

MINUTES OF THE TWO HUNDRED AND FIFTY-FIFTH MEETING
November 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 November 2, 1971 with the key members of the staff; a representative, Mr. Harvey A. Harnden, of the Consulting Engineers; representatives, Messrs. P. Joseph Sesler and Robert H. Bartholomew, 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, Teagarden, Richley, Shocknessy.

Absent: None.

The Chairman announced that a quorum was present.

The Chairman offered Mr. Chastang the sympathy of the Commission on the loss of his father-in-law, the late Guy Bullock, and Mr. Chastang responded thanking the Commission for its expression of sympathy and for the flowers that had been sent.

The Chairman said that November 1 marked the beginning of the Executive Director's second year in his position. He said also that the Executive Director, Allan V. Johnson, had the Commission's best wishes and that the Commission looked forward to the completion of the second year.

A motion was made by Mr. Chastang, seconded by Mr. Teagarden, that the minutes for the meeting of October 5, 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: Chastang, Teagarden, Richley, Shocknessy.

Nays: None.

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

The Chairman reported that a memorandum from the Consulting Engineers, the J. E. Greiner Company, addressed to the Executive Director under date of October 20, 1971, which had been requested by the Commission at the instance of Mr. Chastang had been distributed to all Members of the Commission. He directed that the memorandum be included in the business of the meeting. The memorandum follows:

"J. E. Greiner Company

October 20, 1971

"TO: A. V. Johnson, Executive Director

"FROM: H. A. Harnden
J. E. Greiner Company

"SUBJECT: Ohio Turnpike
16th Annual Report, 1971
Bridges

"In our current Annual Report under Section 3, Bridges, we state 'Excessive rusting was noted on many bridge bearings.' At the last Commission meeting Mr. Chastang commented on this statement and the Chairman asked that we submit a letter before the next meeting further explaining the condition of the bridge bearings.

"Bridge bearings are composed of heavy steel plates which are attached to the bottom of the main bridge beams or girders and rest on the concrete substructures. Their function is to transfer the load from the superstructure to the substructure and at the same time to provide for motion in the superstructure caused by expansion and contraction due to temperature changes.

"Bridge bearings, being located at the lowest part of the steel structure, often under bridge deck expansion joints, are subject to severe exposure resulting from water and dissolved chlorides draining down to the bearings and accumulating there until they evaporate.

"The report shows in the tabulation of deficiencies noted in bridges that 18 bridges (5%) needed complete repainting and that 76 (21%) needed spot painting and touch-up. Since the bearings and adjacent structural steel are the parts of the structure most susceptible to corrosion and rusting, they are the first parts to show deterioration

during 1971 in order to reduce the burdens on our Reserve Maintenance Fund. This was one of the first problems I faced when I became Executive Director. I found that the amount remaining in the Reserve Maintenance Fund and the additional amount expected to be deposited during 1971 was not sufficient to perform all the projects that had been requested. (In addition, I found there would be higher expenses that were not provided in the 1971 Budget, such as Employee Insurance and Patrol Salaries and Automobiles.) It was apparent to me that this resulted from an accumulation of problems from several years standing. Enclosed for your information is a copy of a letter dated December 17, 1970 from me to Mr. E. J. Donnelly of the J. E. Greiner Company in which I outlined this concern. I asked for the cooperation of the Greiner Company to recognize the problems on a continuing basis so that adjustments could be made to avoid compounding these problems.

"At the Commission Meeting on January 5, 1971, I pointed these problems out to the Commission. Enclosed are copies of a portion of the minutes of that meeting with the appropriate paragraphs indicated. The most important point I was making was that I considered it imperative that we avoid committing Reserve Maintenance Fund projects, especially those done by outside contracts, beyond expected available funds. This required priorities to be set, and throughout 1971 extreme caution has been used to avoid inadvertently over-committing these funds. Because of time restrictions on the planting season, it was necessary to decide early in 1971 whether or not to let new landscape contracts and as I stated above it was decided to defer landscaping in favor of other more critical projects.

"Besides avoiding over-commitments on outside contracts, it was determined that certain work would be done using Commission forces. I have reported throughout the year on these projects which consisted principally of the repair and resurfacing of two interchanges and two pairs of service plazas. This enabled us to accomplish two important things. First, the Commission could exercise greater control over the work and was not bound by contractual commitments. In the event that reserve maintenance funds ran short, we could have deferred completion of the work without any serious consequences. Second, we were able to utilize our forces in the most effective and efficient manner and also to charge a portion of their wages to the Reserve Maintenance Fund rather than to the Operations Budget. The result of this has been that we have accomplished most of the reserve maintenance work that was scheduled for this year and at the same time we have reduced the amount of our anticipated 1971 supplemental budget (which is expected to be \$400,000) by at least \$200,000 in wages that

would have been charged to the budget if we hadn't been doing the reserve maintenance work ourselves.

