

MINUTES OF THE TWO HUNDRED AND FIFTY-SIXTH MEETING
December 7, 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 December 7, 1971 with the key members of the staff; representatives, Fred S. Cresswell and Harvey A. Harnden, of the Consulting Engineers; a representative, P. Joseph Sesler, 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: Teagarden, Chastang, Shocknessy.

Absent: Richley.

The Chairman announced that a quorum was present. He said Mr. Richley was out of the state.

A motion was made by Mr. Teagarden, seconded by Mr. Chastang, that the minutes for the meeting of November 2, 1971 which had been examined by the Members and on which the corrections suggested by the Members had been made be approved without reading.

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

Ayes: Teagarden, Chastang, Shocknessy.

Nays: None.

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

The Chairman reported that the revenues for November were estimated at approximately \$2,905,000, which was \$182,000 more than the corresponding month in 1970 and \$97,000 more than November of 1969, which was the previous record for November, and that the revenues for the first eleven months were \$37,000,000 or \$1,500,000 more than for the same period of 1970, and that the revenues for the year would be near \$40,000,000.

The Chairman reported also that bonds in the face amount of \$2,962,000 were purchased by the Trustee during the month at an average price of 89.231. He said the purchases brought the total for the year to \$16,552,000 which had been redeemed for \$15,318,000. The Chairman said he hoped the Commission would be able to retire an equal amount in 1972. He said the debt was currently about \$173,000,000 and that \$153,000,000, or 47 per cent, had been retired of the original \$326,000,000.

The Chairman reported further that there were two deaths during the month of November making the total of 34 for the first eleven months of the year.

The Chairman reported also that a letter had been addressed to the Governor by somebody who said his son went to the Turnpike office in Lorain to seek employment. The Chairman said that the Commission did not have an office in Lorain and never did have an office in Lorain, and that the Executive Director, Allan V. Johnson, had responded to the letter and an application had been given to the man's son and that it had been made clear that the Commission did not maintain an office in Lorain.

The Chairman reported further on correspondence with Edward C. Brennan, Executive Vice President of the Cleveland Convention Bureau, who had objected to the wording of one of the Commission's slips that told people how to bypass Cleveland. The Chairman said he had been collecting references to bypasses since receiving Mr. Brennan's letter and he found that the Cleveland Plain Dealer and other papers customarily refer to a bypass of Cleveland. The Chairman said that the only legitimacy in Mr. Brennan's complaint was that the slip did say "Bypass Cleveland" as if the Commission were urging it, which in itself would not be invidious because of the traffic situation and the Commission's job was to move traffic and not to get business for Cleveland. The Chairman said Mr. Brennan had been informed that at the next printing of the slip the language would be changed. He ascertained that Mr. Brennan had not responded to the letter written by the Chairman and told the Director of Information and Research, James D. Hartshorne, to ask Mr. Brennan whether he was going to answer the letter. The Chairman said the Commission had asked Mr. Brennan a question and that the Commission wanted an answer.

The Chairman reported also on the Governor's Transportation Advisory Committee. He said Mr. Johnson had attended most of the meetings and the Chairman said he could not add anything to what he had already said about a proposal that was made at the committee

meeting about continuing tolls. The Chairman said he would repeat what he said before: it would be a fraud on the people of Ohio and the American public to even consider such a thing as continuing tolls after the bonds have been paid.

The Chairman said also that the Secretary-Treasurer and chairman of the Committee on Budget and Finance, Mr. Chastang, would report on Toll-Audit and that the Commission was in receipt of two letters from Squire, Sanders and Dempsey which would be incorporated in the business of the meeting. The Chairman said the letters were opinions on the relation of Phase Two of the President's Executive Order to salary and wage controls and the Commission's plans to increase the pay of employees in 1972.

"Squire, Sanders & Dempsey

"November 18, 1971

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

"In Re: Phase II -- Salary and Wage Controls Step Increases

"Dear Mr. Johnson:

"Part 201 of the regulations relating to stabilization of wages and salaries as issued by the Pay Board, created pursuant to the Federal Economic Stabilization Act of 1970, as amended, provides:

"§201.14 Wage and salary increases effective after November 13, 1971.

"Existing contracts and pay practices previously set forth will be allowed to operate according to their terms except that specific contracts or pay practices are subject to review, when challenged by a party at interest or by five or more members of the Pay Board, to determine whether any increase is unreasonably inconsistent with the criteria established by this Board. In reviewing existing contracts and pay practices, the Pay Board will consider ongoing collective bargaining and pay practices and the equitable position of the employees involved, including the impact of recent changes in the cost of living upon the employees' compensation."

"in the past, you have had a pay practice which contemplates step increases based upon two things: (1) longevity; (2) recommendation of the employee's superiors.

"We previously advised you that because of the freeze, such step increases could not be given.

"Based upon the above regulation and all interpretations which have been issued to date, effective as of November 14, 1971, step increases may be given. The step increases are not subject to the 5.5% limitation, nor need they be reported to the Pay Board. The granting of step increases, however, must be pursuant to the pre-existing pay practice, requiring sufficient longevity and recommendation of the employee's superiors.

"Very truly yours,

"William C. Hartman"

"Squire, Sanders & Dempsey

"November 26, 1971

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

"Re: Phase II -- Salary and Wage Controls
January Wage Adjustments

"Dear Mr. Johnson:

"The Ohio Turnpike Commission has a Committee on Employee Relations. This Committee met with representatives of the non-supervisory workers in the Maintenance and the Toll Departments for the purpose of discussing changes in work rules, wages, and fringe benefits. Separate meetings were held with representatives of the employees belonging to the Teamsters Union and representatives of the employees who are non-union. This practice has prevailed for the past few years, and for many years prior thereto the discussions were held solely with non-union employees.

