs up across some of the bridges that said "Stay Alert, Stay Alive," and the collectors could not tell whether the people who came on the turnpike were fatigued. He said one could see that the drivers of the vehicles involved were asleep because the vehicles drifted off. He said there was no indication that they even had applied brakes. He said that he did not know what the National Safety Council was doing about the problem but suggested that the Director of Information and Research, James D. Hartshorne, advise the Safety Council and Colonel Chiaramonte of the experience with sleepy drivers. The Chairman said that it would not do much good to report on the problem except that it gave the Commission some satisfaction that it was trying. He said they did not know what more could be done.

The Chairman reported also that the manufacturers of mobile homes had been busy and he assumed the Executive Director would refer to that problem. He said that The Blade of Toledo, Ohio, had carried an editorial on the subject. He said that The Blade had a dual interest because The Blade was nearly in Michigan -- practically at the Michigan line. The Chairman said The Blade was watching the matter pretty carefully and the United States Department of Transportation had taken a position similar to that of the Ohio Turnpike Commission. He said that he did not wish to embarrass Mr. Richley but he understood that Mr. Richley faced the problem in another place.

Mr. Richley said he was just pointing out that the Ohio Department of Highways had the 14-foot mobile home problem not only upon its existing Interstate System where the pavements were 24 feet or more wide but the Department of Highways had what appeared to be a continued growth in the industry. He said that several modular home plants were being planned, for example, in Holmes County, on pavements that were 18 feet wide and the manufacturers were telling the Department that unless the Department relinquished its control of the 18-foot pavements, 200 jobs were going to be lost.

The Chairman reported also that the Gulf Oil Company matter was still an unhappy one. He asked whether the Members had seen that Gulf Oil had a contest for its employees and that was what the Commission had to cope with. The Chairman said he had called Gulf Oil six weeks before on the telephone. He said the Executive Director first wrote to them and they had ignored the correspondence. He said he had

called the vice president of Gulf Oil Company and had given him the word. The Chairman said the Company was still giving the Executive Director some kind of lip service but the Commission was still receiving complaints. The Chairman said that since the last meeting he had told the Gulf Oil people that the Commission had had complaints and that he considered that they were still getting complaints because the Commission had a complaint that one woman who had an association with the Commission wrote a letter. He said she was not a "patsy". He said the Executive Director was going to report on the matter.

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 Assistant Secretary-Treasurer reported for the Secretary-Treasurer that Walter O'Grady, Chief Auditor for the Commission since September 1952, and Mr. C. Paul McBride, Chief Accountant, who had been with the Commission since the fall of 1954, were present. The Chairman welcomed Mr. O'Grady and Mr. McBride.

Mr. McBride said he was glad to be at the meeting. He said the last time he had been present was November of 1954. The Chairman asked Mr. O'Grady when he had last been present and Mr. O'Grady replied that it had been about the same time except that he had attended meetings at Berea once or twice.

The Chairman said that the way the Commission was constituted it was more convenient for the Members to meet in Columbus. He said it was especially true of the Director of Highways since the Director of Highways would have difficulty if the meeting were held in Berea because it took three-fourths of a day to go to Berea and back so the arrangement to meet in Columbus had been very convenient. Mr. Richley agreed. The Chairman thanked Mr. Richley for permitting the Commission to meet at the building in Columbus and said the building had been a godsend to the Commission.

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

1. Detail of investment transactions which took place in May and June 1971.
2. Traffic & Revenue Report for May 1971.

3. Financial Statements as of May 31, 1971.
4. Draft of the minutes of the June 1, 1971 meeting.

The Assistant Secretary-Treasurer reported also that the transfers from the Revenue Fund which the Trustee had just made filled the Bond Interest Account and completed the year's requirements to the Reserve Maintenance Fund, and put \$259,000 into the Redemption Account. He said that the last figure would permit bond purchases of about \$315,000 face value. He said that once those redemptions had been completed the total retirements to date in 1971 would be \$984,000 and leave bonds outstanding of \$188,594,000.