"I am happy to report that through these efforts in 1971 we have regained control of the reserve maintenance fund situation and have gained valuable experience in the process. We can schedule our 1972 work accordingly and I am satisfied that, with the reserve maintenance funds expected to be carried over from 1971 together with the additional amount recommended by the consulting engineers, our landscaping program can be reactivated in 1972 which I have already taken steps to accomplish.

"Allan V. Johnson
Executive Director"

The Chairman polled the Members and found they were in agreement that the memorandum was satisfactory.

The Chairman reported also that at the last meeting, the Trustee had reported the Commission would be reimbursed the \$3,600 about which Mr. Richley had inquired at the September meeting and he had before him a copy of a letter addressed to the Executive Director by the Trustee, which he read as follows:

"The Ohio National Bank of Columbus, Trust Department "October 21, 1971

"Mr. Allan V. Johnson, Executive Director
The Ohio Turnpike Commission
682 Prospect Street
Berea, Ohio 44017

"Dear Allan:

"It was related at the last Ohio Turnpike Commission meeting that The Ohio National Bank of Columbus would reimburse the Redemption Account the sum of \$3,600.00 to cover the additional cost of Ohio Turnpike bonds purchased on the open market during July 1971. We are pleased to advise you this reimbursement was made on October 13, 1971.

"Very truly yours,

"P. Joseph Sesler
Assistant Trust Officer"

The Chairman reported also that at the last meeting there had been a discussion about billboards and that Mr. Richley had asked that the General Counsel of the Commission look into the law with respect to billboards as affected by both federal and state statute. The Chairman said that under date of October 28, 1971 the General Counsel had addressed a memorandum to him, as Chairman of the Commission, and that the General Counsel had handed down an opinion which was rather extensive. The Chairman said all Members had received copies of the whole memorandum. He read the conclusions of the memorandum as follows:

"From review of the federal statutes it is apparent that direct action by the federal government could not be relied on as a means of banning billboards on the Ohio Turnpike. While the Commission could proceed through the Director of Highways to remove some of the billboards along the Ohio Turnpike, such method would permit the Commission to move with less expedition than if the Commission itself initiated action, for there would need to be conferences and concurrence between Highway attorneys and attorneys for the Commission, and the pressures and volume of Highway Department business involving other priorities would conceivably delay results which could presumably be quite immediate if this Commission should indicate its desire that billboard attention be given top priority by its Legal Department. Furthermore, the Commission's restrictive covenants furnish a relief more sweeping than if reliance were placed upon Department of Highway regulations which are more limited than the Commission's covenants. In the case of the Commission's covenant, for example, the sign advertising the sale of the premises on Parcel No. 140B would not be subject to removal under authority of the Ohio statutes and Highway Department regulations (see Regulation 5) permitting one sign advertising a sale of the premises. It would nonetheless be grounds for elimination under the Commission's broader covenant outlawing billboards visible from the travelway of the Ohio Turnpike.

"Lockwood Thompson
General Counsel"

The Chairman said the entire memorandum from the General Counsel had been in the Members' meeting folders.

The Chairman reported also that during the month he had an exchange of correspondence with Peat, Marwick, Mitchell & Co. which had been resolved by a letter, copies of which were in the packets given the Members. The Chairman said that J. Robert Malone was the Peat,

Marwick, Mitchell partner in Cleveland. The matter had arisen due to what the Chairman considered indiscreet conduct on the part of a local partner. The Chairman directed that the correspondence be included in the record. The correspondence follows:

"Peat, Marwick, Mitchell & Co., Cleveland, Ohio "September 29, 1971

"The Honorable Ronald M. Mottl
The State Senate of Ohio
5393 Pearl Road
Parma, Ohio 44129

"Dear Senator Mottl:

"During our luncheon the other week we briefly discussed some of the cost saving methods under consideration by the New Jersey and Pennsylvania Turnpikes which may have application in Ohio.

"We have approached New Jersey and Pennsylvania Turnpikes with suggestions concerning the toll collection system with the end result being a cost benefit to all participating turnpikes and a side benefit of convenience to the turnpike users. Basically, the change would be in the gateway toll collection procedures and would eliminate the gateway toll and ticket booths. This system, of course, would require comprehensive procedures with the states involved for the settlement of tolls collected. The savings in labor and equipment at the gateway stations could be substantial.

"New Jersey and Pennsylvania personnel have expressed an interest in an exploratory meeting to discuss such an approach. We would like very much to have a representative of the Ohio Turnpike Commission attend the meeting if there is an interest on their part.