"Following a series of discussions in July 1971, the Committee

submitted in writing to the two groups of representatives, at separate meetings, recommendations, as a package, for changes in work rules, increased fringe benefits, and an increase in wages. In general, the Committee proposed that its recommendations be put into effect on January 1, 1972, except for changes in work rules, which were to be put into effect at various times, but not later than January 1, 1972, and except for wage increases which were to be put into effect with the first pay period after January 1, 1972. Both the union and non-union employees ratified the Committee's proposals through a vote of their members, in the instance of the Union, and through action of the duly authorized representatives, in the instance of the non-union group.

"Thereafter, the Executive Director of the Commission announced that he would put all of the Committee's ratified recommendations into effect at the times provided. The representatives of the two groups were then so advised, and the budget thereafter submitted for 1972 provided funds for the increase in costs. No further action of the Commission, itself, nor of the Executive Director, has ever been required to put such changes into effect.

"All of these things occurred prior to August 14, 1971, the date of the wage freeze. The procedures followed in 1971 were identical to those followed in past years.

"The Pay Board, established by the President for Phase II of the Economic Stabilization Program has ruled in 6 C.F.R. Ch. 2, §201.14, that 'existing contracts and pay practices previously set forth (existing or set forth prior to November 14, 1971) will be allowed to operate according to their terms' and without regard to the general wage and salary limitations of 5.5% which is applicable to wage agreements concluded on or after November 14, 1971. Section 201.14 contains certain exceptions which are not here applicable. In our opinion, the aforementioned procedure of the Commission constitutes a pay practice set forth prior to November 14, 1971, and therefore, the 'package' may be placed in operation according to its terms; and the 5.5% limitation does not apply.

"Discussions with other groups of employees similar to those had with the non-supervisory employees of the Maintenance and Toll Divisions were not held during 1971, nor were such discussions had during prior years; rather, it has been the practice to grant commensurate increases to all other employees based upon a percentage of existing pay. This practice has been applied to all non-supervisory employees not represented in the discussions and all supervisory employees.

"This practice was affirmed and further authorized for the future in the Commission's Resolution No. 3-1970, adopted January 6, 1970, a copy of which is attached hereto.

"It is, therefore, our opinion that the method of granting increases to the employees not covered by the discussions with the representatives of Maintenance and Toll Divisions, constitutes a pay practice within the meaning and intent of Section 201.14, supra.

"The increase granted to Toll and Maintenance groups ranged from \$.25 to \$.31 per hour. The over-all increase to the unit constituted 6.77%, exclusive of the additional cost in fringe benefits.

"The Pay Board has ruled that for measurement of change in wage and salary levels the degree in change of each employee need not be considered, but rather, that the appropriate employee unit for measurement of change is a group composed of employees in a bargaining unit or any group of recognized employee categories. In the past, administrative and supervisory personnel have been recognized as a separate unit, as have been secretaries and other main office, non-supervisory employees. It is our opinion that the aggregate wage and salary increases to the aforementioned recognized employee categories may be commensurate to the increase granted to the Maintenance and Toll group, including fringe benefits.

"Similar treatment may be afforded to those employees answerable to the Commission.

"Such wage increases may not be granted earlier than January 1, 1972, in order to comply with the past pay practice, and such increases are not subject to the 5.5% limitation. Finally, said pay adjustment need not be reported to the Pay Board.

"The opinions presented herein are based upon rules and regulations issued to date by the Pay Board and are subject to revision as the Pay Board issues further rules and regulations or modifies existing ones of which we shall keep you advised.

"Very truly yours,

"William C. Hartman"

The Chairman reported also that the Commission had letters from

Mr. Chastang and Mr. Richley which he directed to have included in the minutes.

"State of Ohio Department of Highways

"November 17, 1971

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

"Dear Chairman Shocknessy:

"Please be advised that on November 17th, Mr. Chastang, a member of the Ohio Turnpike Commission, and Mr. Allan Johnson, of the Commission staff, and I met in my office to discuss the report of the Toll-Audit System prepared by the Commission staff and the J. E. Greiner Company dated November 1, 1971.

"Specific and detailed discussions were held regarding the retention of the existing system, the two proposals for the rehabilitation of the existing system, and the proposals for the installation of a new system. It is felt that as a result of the report that a much greater understanding of the problem is available to me personally and, hopefully, as well to other members of the Commission. I believe that the report has properly investigated the various options that exist and has evaluated the options accordingly.

"As a result of our discussion and based on my own personal study of the report, it is recommended that the procedures outlined on page 15 of the report be adopted by the Commission as a course for further action, wherein specifications would be prepared and bids would be received for the rehabilitation, modification and maintenance of the present field equipment with alternate bids provided for the furnishing, installing and maintaining of a complete new system of toll-audit equipment. Included with the new system of toll-audit equipment, bids would have performance specifications of that particular system.

"I believe that this approach as recommended in the report will offer the Commission the greatest degree of flexibility for future decisions. I believe that in the installation of a new system that system performance specifications would be extremely important and this method of bidding will permit proposals to be submitted on a competitive basis. I believe that the report is excellent and has accomplished adequately the purpose for which it was intended.

"Inasmuch as I will not be present for the December meeting of the Ohio Turnpike Commission because of a prior scheduling conflict with the American Association of State Highway Officials and inasmuch as I appreciated a special interest in this problem earlier this year, it is my hope that this communication will adequately express my support of the report and recommendations in the report.

"Very truly yours,

"J. Phillip Richley
Director of Highways"

"Ohio Turnpike Commission

"November 17, 1971

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

"Re: Toll-audit System of the Ohio Turnpike Commission

"Dear Mr. Shocknessy:

"As requested by you at the meeting of the Ohio Turnpike Commission on 11/2/71, I have reviewed the matter of rehabilitating our existing toll-audit system and also the matter of replacing existing equipment with an entirely new system. In this connection, I have reviewed the following reports:

- "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.