Mr. Soller said that more cash in tolls had been collected on Friday, July 2, than in any other day in the Turnpike's history. He said the cash collected was \$139,000 compared to the previous high on November 29, 1970 of \$130,000. He said that by the time charge account tolls were added, the July 2 toll revenue might exceed \$150,000, which would be \$10,000 more than the previous high of August 29, 1969.

The Chairman said the report of the Secretary-Treasurer was accepted as offered. He ascertained there would be no report by 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 the past January the Patron Services Department had conducted a survey to determine how patrons felt about food service operations on the Turnpike. He said approximately 500 business reply cards had been distributed at that time and on the 400 cards that had been returned the comments had indicated that most patrons considered the restaurant operation satisfactory or better. He said the Committee felt that the first survey was too limited to be significant so the Committee had suggested that Turnpike patrons be polled as to whether patrons were actually as satisfied with the restaurants as had been indicated by the first survey. Mr. Teagarden said that starting June 21 and continuing to July 5 the Patron Services Department had handed out over 3200 business reply cards soliciting comments on restaurant operation. He said that to be certain that a representative number of customers would be polled the cards had been handed out on different days and at different hours. He said that, while the results of the survey had yet to be tabulated, the preliminary indication was that the response had been even more favorable than the January survey. He said that since his report was dictated he had been given a preliminary tabulation showing that of 3200 cards distributed

1253 had been returned by July 2. Mr. Teagarden said tabulation showed that 96 per cent of the respondents thought the food was satisfactory or better; 99 per cent indicated that employee courtesy was satisfactory or better; 99 per cent indicated the cleanliness of the restaurants was satisfactory or better and 97 per cent had indicated the cleanliness of the rest rooms was satisfactory or better. He said ten per cent of the cards had adverse comments concerning restaurant prices and 15 per cent had comments which praised the Turnpike restaurant operations.

Mr. Teagarden said further that in keeping with established policy, members of the staff had visited the service areas over the July Fourth weekend in order to see that Turnpike patrons received proper attention. Mr. Teagarden said that housekeeping and service in the restaurants and service stations could have been considered satisfactory and the Turnpike patron had been generally well accommodated. He said he had a report that over the weekend the services had been satisfactory.

The Executive Director said he had a short article in The Blade of Toledo about a food editor who had sometimes been critical in the past. He read the article as follows:

"June 25, 1971

"Dining Out  
A Guide Before You Order

"by Mary Alice Powell, Blade Food Editor

"Scrambled eggs, three slices of bacon, a small prune juice, and coffee added up to \$1.50 at Oak Openings Plaza, one of the first food stops on the Ohio Turnpike heading westward. Toast could have been a bonus. It was 9 A. M. and both the food and dining areas were spotless. The eggs, though in a steam pan, were fluffy and generous. Eating breakfast out is always a nice way to begin a trip."

The Chairman said the report of the Committee on Service Plazas was accepted as offered.

The Chairman said that Mrs. Leah Fox of the Department of Highways was attending the meeting by courtesy of the Director of Highways. He said that Mrs. Fox had been known to him for a long while, that she had made the record for the Interstate Coordinators' Conference and

would make the transcript of the minutes after Mrs. Lenora S. Nelson of the Commission's staff ceased to do so. He said that was one more indication of how well the Turnpike Commission and the Highway Department had gotten along with one another all the years and it had been a continuing relationship of full cooperation. He said Mr. Richley had continued to give the Commission the same kind of cooperation that other Directors had done and that the Chairman thought that the turnpike legislation had been well planned when it made the Director of Highways an ex officio member of the Commission. He said that the question had arisen then as to whether the Director of Highways should have a vote. The Chairman had said that of course the Director of Highways had a vote. So that from the very beginning the Director of Highways had had a vote with the Commission.

The Chairman ascertained there would be no report by the Committee on Employee Relations. He said the report of the Director of Highways would be received.