"I enjoyed meeting you and wish you success in your efforts with welfare legislation.

"Very truly yours,

"PEAT, MARWICK, MITCHELL & CO.
"Arthur R. Krames, Partner"

"Ohio Senate, Columbus

"October 6, 1971

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

"Dear Mr. Shocknessy:

"Enclosed you will find a copy of the letter I received from Arthur Krames, partner of Peat, Marwick, Mitchell & Co., which proposes a more economical system of collecting tolls with our neighboring states.

"Would you kindly give Mr. Krames and myself your ideas and thoughts on this matter.

"With kindest personal regards.

"Sincerely yours,

"Ronald M. Mottl
State Senator"

"Ohio Turnpike Commission

"October 7, 1971

"Mr Walter E. Hanson
Senior Partner
Peat, Marwick, Mitchell & Co.
345 Park Avenue
New York, New York 10022

"Dear Mr. Hanson:

"The enclosed copy of a letter addressed to Ohio State Senator Ronald M. Mottl is self-explanatory. We should like to have your comment.

"Very truly yours,

"James W. Shocknessy
Chairman

"Ohio Turnpike Commission

"October 7, 1971

"The Honorable Ronald M. Mottl
State Senator - Ohio
5393 Pearl Road
Parma, Ohio 44129

"Dear Ron:

"I have your letter of October 6 enclosing a reproduction of a letter of Arthur R. Krames, Partner of Peat, Marwick, Mitchell & Co. The first information I have had concerning the matter which is set forth in the second and third paragraphs of the letter addressed to you by Mr. Krames is in that letter. I have so advised Mr. J. Robert Malone, Managing Partner of the Cleveland office of Peat, Marwick, Mitchell & Co. You may be sure that if Peat, Marwick, Mitchell & Co., which has been doing work for the Ohio Turnpike Commission for many years, has a suggestion to be made it will receive full consideration when it is presented to us and, also, if Peat, Marwick, Mitchell & Co. would like to set up a meeting to discuss the matter we shall be glad to participate.

"For the life of me, Ron, and I so told Mr. Malone on the telephone today, I do not understand why after all the years of the Ohio Turnpike Commission's association with Peat, Marwick, Mitchell & Co. Mr. Krames thought it was necessary or appropriate to have you present the matter to us.

"Very truly yours,

"James W. Shocknessy
Chairman"

"Peat, Marwick, Mitchell & Co., New York

"October 14, 1971

"Mr. James W. Shocknessy
Chairman
Ohio Turnpike Commission
682 Prospect Street
Berea, Ohio 44017

"Dear Mr. Shocknessy:

"This will acknowledge the receipt of your letter of October 7 and our telephone conversation this morning.

"I am in the process of a thorough investigation of the issues raised by you and will be writing you at length shortly.

"Sincerely yours,

"W. E. Hanson"

"Peat, Marwick, Mitchell & Co., New York

"October 21, 1971

"Mr. James W. Shocknessy
Chairman
Ohio Turnpike Commission
682 Prospect Street
Berea, Ohio 44017

"Dear Mr. Shocknessy:

"I have had an opportunity to complete my investigation of the matters raised in your letter of October 7 and our telephone conversation of October 14. The intervening period has allowed me to obtain detailed information of the factors giving rise to Mr. Krames' letter to Senator Ronald M. Mottl, as well as the Firm's participation with the New Jersey and Pennsylvania Turnpike authorities. As a result of this I can only conclude that Mr. Krames' action in failing to contact you or representatives of the Ohio Turnpike Commission in this matter is inexcusable and contrary to Firm policy.

"The Ohio Turnpike Commission has been a valued client of the Firm for over twenty years, a relationship that has been without incident. I am sure that you would have welcomed any approach by Mr. Krames in conveying ideas or thoughts that would have been of benefit to the Commission, and this is the course of action Mr. Krames should have followed.

"While I do not condone nor accept Mr. Krames' action, I think it should be reported that he did not seek out Senator Mottl in this regard, his contact having come as a result of a luncheon with Senators Mottl, Jackson and Secrest during the course of the hearings which Mr. Krames attended on behalf of the Firm in connection with the legislation dealing with welfare operations in Ohio.