"Further, I conferred with Allan V. Johnson, the Executive Director of the Commission, and Mr. J. Phillip Richley, Director of Highways and Member Ex-Officio of the Commission, in re the above matter on 11/17/71.

"Please be advised that I am in accord with the recommendations made by our Commission Staff and by J. E. Greiner Company and which are set forth on page 15 of the Report referred to in item 3 above.

"In my conference of today with Mr. Richley and Mr. Johnson, we discussed the question of possible salvage and I understand that Mr. Johnson will give consideration to this and will discuss the possibility of salvage with our consultant.

"Very truly yours,

"Charles J. Chastang"

The Chairman said the report given to the Commission in November was already incorporated in the minutes by reference and it would be re-incorporated by reference. The Chairman said the resolution that Mr. Chastang had would refer to the committee composed of Mr. Chastang as chairman, Mr. Richley and Mr. Johnson. He said that committee had examined the report and would make the recommendation. The Chairman determined that a formal letter from the Consulting Engineers, the J. E. Greiner Company, had been received joining in the recommendation of the toll audit report. The Chairman directed that the letter be included in the minutes.

"December 6, 1971

"TO: A. V. Johnson, Executive Director
Ohio Turnpike Commission

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

"SUBJECT: Ohio Turnpike
Proposed Toll Audit System
Contracts TAFE 1, TAFE 2, TAFE 3 and TAS 1
RMP 64-72-1
Contract Documents

"We have participated with the Commission's staff over the past several months in the preparation of drafts of specifications for the rehabilitation and modification of the toll audit equipment on the Turnpike and specifications for a complete new system.

"A conference was held by representatives of the Commission and the Consulting Engineers on December 2, 1971 and the final drafts of these specifications and other contract documents have now been completed for presentation to the Commission at the meeting on December 7, 1971.

"We recommend these documents be approved and that the Commission proceed to solicit bids on the basis of these documents.

"H. A. HARNDEN"

The Chairman reported also that there had been correspondence with a "P. R. guy" who had a pretty good misunderstanding of the whole method of financing and maintaining and operating the Ohio Turnpike, but the man's misunderstanding had given the Chairman the opportunity to restate the position of the Commission with respect to the early retirement of bonds.

The Chairman said that he wanted that correspondence with the so-called public relations man included in the business of the meeting.

"October 8, 1971

"The Honorable John J. Gilligan
Governor of the State of Ohio
Columbus, Ohio

"My dear Governor Gilligan:

"The October 6th issue of the Cleveland PLAIN DEALER had the following article:

"If people continue to use the Ohio Turnpike at the present rate, bonds issued in 1952 to build the cross-state expressway will be retired 12 years ahead of schedule. 'The original schedule called for the bonds to be retired in 1992,' Turnpike Authority Chairman James Shocknessy said, 'and it looks now as if they will all be retired in 1980 . . .'"

"In this day and age of tremendous inflation, including taxes, even one little spark that benefits retired people, newlyweds, salesmen, the general public, including motor carriers, might just spark other benefits to offset

or counteract the continual state and city cry for more - more taxes.

"Early retirement of Turnpike bonds benefits the holders of the bonds, whereas 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 25% Turnpike toll reduction, why not prove to me and other Ohio voters you are sincerely against any sales or other regressive tax, including these toll fee taxes?

"Yours very truly,

"Arthur E. Gogol

"CC: The Honorable John A. Volpe
Secretary of Transportation

The Honorable George Stafford
Chairman, Interstate Commerce Commission

The Honorable Robert Taft
United States Senate

The Honorable Paul R. Matia, State Senate

The Honorable J. Leonard Camera, State House of Representatives

Editor, TRAFFIC WORLD

Editor, PLAIN DEALER"

"Ohio Turnpike Commission

"November 9, 1971

"Mr. Arthur E. Gogol
32887 Electric Blvd.
Avon Lake, Ohio 44012

"Dear Mr. Gogol:

"Your letter addressed to Governor Gilligan under date of October 8, 1971 suggesting a reduction in Ohio Turnpike tolls and postponement of the retirement of the Ohio Turnpike revenue bonds to the required retirement date of June, 1992 instead of continuing the existing retirement pro-

gram which could see all the bonds retired by 1980 was referred by Governor Gilligan to the Ohio Turnpike Commission through the Director of Highways for reply. Your suggestion is not a new one. It is one that has been often rejected by the Commission, however.

"When the suggestion was first made early in 1965 it was further suggested that automobiles carrying Ohio license plates be given free passage over the Turnpike. The Commission's answer was given in its Annual Report for 1964, which was published as provided by law on February 1, 1965, as follows:

"The suggestions are considered ill-conceived and unrealistic. So long as the charges on the Ohio Turnpike are properly competitive prudence dictates that they be continued so that during the years of its youth and vigor moneys will be accumulated and debts paid rather than continued into its age as an unnecessary burden to posterity.

"The Ohio Turnpike has been a symbolic manifestation of the principle more honored in the breach than the observance that good business practices can be followed in government. There is no guarantee at this time that the revenue experience of recent years will continue after the Interstate System has been totally completed or that a war or other catastrophe, social or economic, might not make the postponement to posterity of the debt of the Ohio Turnpike Commission a deplorable mistake.

"The suggestion that cars bearing Ohio licenses travel on the turnpike free is not only irresponsible and unrealistic but would be prohibited by the terms of the Trust Indenture.

"The Ohio Turnpike Commission has had warm acceptance and nationwide applause for the conduct of its affairs in the old American way of 'paying as you go,' 'saving for a rainy day' and providing personally for the future rather than relying upon the largesse of posterity."