Mr. Richley reported that he had a letter from State Senator Ronald M. Mottl dated June 29 which transferred a complaint from a resident adjacent to the Turnpike with respect to noise. Mr. Richley said the letter had originally been addressed to a congressman and the congressman had sent the letter to the State Senator and the Senator had sent it to him.

The Executive Director said that the same matter had arrived at the Administration Building at Berea through Congressman Charles A. Mosher and that the Director of Administrative Services, Robert A. Meywes, had called on the writer of the letter and believed that the complainant was satisfied that the Commission could do nothing about the situation. The Chairman directed that the Executive Director write to Senator Mottl acknowledging the letter to Mr. Richley.

Mr. Richley said that within the next few weeks, his department expected to receive noise level criteria from the Federal Highway Administration and that his department was going to have to adhere to the criteria on all federally aided projects. Mr. Richley said the Federal Highway Administration was talking about the possibility of selective landscaping in certain areas to baffle noise.

The Director of Information and Research said Mr. Meywes lived in the affected area and that was why he was sent. He said Mr. Meywes spent two hours with the complainant and reported that he seemed to accept the fact that there was little if anything the Commission could do about the noise. The Director of Information and Research said there



were several bills in the Ohio General Assembly to do something about reducing tire noise. He said that trucks came out of a cut about 1,100 feet southeast of the complainant's house. Mr. Johnson said there was a long grade at that point so there was probably tire noise on the down-grade and engine noise on the upgrade.

Mr. Chastang said it seemed to him there were several answers to the question: if the noise of the road reduced the value of the residence that was one thing; if a person who had knowledge that a highway might be built moved into the vicinity and built a house that was another thing; that, if on the other hand, someone built a house near an established highway, that was yet another.

The Chairman said that there was currently a different climate, a climate that took ecology into account. He said the community at large was seeing things and doing things that would not have been done in former years. He said the late William A. Stinchcomb was a great natural resources and parks man in Cleveland for 25 or 30 years prior to the establishment of the Commission and that Mr. Stinchcomb had opposed construction of the Turnpike through some park land. The Chairman said that currently the Commission could not have built through the parks. He said that 20 years before when the Commission was building the Turnpike the emphasis had been on transportation and highways and everyone was enthusiastic about highways, but currently there was a new emphasis and it had been suggested the emphasis was on ecology and natural resources and so on. He said that if there is anything the Commission could do it would do it. He asked Mr. Richley when the criteria on noise would arrive. Mr. Richley replied that the Department of Highways expected to see the Federal criteria in a few weeks. He said the criteria would be imposed absolutely upon the Highway Department.

Mr. Chastang said he would like to suggest that something be done about the black smoke thrown out of diesel trucks. He said he had seen such smoke numerous times when he was driving from Cleveland to Columbus on I-71 and he found the odor annoying. He said he would like to see the Federal authorities do something about the smoke and smell before they began to talk about car noise and motor noise. Mr. Richley said he believed the Department of Transportation had just approved some criteria for engine manufacturers that would be effective in fiscal 1973. The Chairman said those who were enthusiastic about turnpikes were currently enthusiastic about ecology.

Mr. Richley reported also that his Department had reported an inquiry from a drug store about the possibility of a new interchange

with the Turnpike and I-75 in the Toledo area. He said that his Department had investigated and found there was no study at all with respect to an interchange between the Turnpike and I-75 but the firm of Rackoff Associates, Inc. was, in fact, preparing a report for private developers and for the Urban Redevelopment Department of the City of Toledo with respect to the possibility of a future interchange between the Turnpike and State Route 2. He said that other than that his Department had no knowledge. Mr. Johnson said Mr. Melvin Rackoff of Rackoff Associates had come to his office to discuss the matter.

The Chairman said the report of the Director of Highways was accepted as offered. He said the report of the Committee on Safety would be received.