"In Mr. Krames' letter to Senator Mottl, he mentioned the fact that PMM&Co. had approached the New Jersey and Pennsylvania Turn-

piques with a suggestion that a joint study be undertaken to develop a toll collection system which would eliminate repeated toll collections on the turnpike systems from New York to Chicago. The word approach is correct. Our representatives have contacted both New Jersey and Pennsylvania with this suggestion. PMM&Co. does not have a solution to this problem nor do they have any machinery or equipment which might be used to accomplish the end result. What we indicated to New Jersey and Pennsylvania was the desirability of a feasible study; we do not have a "package" or fully designed system. You raised the question as to whether or not the Firm was in any way associated with a particular machine or manufacturer. PMM&Co. is not nor does it ever associate itself with a particular machine or a particular manufacturer in its consulting practice. As consultants we carefully weigh available equipment against the needs of our client and recommend the piece of equipment which best suits our client's needs regardless of manufacturer or other interests.

"Let me close by offering my sincere apologies on behalf of both myself and the Firm for Mr. Krames' action. I sincerely hope that you will meet with J. Robert Malone, managing partner of our Cleveland office, as I am sure he wishes to express his own apologies and his deep interest in our continuing relationship with the Ohio Turnpike Commission.

"Sincerely,

"Walter E. Hanson"

"Ohio Senate, Columbus

"October 27, 1971

"Walter E. Hanson, Sr. Partner
Peat, Marwick, Mitchell & Co.
345 Park Avenue
New York, New York 10022

"Dear Mr. Hanson:

"I received a copy of your letter of October 21, 1971, you sent to the chairman of the Ohio Turnpike Commission, Mr. James Shocknessy.

"Please let me set the record straight--Mr. Krames, as per my request, sent me a letter with regards to your approach on the New Jersey and Pennsylvania turnpikes that could help Ohio.

"I wanted to have the honor of presenting this to Mr. Shocknessy. Please do not penalize Mr. Krames for following my instructions.

"Sincerely yours,

"Ronald M. Mottl
State Senator"

"Ohio Turnpike Commission

"October 29, 1971

"Mr. Walter E. Hanson
Senior Partner
Peat, Marwick, Mitchell & Co.
345 Park Avenue
New York, New York 10022

"Dear Mr. Hanson:

"I have your letter of October 21 which I have read with great interest and I consider it to embody a very satisfactory explanation of the whole incident which was the subject of correspondence and our telephone conversation. I have received also a copy of the letter of Senator Ronald M. Mottl addressed to you under date of October 27.

"I shall hope to meet you some time when I am in New York and I shall gladly meet with Mr. J. Robert Malone at his and my convenience.

"Very truly yours,

"James W. Shocknessy
Chairman"

The Chairman said the matters he had discussed were those he felt were of special concern and that he felt should be reported by him rather than by anyone else because the statute did not provide for an Executive Director but did provide for Commission Members.

The Chairman reported also that he had read in the newspapers that New Jersey had begun a program of signing on the basis of international signs. Mr. Richley said that a new Uniform Traffic Control Manual had been published and international signing had been recommended. Mr. Richley said the Department of Highways would implement the recommendations as fast as it could throughout the State.

The Chairman directed the Executive Director to coordinate the turnpike signing program with that of the Department of Highways in order to make the signing uniform. Mr. Richley said that certain kinds of signing would be uniform throughout the world. He said such signs would use symbols rather than words.

The Chairman said further that he had also seen that the Department of Highways was planning to make changes in its signing with respect to directions to destinations. Mr. Richley said the plan was to show ultimate destinations or intermediate destinations rather than local communities. The Chairman said the Ohio Turnpike had always included both local destinations and long-term destinations in its signing but he would like the Executive Director to coordinate with the Director of Highways so that the turnpike and the Highway Department would be doing the same thing. Mr. Richley said that Robert D. McMillen of the Ohio Highway Department, Bureau of Traffic, would be supervising both the international signing and destination signing.

The Chairman reported also that he had received a memorandum from the Department of Highways to which was attached a memorandum from the office of the Governor which included a letter received by the Governor's office quoting a statement the Chairman had made at the September meeting about the Commission's schedule for payment of bonds in their entirety by 1980. The Chairman said that the writer of the original letter complained to the Governor that the Commission would pay off the bonds in 1980. The Chairman quoted from the letter as follows:

"Early retirement of Turnpike bonds benefits the holders of the bonds . . ."

The Chairman said that that was not a true statement, that the bondholders bought the bonds with the intention of holding them until 1992. The Chairman read further from the same sentence as follows:

". . . payment to 1992, as legally and lawfully contracted for, does no contractual harm. If continuing the payments for the twelve additional years out of the total forty years, can mean a twenty-five per cent Turnpike toll reduction, why not prove it to me and to other Ohio voters, you are sincerely against sales or other regressive tax, including these toll-fee taxes."