"This statement in the Annual Report inspired a number of newspaper editorials. We quote, in part, from several of them as follows:

"The Plain Dealer, February 5, 1965, titled Prudent Policy

"The Ohio Turnpike Commission is using sound business judgment in declining to reduce tolls on the Ohio Turnpike despite the fact that record toll collections continue to be set annually.

'If turnpike business remains at its current high level, maintaining of the present toll rates will enable the commission to retire its bonds at least 12 or 13 years early, by 1979 or 1980.

'Even in the event of an economic decline that could significantly reduce the commission's toll revenue through loss of business before the bonds are due, the economic cushion being built up now through advance payments will help to assure retirement of the bonds at least by their 1992 expiration date.

'By following this farsighted policy of accelerated payments, the Turnpike Commission is acting in the best interests of both the general public and the bond holders, who are entitled to every possible protection.'

"The Cleveland Press, February 12, 1965 titled Pike's Progress Report

'The report points pridefully to the brisk pace of the pike's bond retirement program, but cautions, quite properly, again reduction of tolls until the road is fully free from debt. There is no guarantee that the money will keep rolling in at its recent pace.'

"New York World-Telegram, February 9, 1965, titled Old-Fashioned

'James W. Shocknessy, chairman of the Ohio Turnpike Commission, has some quaintly old-fashioned ideas -- such as the notion that debts should be liquidated as quickly and cheaply as possible.

'Not long ago, in noting the continuing prosperity of the Ohio Turnpike, he estimated that bonds due for redemption in 1992 might be paid off by 1980.

'Politicians and other free-wheeling critics countered with a different idea. Lower the tolls now, they clamored, and let the bond redemptions stretch out to 1992.

"The editorial then went on to quote from the Commission's Annual Report as above, and then concluded:

'Well, we warned you at the outset. The man is obviously some kind of eccentric.'

"The (Elyria) Chronicle-Telegram, February 5, 1965, titled Don't Cut Pike Tolls Now

'James W. Shocknessy, chairman of the Ohio Turnpike Commission, has taken the right position in opposing any reduction in

Turnpike tolls at this time.

'The annual report showing the commission is ahead of schedule in paying off Turnpike bonds is good news, not only for bondholders but also for motorists. But we agree with Mr. Shocknessy that reducing tolls would be 'ill-conceived and unrealistic.'

'We believe most motorists who use the Turnpike, regularly or infrequently, hope as we do that the bonds may be paid off at the earliest date reasonably possible so the Turnpike may be added to the growing network of free superhighways.

'Another argument against reducing tolls is the uncertainty over whether Turnpike traffic will continue at its present level as the mileage of toll-free superhighways increases.

'We are glad the Turnpike is doing so well financially. Let's keep it on a sound financial basis.'

"Mount Vernon News, February 5, 1965, titled We Need More Like Him

'This is the same type of prudent thinking and planning which has made Mr. Shocknessy an invaluable person in the development of Ohio's highway system.'

"Would that we had more of his type in Washington.'

"The (Columbus) Dispatch, February 17, 1965, titled Toll Cuts for Pike Unwise

'The sooner the mortgage against the Ohio Turnpike is paid out, the sooner it will be come a freeway. And the time to pay off the bonded indebtedness of this super toll road is when the money is rolling in.

'Those are the sentiments of the Ohio Turnpike Commission and its chairman, James W. Shocknessy. We heartily agree with their view. We feel most other prudent persons will indorse the early payoff plan.

'With the network of state and federal highways rapidly increasing, there is no assurance the Turnpike's traffic volume will continue large indefinitely. A business recession, causing less passenger and truck traffic, is among other factors that could cause a revenue drop.

'Let's not disturb the successful manner in which Mr. Shocknessy and the commission are applying good, sound business practices to the pike's financial status.'

"That turnpikes are no less subject to economic vicissitude than other operations depending upon continued revenue for survival is indicated in the following excerpt from the Dayton Daily News of October 28, 1971:

'By 1857 there were 167 miles of turnpike within Montgomery County. By 1867, the mileage already had begun to slip as federal and state funds for roadbuilding began to supplant private money.'

"Just last month a suggestion was made by a public official that tolls should be continued on the Ohio Turnpike after the revenue bonds had been retired in order to provide money for other governmental purposes. In speaking to that suggestion, the Chairman of the Commission said at the meeting of the Commission on November 2, 1971:

'I would consider any attempt by any administration to continue the tolls, after the bonds are paid, to be a fraud.'

"At that meeting, in referring to your letter proposing a 25% toll cut and complaining that the Commission was favoring the bondholders by paying off the debt by 1980, the Chairman said also:

'On the contrary, the people of Ohio will be saved the interest that otherwise would be charged during the extended life of the debt.'

"In conclusion your attention is directed to several facts:

"1. No tax money was involved in the construction of the Ohio Turnpike nor is any tax money involved in its operation and maintenance.

"2. Tolls on the Ohio Turnpike have not been increased since 1957. In light of what has taken place elsewhere in the economic area it can be understood that the tolls on the Ohio Turnpike represent a bargain for present day users. When the Commission in the Annual Report for 1965 described the charges on the Ohio Turnpike as 'properly competitive' it was referring to the fact that the Ohio Turnpike rates are not only consistent with the rates charged on other toll roads but actually compare favorably with those rates. Presently there are only four toll roads which charge a lesser rate while at least 32 toll roads charge higher rates.

"3. In rejecting the suggestion for a reduction in toll rates the Commission was supported by reasons stated elsewhere in this letter and also by the estimated savings in interest -- \$72,000,000 -- on the Ohio Turnpike revenue bonds by reason of retiring the bonds 12 years before their due date.

"4. During the same 12-year period mentioned above the users of the Ohio Turnpike will have free use of the highway instead of paying tolls -- a substantial saving to the users.