The chairman of the Committee on Safety, Mr. Johnson, reported that there had been six traffic deaths during the month of June. He said five of the drivers apparently had gone to sleep; of those, two had run into the backs of semi-trailers; three had driven off the roadway and struck guard rails or bridge piers. He said that the accidents occurred during daylight hours and during good weather. He said the sixth fatal accident occurred when a woman in a station wagon tried to pass another vehicle and had suddenly realized she herself was being passed. He said the driver had panicked, lost control, crossed the median and spun around, striking a semi-trailer in the opposite lane. Mr. Johnson said six of the occupants of the station wagon were wearing seat belts, all the seat belts that were available. He said the seventh occupant, a child of seven, did not have a seat belt to wear. He said the child was thrown out and killed.

The Chairman commented that that was the best seat-belt argument he had heard. He said it was convincing: there were seven people in the car, six had seat belts and the one without had been killed. Mr. Johnson said no persons wearing seat belts had been killed in 1971 on the Turnpike.

The Chairman said that Mr. Johnson always belted himself in not only with a waist belt but a shoulder belt. The Chairman said that by the time Mr. Johnson was through he was in a straight jacket. He said that he was a good example to everybody.

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 on the Gulf Oil matter that since the last meeting the company had corresponded with all six patrons who had written to the Commission and complained but he was not convinced of the sincerity of those efforts. He said he had so advised Mr. C. W. Lutz, one of the vice presidents of the Gulf Oil Company.

Mr. Chastang said the Gulf Oil Company had been informed that in the event of recurrence of the complaints involving any employees drastic action would be taken. Mr. Chastang said why not correct the matter once and for all, without waiting for anything else to occur.

The Chairman said that the Gulf Oil Company had its own campaign and its employees were being incited to do the things they were doing. He said the company had a prize contest. He said he was not familiar with it but he did know what he heard on television. He said Gulf Oil Company employees were going to be rewarded for good service. The Chairman said that the good service they were giving was intimidating people about the condition of their cars. The Executive Director said he had written to the complainants himself and asked them if they were satisfied with the treatment they had since received. He said that unfortunately he had received responses from only three of the six and that they were not entirely convinced that they had been adequately dealt with. The Executive Director said adjustments had been made; but two of the three respondents had not bought anything and were complaining about the tactics. There had been no reimbursement - just attempts to soothe and appease them. He said that he doubted if they would ever be appeased.

The Chairman said the Executive Director had reported to him that the complainants had given the Turnpike Commission credit for what it was doing and that they had assessed the blame to Gulf Oil Company, not to the Commission. The Executive Director agreed that that was the attitude of the complainants. He said they had expressed their appreciation for the Commission's efforts in their behalf. He said there was one additional complaint that had not been reported -- one made by one of the employees of the Commission. He said the incident occurred at about the same time as the others did. He said the report was late in arriving because the employee registered it late. He said no new complaints had been registered since the time of the earlier occurrences. He said he had asked the Commission's shopper, a woman, to stop at all Gulf stations on the Turnpike to see if the stations used the tactic and she had reported there had been no attempt to frighten her or to pressure her into buying any product. Mr. Teagarden said he was still not convinced that the difficulty was solved forever but that it was for the present.

The Chairman said the Commission would continue to keep the Gulf Oil Company officers off balance and to let them know that the Commission was watching their actions.

The Executive Director reported also that June was a busy month for construction projects. He said the third lane eastbound at Humm Road was opened to traffic on June 30 and only minor cleanup work remained to be done. He said further that three of four resurfacing projects were essentially completed. He said two were entirely completed and only cleanup remained to be done on the easternmost project. He said all of them were operating including the westernmost which was not yet completely paved. He said there was some surface course yet to be paved and some shoulder work to be done as well as the cleanup. The Executive Director said the paving on that project had been hampered somewhat by several pavement blowups during the heat spell in June. He said that when that occurred--when the pavement rose due to the heat--the Commission did not pave over such areas. He said such areas had to be repaired and that hampered the project.