The Chairman said that when the letter reached the office at Berea, it was addressed to the Ohio Turnpike Commission and the

Executive Director brought it to his attention. The Chairman said that copies were also sent by the writer of the letter to the Honorable John Volpe, Secretary of Transportation, the Honorable George Stafford, Chairman of the Interstate Commerce Commission, the Honorable Robert Taft, Jr., United States Senator from Ohio, the Honorable Charles Mosher, Representative of the 13th District of Ohio, the Editor of Traffic World, the Editor of The (Cleveland) Plain Dealer. The Chairman said further that this question had been presented many times. He said the writer of the letter had not taken into account that a twenty-five per cent reduction of tolls and a continuation of tolls for an additional twelve years would delay the toll-free status of the road by twelve years. The Chairman said further that the writer did not take into account that the rates charged by the Ohio Turnpike Commission were competitive with all similar highways. The Chairman said that when the file reached him the answer to the letter was to have been prepared for the Governor's signature. He said that he then called the Director of Highways and discussed the matter and it was determined that it would be preferable to handle the letter in the same way that similar inquiries had been handled in the past.

The Chairman instructed the Director of Information and Research, James D. Hartshorne, to prepare an answer on that part of the letter which concerned tolls and bond retirements but not to reply to that portion of the letter which discussed sales or other taxes.

The Chairman reported also that approximately six months before, the Executive Director had been asked to examine the toll audit procedures and make a recommendation to the Commission. The Chairman congratulated the Executive Director on having rendered his report on time. He said that the Executive Director had called him on October 29 to report that a draft was ready and had been mailed to him so that he might look at it over the weekend immediately preceding the meeting. The Chairman said the report was in the other Members' folders at the meeting and that the folders contained the following items submitted by the Executive Director:

1. REPORT ON ESTIMATED TRAFFIC ON THE OHIO TURNPIKE THROUGH THE YEAR 1980 AND THE EFFECT OF THREE PROPOSED NEW INTERCHANGES, dated October 15, 1971, by Coverdale & Colpitts, Inc.
2. INSPECTION REPORT OF TOLL COLLECTION EQUIPMENT by Field Inspection Team (RCA Service Company and J. E. Greiner Company) dated October 1971.

3. REPORT ON TOLL-AUDIT SYSTEM by Commission Staff
assisted by J. E. Greiner Company Dated November 1, 1971.

The Chairman said the only part of the report he wished to address himself to during the meeting was the Executive Director's list of recommendations. The Chairman read the following excerpt from the report:

"In order to 'test the market' for all alternatives and to remove any possibility of criticism, it is recommended that specifications and documents be prepared with which to solicit bids for rehabilitation, modification and maintenance of the field equipment but also with provisions to permit alternate bids to be submitted for the complete design of a new toll-audit system, furnishing, installing and maintaining the equipment, and training turnpike personnel in its use.

"This procedure should establish firm costs and, with bidding based upon system performance specifications, should elicit bids on any feasible new systems.

"It is further recommended, if and after bids are taken and it appears that a rehabilitation bid is favorable, that serious consideration also be given to modifications in the office data processing equipment and programs which would result in reducing operating costs and increasing capacity."

The Chairman said the report, together with its attachments, was rather extensive, so that it could not be handled during the meeting. The Chairman appointed Mr. Chastang, Mr. Richley and Mr. Johnson to the Toll-Audit Committee and appointed Mr. Chastang, as Secretary-Treasurer and Chairman of the Budget and Finance Committee, to examine the report and to consult with the Director of Highways and give the Commission a recommendation at the December meeting. The Chairman said that he and Mr. Teagarden would be willing to give any assistance they could. The Chairman said also that there would be merit in letting the Executive Director proceed to prepare a draft of prospective specifications meanwhile which would get some of the work out of the way. The other Members signified their agreement. The Chairman said he had read only the basic report and was impressed with it. He said further that he hoped that whatever was required to maintain the equipment in use until 1980 could be undertaken during the year. He said what he had read was not inconsistent with what was presented at the April 1971 meeting.

Mr. Chastang said he agreed that the report required study and that he would look into it and then discuss it with Mr. Richley and that he would

then talk to Mr. Teagarden and the Chairman about the report. The Chairman said the report was based upon the assumption that the Ohio Turnpike would become toll free upon final payment of the bonds in 1980.

The Chairman said further that at two meetings of the Transportation Advisory Committee, suggestions had been made he considered intolerable. One of the suggestions had been that no financing for transportation in Ohio could be considered without including the revenues of the Turnpike Commission or of the Ohio Turnpike as prospective revenue. The Chairman said he wanted to make it clear that the 98th General Assembly in 1949 had enacted the Turnpike legislation with the clear understanding that the road would be toll free when its debt was paid. He said that he would consider any attempt by any administration to continue tolls on the turnpike after the bonds of the Commission were paid to be a fraud. He said it had been promised that the road would become part of the system of the highways of the State when it became toll free.