"Very truly yours,

"James W. Shocknessy
Chairman

"cc: The Honorable John J. Gilligan
Members of the Commission
The Honorable John A. Volpe
The Honorable George Stafford
The Honorable William B. Saxbe
The Honorable Robert Taft
The Honorable Charles Mosher
The Honorable Paul R. Matia
The Honorable J. Leonard Camera
Editor, Traffic World
Editor, The Plain Dealer
Editor, The Cleveland Press
Editor, The Chronicle-Telegram
Editor, Mount Vernon News
Editor, The Dispatch
Editor, Dayton Daily News"

"Arthur E. Gogol and Associates
Consultants-Physical Distribution

"November 16, 1971

"Dr. Frank Baldo
Department of Marketing
University of Akron
Akron, Ohio 44304

"Dear Frank:

"This confirms our conversation regarding early retirement of Ohio

Turnpike Bonds. Enclosed is a copy of a letter Mr. Camera, State Representative, wrote Mr. Deetz on November 10th, requesting data in regard to my suggestion the toll fees be reduced 20-25% rather than be paid off by 1980 instead of 1992.

"My original letter stated we currently need every opportunity to reduce our rate of inflation, especially to make our paychecks stretch farther. Some bonds, possibly as low as 2-2 1/2%, may already have been paid off early. Few people probably would take issue with an early retirement of less than 5%, but would react as I did when it reaches 25%.

"Contractually, why pay off early? Why not at least set up a reserve and have the Turnpike earn 6% on those monies? This would permit even earlier retirement of the Bonds. I favor reduced toll fees to stimulate a few other States to also do the same.

"I'm convinced part of the reason and ability of high usage of the Ohio Turnpike is the efficient administration of it. We should make sure that any news regarding reduced toll fees include this consideration.

"As you know, a few years ago it was publicized that Roadway Express had a successful, profitable program of paying little in the way of toll fees, primarily through reduced use of Turnpikes. I believe reduced tolls will stimulate more use of Turnpikes by motor carriers. I know, in my private truck studies, tolls loom large enough to be a sizeable cost decision factor.

"Frank, you had some thoughts regarding this subject, but it wouldn't be fair for me to try to quote you; therefore, this letter.

"Your background truly exemplifies the good in our system of government, that permits an orphan to rise by his own bootstraps. Your background is unique in that it includes experience with motor carriers, industry, and now, not just in education, but as a recognized transportation authority. I hope you can find the time to be of assistance in this matter.

"Sincerely,

"Arthur E. Gogol

"Enclosure

"CC: The Honorable J. Leonard Camera, State Representative
Mr. Russell Deetz, Executive Director, Turnpike Commission
Mr. James W. Shocknessy, Chairman, Ohio Turnpike Commission
The Honorable John A. Volpe, Secretary of Transportation"

"Arthur E. Gogol and Associates
Consultants - Physical Distribution

"November 16, 1971

"Mr. John S. Allerton, President
Cleveland Automobile Club
6000 South Marginal Road
Cleveland, Ohio 44102

"Dear Mr. Allerton:

"This letter is written to you - not for the 'Letterbag.' I originally wrote to Governor Gilligan, with copies to a few of those listed on the response from Mr. Shocknessy of the Ohio Turnpike Commission. Pages 4 and 5 of Mr. Shocknessy's reply are enclosed.

"I do want to make it very clear that I have found Ohio Turnpike administrative personnel much more responsive and efficient than other State Turnpike employees when, in past years, requesting information.

"I still do not agree with Mr. Shocknessy that low interest rate Bonds (the actual low rates were not furnished us) should be paid off early. I see most questionable public or economic reason for not encouraging greater use of the Ohio Turnpike through lower tolls, as well as indicating our Turnpike is so well managed it can be the nation's 'lowest toll cost' road, not just the fifth lowest.

"We recently criticized our School Board for paying off 2 1/2% bonds and then considering issuing 6% bonds (this tax issue failed at the polls). Would any home owner in his right mind pay off a 2 1/2% loan when 5% or more interest can be attained in the same bank?

"I believe, as a member of AAA, you can do much to influence additional consideration by Mr. Shocknessy of the merits of not paying off the Bonds now, but rather, reduce the toll fees, or place the excess fees-profits in a Reserve, drawing greater interest, and thereby pay off the Bonds even sooner than 1980.

"I believe you will agree with me that politicians will strongly attempt

to continue toll fee collection after Bonds are retired; therefore, why pay off Bonds early? Furthermore, if tolls are lowered, and Bonds still retired earlier than 1992, the politicians (givers-away of other people's work-money) could only continue a lower toll fee.

"We need consumer, etc. organizations such as the AAA, rather than a Ralph Nader type of organization to consider the merits of reducing our highly inflationary economy by this one method. It may be other state Turnpikes should be similarly scrutinized by the AAA. I, and possibly other AAA members, will look for your affirmative program in the Ohio Motorist and the newspapers. It just might indicate the AAA can truly be a 'consumer organization' well worth belonging to.

"Sincerely,

"Arthur E. Gogol

"CC: Mr. James W. Shocknessy, Chairman, Ohio Turnpike Commission"

"Arthur E. Gogol and Associates
Consultants - Physical Distribution

"November 26, 1971

"Mr. Russell Deetz, Executive Director
Ohio Turnpike Commission
682 Prospect Street
Berea, Ohio 44017

"Dear Mr. Deetz:

"The enclosed item refers to increased motor carrier rate penalties being assessed on shipments from and to toll roads, including the Ohio, as well as the Pennsylvania, Turnpikes, etc. Someone filed a Petition to Suspend and Investigate this increase. Unless the motor carriers withdraw the increase, a Hearing will be held to decide whether the increase should be permitted, modified, or declared unreasonable.