The Chairman said he was surprised at the number of blowups and that there had not been a considerable amount of that kind of thing in other years. He said that he felt that there were more in 1971 than before and he thought the Highway Department had experienced more, too. The Executive Director said that he gave credit to the Turnpike maintenance forces that no blowups remained unrepaired longer than a few hours. He said that sometimes it was possible to discover them before they became dangerous. He said maintenance patrols looked for blowups and potential blowups and that when the latter were seen starting the Commission forces got at the pavement immediately, relieving the pressure so that they did not mature. The Executive Director said that some were reported by patrons.

The Executive Director said the one resurfacing project that remained unfinished fortunately was in the western zone where traffic was lightest and he expected it would take about two more weeks to finish. He said he did not think it would be necessary to delay the completion until fall. He said that if it should turn out that a problem developed the work would be finished in the fall, but he expected that the work would be finished without delay.

The Executive Director said further that the Commission had another project, the resurfacing and repairing of the Streetsboro (No. 13) Interchange, by Commission forces. He said all the paving work was done there and that only the cleanup remained. He said similar work was being

done at Youngstown (No. 16) Interchange and was about 15 per cent complete. He said Youngstown Interchange was in a light traffic area since the opening of I-80 and he expected Commission forces would continue to work on that Interchange during the summer without any traffic problems.

The Executive Director reported also that all traffic lanes, including the new third lane at Humm Road, were available on the July 4 week end. He said there were no fatal accidents and no real trouble during the July 4 week end. The Chairman said the experience of the five day week end proved something he had been saying for years: the heavier the traffic the more alert the driver and the fewer problems. He said that when conditions are optimum people took chances. He said that on the heaviest traffic day the Turnpike ever had there were no fatal accidents.

The Executive Director reported also that he had received a letter from the Director of Highways advising the Commission's staff of the consultant firms that were working on legislation to create a Transportation Department in Ohio and asking for cooperation with the consultants. The Chairman said the consultants were assured of the Commission's cooperation. He said that the Director of Highways had called him on the telephone and asked him to serve on the Advisory Committee that the Governor was forming. The Chairman said the record would show that he had advised the Governor he would serve and the Director of Highways had said that the Chairman was not being asked in an ex officio capacity as Chairman of the Commission but was being asked to serve in a personal capacity.

The Executive Director reported also that on June 24 the Director of Operations and the Comptroller of the Pennsylvania Turnpike Commission visited the Administration Building in Berea and that an interesting exchange on matters of mutual interest followed. He said that one of the topics was a proposed joint effort to do something about the numbering of Interstate 80s. Mr. Richley said he would be happy to join with the Ohio Turnpike Commission and the Pennsylvania Turnpike Commission in an attempt to resolve the problem. Mr. Chastang said the patrons of the Turnpike had a great problem about the numbering and were becoming confused. He asked whether the Commonwealth of Pennsylvania had agreed to join in a movement to have the numbering changed. Mr. Richley asked if he might take the liberty of communicating with the Pennsylvania Highway Department and the Division of Engineers of the Federal Highway Administration. The Chairman urged him to do so.

The Executive Director said further that the matter must be presented to the American Association of State Highway Officials which was to meet in November. He said that those interested in the problem could be prepared before that meeting. The Chairman said the public was suffering from the numbering. He said the record would show that the Director of Highways would proceed on in the matter as well. The Executive Director said Pennsylvania authorities had less interest in it than did the Commission. He said they did not have the same problem but had said that they would have no objection to changing the numbers.