The Chairman said further that the same man who made the revenue suggestion had said in the conferences that the Turnpike Commission still had the authority to build turnpikes. The Chairman said that man obviously had not read the Turnpike Act, which said, in part:

" . . . the Ohio turnpike commission may construct, maintain, repair, and operate turnpike projects at such locations as are approved by the governor, and in accordance with such alignment and design standards as are approved by the director of highways . . . "

The Chairman said the Turnpike Commission could not spontaneously undertake any project. He said the authority of the Commission was to build highways at such locations as the Governor recommended and in accordance with the standards approved by the Director of Highways.

The Chairman said further that he had seen in the recommendation from the Consulting Engineers, Dalton-Dalton-Little, a suggestion that the Bridge Commission and the Turnpike Commission have their authority divided in some way so that the Turnpike Commission would be responsible for bonds and the Department of Transportation would be responsible for everything else. The Chairman said that he, as an individual, would oppose in the General Assembly if anything that he considered to be inconsistent with what the people of Ohio were told in 1949 were recommended.

The Director of Highways said that one of the responsibilities of the Dalton-Dalton-Little firm when it was employed, was to stimulate

interest and imaginative ideas. He said it was also to stimulate the Transportation Advisory Committee into thinking in possible directions including directions that did not exist with respect to any conceivable combination of transportation modes, funding sources or institutions.

He said further that as a result of the broad charge that the consultant had been given, the consultant had, in fact, stimulated a great deal of interest in some areas and by so doing had ruffled some feathers. He said that the reason the charge was so broad was to be sure that in its deliberations, the Transportation Advisory Committee did not overlook any possible source of consolidation or possible area of consolidation that would be to the best interest of the State of Ohio.

The Director of Highways said further that a great many things had been discussed at the Transportation Advisory Committee meetings and probably that many more would be discussed later, but most of them were simply items for discussion and would not be brought to fruition. He said one of the principal reasons for asking that a member of the Turnpike Commission serve on the Transportation Advisory Committee was so that the committee might have input from the Turnpike and have the advantage and benefit of its knowledge and interest. He said the Transportation Advisory Committee recognized the intent of the 98th General Assembly and knew the efficient program that the Commission had carried out for years. He said there was no attempt being made by the Transportation Advisory Committee to usurp any of the authority that the Commission had or to attempt to change the direction of the Commission in any way. He said, however, that an attempt was being made to discuss any possible idea or any possible concept that anyone had whether with respect to the legislation, funding, planning, programming or organization. Mr. Richley said it was a healthy exercise of democracy to be able to discuss things in open meeting without any pre-judgment as to the conclusions.

Mr. Richley said further that those persons attending the meetings understood exactly what the Chairman had said but that it was their job to stimulate interest and discussion and on occasion they deliberately had asked questions of the Transportation Advisory Committee, whose answers were already known, in order to stimulate public discussion. He said that was done so to be sure that all members had an ability to provide input.

The Chairman said that Mr. Richley had just said that he wanted a Member of the Commission to be on the committee but the Chairman said when he was asked to serve upon the committee by Mr. Richley,

he was asked to serve in his private capacity. Mr. Richley said that the two were synonymous. The Chairman said that when he sent alternates to the committee they were not likely to speak for him as he might speak for himself so that he was taking the occasion to comment and specifically wanted to mention two obvious misapprehensions that the questioner had. One was that the Commission could, on its own responsibility, build highways, which it could not do, and the other was that the highway could continue to collect tolls after its bonds were paid in order to produce revenue and that he would consider a fraud because people were given to understand in 1949 that once the bonds were paid off the highway would be free of toll.

The Director of Highways assured the Chairman that the possibility of charging tolls after 1980 was not being considered and never had been. The Chairman said that he was sensitive about anything that was said which was likely to impeach or undermine anything that the Commission had a conscientious obligation to uphold.

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

The Assistant Secretary-Treasurer, Allan V. Johnson, reported for the Secretary-Treasurer, Mr. Chastang, that since the last meeting, the following were sent to all Members:

1. Traffic and Revenue Report for September 1971.
2. Financial Statements as of September 30, 1971.
3. Budget Report for the first nine months of 1971.
4. Draft of the minutes of the October 5, 1971 meeting.
5. Detail of Investment Transactions which took place in October 1971.

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 chairman of the Committee on Budget and Finance, Mr. Chastang, reported that the budget for the first nine months of the year showed tremendous overage in the employee insurance account. Mr.

Chastang said the Commission had set up a budget of \$180,000 and had spent \$284,000 in the first nine months which meant that \$104,000 more had already been spent in 1971 than had been allocated. He said the same expense for the first nine months in 1970 had been \$170,000. He said this was a large item which would require the Commission to adopt a supplemental budget in December.