"To my knowledge, this is the first time any such toll road penalty has ever been challenged. I'm sure you recognize that a Traffic and Transportation Specialist on your staff can intervene and participate in the case to make more certain a successful, reasonable decision is attained. If you are not so staffed, you then can secure the services of an Interstate Commerce Commission Practitioner or an attorney, prefer-

ably one who is experienced and knowledgeable re. regulatory procedures, a member of the Cleveland Chapter of the I. C. C. Practitioners' Association (Howard Dickerson, V. P. 361-5234).

"Sincerely,

"Arthur E. Gogol

"CC: Mr. Shocknessy"

"Ohio Turnpike Commission

"December 1, 1971

"Mr. Arthur E. Gogol
32887 Electric Blvd.
Avon Lake, Ohio 44012

"Dear Mr. Gogol:

"For the accuracy of your files, this is to advise that the 'Russell Deetz, Executive Director' to whom you have recently addressed letters or copies of letters died September 11, 1970. Presently Allan V. Johnson is Executive Director of the Commission.

"Under date of November 16, 1971 you addressed a letter to Dr. Frank Baldo at Akron, Ohio and indicated on that letter that a carbon copy was sent to Mr. Deetz. That copy of the letter was never received in this office.

"Very truly yours,

"James W. Shocknessy
Chairman"

The Chairman reported further that he had talked to Duncan C. Gray, vice president of Kidder, Peabody and to William F. Morgan, senior vice president of Blyth & Company and to Walter R. Chambers, vice president of The Ohio Company and to the Trustee and that they had all received copies of the Gogol correspondence. The Chairman said further that letters would be received from various underwriters and from the Trustee commenting on the correspondence and that their letters, too, should be included in the minutes of the meeting.

"The Ohio National Bank of Columbus

"December 14, 1971

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

"Dear Mr. Shocknessy:

"I have reviewed Mr. Gogol's correspondence and your reply to him. I have discussed Mr. Gogol's suggestions with the officers of our Trust Department. My conclusion from this research is that Mr. Gogol's proposals are completely unacceptable to the Ohio National Bank.

"To substantiate this conclusion I bring your attention to certain excerpts from the Trust Indenture.

'Article V. Section 503

'-----'That the rates of tolls in such initial schedule will not be changed without the approval of the Consulting Engineers, and that from time to time and as often as it shall appear to it (the commission) to be necessary it will request the Consulting Engineers to make recommendations as to a revision of the schedule of tolls and will file copies of such request with the Trustee and mail a copy thereof to the principal underwriters and, upon receiving such recommendations or giving reasonable opportunity for such recommendations to be made, it will revise such schedule and rates of tolls as may be necessary or proper, in order that the revenues of the entire Turnpike will be sufficient at all times:

- (a) to provide fund for the payment of Current Expenses,
- (b) to provide for making the deposits to the credit of the Reserve Maintenance Fund of the amounts recommended by the Consulting Engineers under the provisions of this Article, and
- (c) to provide for making deposits to the credit of the Sinking Fund in each fiscal year under the provisions of this Article of an amount not less than the Principal and Interest Requirements for such fiscal year for all bonds issued under the provisions of this Agreement, as computed at the time of de-

livery of the bonds, plus an amount as a reserve of not less than twenty per centum (20%) of such fiscal year's Principal and Interest Requirements.

The deposit to the credit of the Sinking Fund in any fiscal year of an amount in excess of the amount provided for above for such fiscal year shall not be taken into account in adjusting the schedules of tolls for any subsequent fiscal year or years.

A special fund is hereby created and designated 'Ohio Turnpike Project No. 1 Revenue Fund' (hereinafter sometimes called the 'Revenue Fund'). The Commission covenants that all tolls and other revenue arising from the operation or ownership of the Turnpike will be collected by the Commission and deposited daily, as far as practicable, in the name of the Trustee with a Depositary or Depositaries, to the credit of the Revenue Fund. All sums received by the Commission from any other source for paying any part of the cost of maintaining, repairing or operating the Turnpike shall be forthwith deposited with a Depositary or Depositaries in the name of the Trustee to the credit of the Revenue Fund.

"The following Sections 504 through 509 allocate the revenues to the special funds created by the indenture with the balance of funds being deposited to the redemption account.

'Article V. Section 510

'Moneys held for the credit of the Redemption Account shall be applied to the retirement of bonds issued under the provisions of this Agreement as follows:

(a) The Trustee shall endeavor to purchase bonds or portions of bonds whether or not such bonds shall then be subject to redemption, on the most advantageous terms obtainable with reasonable diligence, having regard to interest rate and price, such price not to exceed the principal amount thereof and the interest accrued thereon to the date of payment therefor plus the amount of the premium, if any, which might on the next redemption date be paid to the holders thereof under the provisions of Article III of this Agreement if such bonds or portions should be called for redemption on such date from moneys in the Sinking Fund. The Trustee shall pay the interest accrued on such bonds or portions of bonds from the Bond Interest Account and the Balance of the purchase price from the Redemption Account, but no such purchase after

April 15, 1956, shall be made by the Trustee within the period of forty-five (45) days next preceding any interest payment date. '

"Finally, I draw your attention to Article VII, Section 710.

'The Commission covenants and agrees that, until the bonds and the interest thereon shall have been paid or provision for such payment shall have been made, none of the revenues of the Turnpike will be used for any purpose other than as provided in this Agreement and no contract or contracts will be entered into or any action taken by which the rights of the Trustee or of the bondholders will be impaired or diminished. '

"It is the opinion of this Bank that there is no possible way of accurately predicting the future trend of Turnpike Tolls. The state of the economy, the possible restriction of the use of individual motor vehicles, the incursion of toll free highways all must be considered in this projection. The Ohio National Bank as Trustee of the Turnpike Bond issue, acting to protect the bondholders would strenuously object to any downward adjustment of Turnpike Tolls.