The Executive Director reported also that among the topics discussed with the personnel of the Pennsylvania Turnpike Commission was the rehabilitation of toll equipment. He said the Pennsylvania Turnpike was rehabilitating its equipment which was practically identical to that on the Ohio Turnpike. He said the Pennsylvania Turnpike officials had sent a study to the Commission's Administration Offices concerning what they had done, what they were going to do, and the costs. He said further that the study of the Ohio Turnpike toll audit system was under way. He said the steering committee was assembling historical information from the staff concerning experience over the years on maintenance and on contracts for maintenance. He said an inspection team consisting of representatives of the Consulting Engineers, the RCA Services Company and the staff was being formed and it was expected that the actual physical examination of the field equipment would take place in the near future. He said he was going to let the team determine the schedule by which it would go out and choose the places to inspect.

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 on June 30 at four o'clock, he signed his quarterly report to the Commission Members, and that at 4:05 the marshal from the U. S. District Court appeared in his office and served him with notice of suit. He said he had thought of doing the letter over but that would have meant doing the report over as well so he added a postscript as the mail was ordinarily picked up at 4:30. He said he did wish to tell the Commission something about the case. He said it arose from an accident on the Ohio Turnpike at milepost 168 in August of 1969. He said that at that time a woman and her husband were driving along the Turnpike and, the complaint stated: "The automobile in which plaintiff Mary Ellen Gruene was riding was caused to swerve sharply into the guard rail." The complaint stated further that upon contact with the guard rail plaintiff's vehicle traveled

a distance along that rail and then came violently in contact with an abutment post causing grave injuries to plaintiff to the extent of \$200,000.

General Counsel said further that Mrs. Gruene's husband was suing also for loss of her services for which he was asking \$50,000. He said that that was the kind of case which the Commission's insurance company defended.

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

Mr. Harnden said the Consulting Engineers, the J. E. Greiner Company, were also named in the Gruene suit as being responsible for the design and installation of the guard rail.

Mr. Harnden reported also that the toll-audit inspection was under way and should be completed within the next month.

The Chairman said the report of the Consulting Engineers was accepted as offered. He said the report of the Director of Information and Research would be received.

The Director of Information and Research reported there were still wrong-way drivers on the Turnpike. He said there was one such on June 27 and that Patrolman Kenneth L. Wellendorf of the Highway Patrol was able to stop the driver within three miles which was very, very quick.

The Director of Information and Research reported also that the Commission had received a letter on June 23 from a woman in Philadelphia, Pennsylvania thanking the Commission because the paint crew foreman, Mr. Ernest J. Orozco, Jr., had found her purse which had fallen from her car somewhere on the east end of the Turnpike. He said the purse contained cash and travellers checks amounting to \$1,000 and that Mr. Orozco had promptly turned them over to the Highway Patrol who sent them to the owner. He said the woman had closed her letter "My thanks for such courtesy and honesty."

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

The Chairman said Mr. Chastang had taken notice of the fact that there were two representatives of the Trustee present and called

upon Mr. Bartholomew.

Mr. Bartholomew said he was present because the meeting was the last Commission meeting that Mr. Soller would attend. Mr. Bartholomew said he had been associated with Mr. Soller for 25 years and that in eight of those years Mr. Soller had been Mr. Bartholomew's boss. He said that in his service with the Trustee, the Ohio National Bank, he was associated with Mr. Soller. Mr. Bartholomew said his banking duties also brought him in contact with Mr. Soller for the remainder of those years and he had wanted to come over and say good-bye to him. He said he wanted to tell Mr. Soller how much he had appreciated him.

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

RESOLUTION NO. 17-1971

"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 June 1, 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 June 1, 1971 hereby are ratified, approved and confirmed."

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

Ayes: Teagarden, Chastang, Richley, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 17-1971.



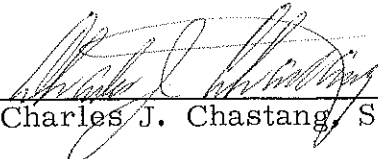
There being no further business to come before the Commission, a motion was made by Mr. Chastang, seconded by Mr. Teagarden, that the meeting adjourn until September, subject to call of the Chairman. A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Chastang, Teagarden, Richley, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 12:53 P. M.

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

  
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Charles J. Chastang, Secretary-Treasurer