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 chairman of the Committee on Service Plazas, Mr. Teagarden, reported that on Thursday, October 14, representatives of the Gladieux Food Services, Inc. had met with the Service Plaza Committee to discuss remodeling of the food service areas at Tiffin River, Commodore Perry, Blue Heron and Indian Meadow Service Plazas. He said Gladieux Food Services had requested that the Commission remodel the Tiffin River Service Plaza to bring it up to the standard of the other plazas on the turnpike. Mr. Teagarden said he had recently visited the Tiffin River Plaza and was very much of the opinion that remodeling should be done. He said a snack bar had been added at Tiffin River in 1966, but, otherwise, it was in its original state. He said that, in addition, Gladieux Food Services had asked that an overflow dining room be added to the Commodore Perry Service Plaza. Mr. Teagarden said that seating was insufficient at Commodore Perry. He said Gladieux representatives asked that they be permitted to remodel both Blue Heron and Indian Meadow Service Plazas to provide more seating for cafeteria customers, the remodeling to be completed at the expense of Gladieux Food Services, Inc. He said the proposed treatment for Indian Meadow and Blue Heron would eliminate waitress service and use the capacity of the dining room for cafeteria customers.

Mr. Teagarden said that the Committee on Service Plazas had instructed the Superintendent of Patron Services to study the matter and report to him later.

Mr. Teagarden reported also that the Committee had reviewed the Service Plaza building section of the 1971 Annual Report of Inspection by the Consulting Engineers and had appointed a subcommittee to investigate the deficiencies listed therein and to establish responsibility for making corrections. He said the subcommittee had been instructed to report its findings to the Executive Director and that he in turn would advise those responsible to see that the deficiencies were corrected.

Mr. Teagarden asked Mr. Harnden whether he wished to comment on whether any of the deficiencies in the report had been made good. Mr. Harnden said that he had not made any special inspection for that purpose but he had seen two restaurant areas in which considerable work had been done since the inspection had been made during the summer. The Chairman asked Mr. Harnden whether he would look at all the others. Mr. Harnden said that he would do so and the Chairman said that he would ask at the next Commission meeting what had been done. Mr. Teagarden expressed surprise that deficiencies had been found by the Consulting Engineers at all the service plazas.

The Chairman said the report of the Committee on Service Plazas was accepted as offered. He ascertained that 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, Allan V. Johnson, reported that there had been five deaths in October in as many accidents. He said that the list included the first in the turnpike's history involving a motorcyclist. He said the motorcycle had a flat tire at a high rate of speed, began to wobble and the rider was either thrown off or attempted to jump off, and his body struck a guard rail, a bridge rail and then fell off the bridge.

He reported further that one of the accidents was the first fatal accident to involve a tandem trailer. He said the tandem trailer had struck the rear of a small passenger car and after the impact the car went off the roadway and struck a lamp post, and one of its occupants had been killed. He said the five accidents in October brought the 1971 total of deaths on the turnpike to 32. He said that in all of 1970 there had been only 24 deaths; that even though the present toll was 32, the turnpike still had a good record compared to other types of highways. He said that 1970 had been an exceptionally good year.

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

The Director of Highways, Mr. Richley, reported that agreement had been reached with the State of Pennsylvania on the changing of the designation of Interstate 80^S. He said the Department of Highways had received a letter from the Secretary of Transportation indicating that Pennsylvania had initiated changes and expressed the hope that the Commonwealth of Pennsylvania and the State of Ohio would file a joint

application for the change. He said the Pennsylvania Department of Transportation had the concurrences of the Turnpike Commission of Pennsylvania, the Allegheny County Highway Department, the City of Pittsburgh and Pennsylvania Highway Department District 11-0 and that the State of Ohio had also filed an application on behalf of the Department of Highways to redesignate that portion of the turnpike presently labeled I-80s to I-76.

Mr. Richley said further that formal action would be brought before the American Association of State Highway Officials Signing Committee on December 4 and that because part of the route subject to change is on the State Highway System and another portion is on the turnpike system, he wished to ask if he could have a letter from the Commission expressing its view on the subject. The Chairman directed the Executive Director to write such a letter to Mr. Richley.

Mr. Richley said further that a great many changes were taking place in Pennsylvania as a result of the request for the change but that they were incidental to the needs of the Ohio Highway Department and the Ohio Turnpike Commission.