"Very truly yours,

"W. C. Mercer
President and
Chief Executive Officer"

"Kidder, Peabody & Co.

"December 6, 1971

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

"Dear Mr. Shocknessy:

"We appreciate receiving copies of the correspondence by Mr. Arthur E. Gogol and by you in reply. We feel called upon to respond.

"We have always been proud of the part B. J. Van Ingen & Co., Inc. (now Kidder, Peabody & Co. Incorporated) played as the originating manager for the \$326,000,000 bond issue which financed the Ohio Turnpike

and gratified by your magnificent financial record.

"It is extraordinary, now that only about \$173,000,000 remain outstanding and estimated to be extinguished by 1980, 12 years ahead of schedule, that suggestions such as Mr. Gogol's could arise.

"Mr. Gogol suggests that one of two alternative procedures be adopted by the Ohio Turnpike Commission for future debt retirement: (1) reduce tolls 20% to 25% and extend the estimated retirement date from 1980 to 1992, or (2) 'at least set up a reserve and have the Turnpike earn 6% on these moneys' which Mr. Gogol says 'would permit even earlier retirement of the bonds.'

"Before commenting on Mr. Gogol's suggestions, it should be emphasized that because the Ohio Turnpike bonds bear a relatively low interest rate, the Commission has been able, from the beginning, to purchase them with moneys deposited in the Redemption Account at substantial discounts. This is the important correlative of Mr. Gogol's mistaken concern that low interest rate bonds are being paid off early.

"In any event, with reference first to Mr. Gogol's second alternative above advocating setting up a reserve in the Redemption Account and investing the moneys at 6%, setting up a reserve in the Redemption Account would be in violation of the covenants of the Trust Agreement and investing such a reserve as Mr. Gogol envisions would be prohibited by the Tax Reform Act of 1969, which added Subsection (d) to Section 103 of the Internal Revenue Code, such Subsection specifically dealing with the matter of 'arbitrage bonds.'

"With reference second to Mr. Gogol's first alternative of reducing tolls, slowing down debt retirement and postponing for more than a decade the day when the Ohio Turnpike can become toll free, it is difficult to improve on or add to the statement in your Annual Report for 1964 as quoted to Mr. Gogol in your letter to him dated November 9, 1971, as follows:

'The suggestions are considered ill-conceived and unrealistic. So long as the charges on the Ohio Turnpike are properly competitive prudence dictates that they be continued so that during the years of its youth and vigor moneys will be accumulated and debts paid rather than continued into its age as an unnecessary burden to posterity.

'The Ohio Turnpike has been a symbolic manifestation of the principle more honored in the breach than the observance that good business practices can be followed in government. There is no guarantee at

this time that the revenue experience of recent years will continue after the Interstate System has been totally completed or that a war or other catastrophe, social or economic, might not make the postponement to posterity of the debt of the Ohio Turnpike Commission a deplorable mistake.

'The suggestion that cars bearing Ohio licenses travel on the turnpike free is not only irresponsible and unrealistic but would be prohibited by the terms of the Trust Indenture.

'The Ohio Turnpike Commission has had warm acceptance and nationwide applause for the conduct of its affairs in the old American way of 'paying as you go,' 'saving for a rainy day' and providing personally for the future rather than relying upon the largesse of posterity.'

"I should think the Department of Transportation and the American Automobile Association would applaud your position.

"Sincerely yours,

"Duncan C. Gray
Vice President

"cc: The Honorable John J. Gilligan, Governor of the State of Ohio
The Honorable John A. Volpe, Secretary, Fed. Dept. of Transportation
The Ohio National Bank
Mr. William F. Morgan, Sr. V.P., Blyth & Co., Inc.
Mr. Dennis E. Murphy, Sr. V.P., The Ohio Company
Mr. Charles Brady, Director of Highways, AAA, Washington, D.C."

"The Ohio Company

"December 14, 1971

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

"Dear Chairman Shocknessy:

"We have studied the correspondence concerning the present toll charges for the Ohio Turnpike and Mr. Arthur E. Gogol's suggestion that they be reduced. As one of the underwriting managers of the or-

iginal \$326,000,000 Ohio Turnpike Revenue Bonds we are quite concerned with the proposed suggestion.

"The terms of the Indenture issued at the time the Bonds were sold provided that all of the revenues would be used for the purpose of (a) paying current operating expenses, (b) providing for the reserve maintenance fund deposits in the amount calculated by the Consulting Engineers, and (c) to provide for making of deposits in the sinking fund for the redemption of bonds. It was on these terms that the bonds were originally sold and any alteration of these provisions we feel would be a breach of faith with the original investors in the bonds, and furthermore, would be unfair to the thousands of investors who have bought bonds in recent years with the understanding that the revenues would be applied as specified in the Trust Agreement and the bonds would be retired substantially ahead of schedule or by approximately 1980.

"Yours very truly,

"Walter R. Chambers, Jr.
Vice President"

"Blyth & Co., Inc.

"December 7, 1971

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

"Dear Chairman Shocknessy:

"I have read with much interest the correspondence mailed to me by Executive Director Allan V. Johnson of your Commission, keeping us posted as to Mr. Arthur E. Gogol's suggestions. As senior manager of the \$326 million Ohio Turnpike financing in 1952, Blyth has been very proud to have been associated with the success of the Turnpike and its excellent management under your able leadership since organization. We appreciate your thoughtfulness in letting us have copies of Mr. Gogol's correspondence and we welcome being asked to comment on his suggestions.