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

The Executive Director said he had received a letter during October from the American Automobile Association replying to a letter of his expressing concern about the problem of "sleepy drivers". He said his letter had been originally sent to the Highway Safety Council and then forwarded to the American Automobile Association. The Executive Director read the letter as follows:

"American Automobile Association, Washington, D. C. "October 12, 1971

"Mr. Allan V. Johnson
Executive Director
Ohio Turnpike Commission
682 Prospect Street
Berea, Ohio 44017

"Dear Mr. Johnson:

"President Bachman has asked me to respond to your letter of August 13th regarding highway accidents resulting from fatigued drivers.

"We, too, have been very concerned about the problem which you mentioned in your letter. In our high school driver education text book, SPORTSMANLIKE DRIVING, which is used by nearly 80% of all the public schools teaching driver education, we give significant attention to the problem of fatigue and driving. We feel that by working with young people, who are to be new drivers, that it is extremely important to make this point for reasons cited in your letter.

"Also, we are just completing a revision of our very popular pamphlet for adults, HOW TO DRIVE. In this revision we are giving even greater emphasis to the role of fatigue and its relationship to accidents. Just as soon as the new booklet is off the press, around the first of the year, we will send you a copy.

"Also, as we make up a trip-tik routing for our members, we insert in every trip-tik a series of driving tips. Included is an admonition to avoid driving when drowsy or fatigued. We make suggestions on what drivers should do such as stopping to rest, getting out of the car and moving around. We cite the need for good planning in a trip in order to avoid fatigue and the need for stopping to rest every two hours during long distance driving.

"As to suggestions for additional steps that could be carried out to combat this problem, we certainly don't have any real answers to give. We think that highway and traffic engineers must give attention to the problem in terms of consideration in the development of the highway environment which would tend to reduce driver fatigue.

"Naturally, of course, most of the effort must be directed at the driver himself because he is ultimately responsible and the most likely person to overcome this problem.

"We commend your Commission for the outstanding work which you have been doing through your toll ticket messages. We hope that you will continue to do so.

"If we can be of any help to you at any time, please feel free to contact us.

"Sincerely yours,

"Sam Yaksich, Jr., Director
Traffic Engineering & Safety Dept."

The Executive Director reported also that the resurfacing of the service plazas at Erie Islands, Commodore Perry, Towpath and Great Lakes Service Plazas, using Commission forces, was essentially completed. He said a recognition luncheon had been given for the Boston Maintenance Section crew on October 22 and one was scheduled for the Castalia Section crew on November 5. He said building of additions to six of the maintenance buildings had progressed and that the work was scheduled for completion during November.

The Executive Director reported also that with respect to billboards that he had directed the Engineering Department to determine whether the signs and billboards listed in the General Counsel's survey were located on residuary parcels covered by turnpike covenants. He said the Engineering Department had completed its work and had listed all parcels on which the covenants applied. He said determination of current ownership was in progress and that he had talked to representatives of two sign owners and asked that they take steps to remove their signs. He said that he had yet to hear whether they had done so. He said one of those was the owner of Parcel 140-B, mentioned in the last paragraph of the General Counsel's memorandum.

The Executive Director reported also that the Village of Hudson had written to him to advise that they had approved two identification signs for the Allstate Insurance Building. He said that the Village of Hudson had said that it was merely advising him that in the Village's opinion the Allstate signs met with its approval. The Chairman directed that copies of the letter be sent to all Members.

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 reported that the Shell Oil Company had released its easement for a pipeline to the Ohio Turnpike Commission and read the letter from the Shell Oil Company as follows:

"Shell Oil Company, Indianapolis, Indiana

"October 29, 1971

"Ohio Turnpike Commission
682 Prospect Street
Berea, Ohio 44017

"Attention Mr. Lockwood Thompson, General Counsel

"Gentlemen:

"Your proposed changes in the permit form to be exchanged for a release of Shell's easements over your parcels 43C and 43R are acceptable.

"We have requested management execution of the release form presented and will forward them to your office when received.

"Very truly yours,

"A. S. Hayman
Senior R/W & Claims Agent
Products Pipe Lines"

The General Counsel said that had been the last outstanding easement and that the Commission would soon have a Certificate of Completion signed by the Chairman and approved by him.

The Chairman said that the report of the General Counsel was accepted as offered. He ascertained that there would be no report 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. 22-1971

"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 October 5, 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 October 5, 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. 22-1971.

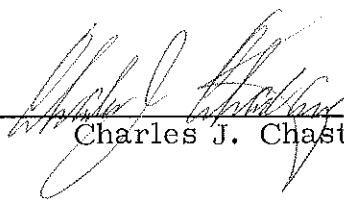
There being no further business to come before the Commission, a motion was made by Mr. Chastang, seconded by Mr. Richley, that the meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Chastang, Richley, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 12:20 P. M.

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



Charles J. Chastang, Secretary-Treasurer