"The first thought that comes to mind is that the outstanding success of the Ohio Turnpike on retiring debt some twelve years ahead of schedules in the amount of \$153,000,000 in the past eighteen years

should not be disregarded and ignored in the future by reducing tolls and thereby postponing retirement of all debt until 1992. As is well known, the Turnpike was financed by the use of funds other than taxes and not a cent of such money has been used in the retirement of Turnpike debt. To materially slow down such retirement, and thereby require payment of an estimated \$72 million of additional interest would go directly against the prudent financial policy set forth so ably in the 1964 Annual Report of the Commission, namely as follows:

'The suggestions are considered ill-conceived and unrealistic. so long as the charges on the Ohio Turnpike are properly competitive prudence dictates that they be continued so that during the years of its youth and vigor moneys will be accumulated and debts paid rather than continued into its age as an unnecessary burden to posterity.

'The Ohio Turnpike has been a symbolic manifestation of the principle more honored in the breach than the observance that good business practices can be followed in government. There is no guarantee at this time that the revenue experience of recent years will continue after the Interstate System has been totally completed or that a war or other catastrophe, social or economic, might not make the postponement to posterity of the debt of the Ohio Turnpike Commission a deplorable mistake.'

"Other comments which appear appropriate are as follows:

"1. As well set forth in your letter to Mr. Gogol of November 9, 1971, the Turnpike's toll schedule has been thoroughly realistic, as evidenced by only four toll roads charging a lesser rate while at least 32 toll roads charge higher rates. This alone is evidence that the Ohio Turnpike rates are (to quote the 1964 report) 'properly competitive.'

"2. Mr. Gogol's report appears to ignore the point that any vehicle, be it auto or truck, has the option of riding on adjacent free roads rather than on the Ohio Turnpike. The fact that the toll road has had such success is indicative that its rates are proper and not excessive to the owners of vehicles which utilize the Turnpike.

"3. Another thought which Mr. Gogol overlooks is that with current interest rates, Ohio Turnpike bonds have been retired at substantial discounts compared to required redemptions at par or better. Such current rates may not continue indefinitely and Turnpike management is properly cutting its capital costs by retiring such debt ahead of the schedule

specified by the Trust Agreement dated June 1, 1952 (hereinafter Agreement) under which the Bonds were issued.

"4. Mr. Gogol also sets forth the thought that excess profits should be set aside in a reserve and invested at a 6% rate. Such policy would be in violation of Section 510, subsection (a) of the Agreement which states, in effect, that moneys held in the Redemption Account of the Sinking Fund shall be utilized to purchase bonds whether or not such bonds shall then be subject to redemption on the most advantageous terms obtainable with reasonable diligence (underlining mine) at prices not to exceed the next required redemption price plus accrued interest. Such provision does not provide for investment of moneys held in the Sinking Fund.

"5. It should also be mentioned that reinvestment of these moneys in Governments would be in violation of the Arbitrage provision of the Internal Revenue Code.

"6. Mr. Gogol assumes that the American Automobile Association would be in favor of reducing tolls rather than to follow the financially conservative policy pursued by your Commission of retiring debt at an accelerated rate, thereby making it possible to free the Turnpike from tolls at an early date. A call to the Washington office of the AAA brought forth the information that such organization is in favor of toll road obligations being retired as rapidly as possible where retirement of outstanding obligations before maturity is feasible. (Policy A-9 Toll Financing of Highway Facilities).

"7. Mr. Gogol's proposal fails to take into account that the Agreement contemplated that the bonds would be retired ahead of schedule. It provided that tolls each fiscal year would be sufficient to meet operating expense, reserve maintenance needs, and 120% of annual Principal and Interest Requirements. Under the Agreement 1972 Principal and Interest requirements would be approximately \$14,300,000 (\$8,700,000 Principal plus \$5,600,000 interest) and 120% thereof would be \$17,160,000. Put another way the excess over and above requirements each year go to the retirement of bonds and the Commission would be in violation of the Agreement if it did not provide at least the 20% excess which becomes available to retire bonds. Thus the Agreement was written to provide for full retirement prior to maturity if earned, otherwise, the Commission would be in default of the terms of the Agreement. These minimums are required to be made as shown under Section 501(c) of the Agreement.

"In summarizing, it appears that Mr. Gogol's proposal does not take into consideration either (1) the requirements of the Agreement, (2) the excellent competitive position of the Turnpike, or (3) conservative financial management the Turnpike has enjoyed during its operating history.

"Again let me say how much we appreciate the opportunity of commenting on the fine operating and financial management enjoyed by the Turnpike under your able leadership since its organization.

"Yours very truly,

"William F. Morgan
Senior Vice President

"cc: The Honorable John J. Gilligan
The Honorable John A. Volpe
American Automobile Association
The Ohio National Bank
Kidder, Peabody & Co. Incorporated
The Ohio Company"

The Chairman said that Mr. Gogol in his latest letter seemed to be asking for a job; the letter said that if the Commission needed somebody to appear before a committee that Mr. Gogol could make a recommendation.

The Chairman said that he had included the Gogol letters because it gave him an opportunity to restate in rather full form the Commission's point of view on bond retirements. He said he had made it a point to find out how much money the Commission saved by proceeding as it had and the Commission had saved about \$14,400,692 by purchasing bonds on the open market rather than calling them. The Chairman said further that from the time bonds were first redeemed until the time the last bonds were bought in 1971 the average purchase price of the bonds retired had been 92.8. He said further that in that period bonds of the face amount of \$152,974,000 had been retired at a cost of \$142,018,122.95 or a savings of \$10,955,877.05. He said there had been not only a savings below the face amount but a saving had been made by not paying the call price which was due to anyone whose bonds were called before June 1, 1982. The Chairman said a further \$3,444,815 had been saved in redemption premiums which resulted in the \$14,400,692 total. He directed that a table be included in the minutes showing the savings in redemption

premium for the periods in which the redemption rate applied.

	Rate	Call Price	Face Amt.	Prem. Saved
6-1-52 to 6-1-62	3%	\$ 4,894,560	\$ 4,752,000	\$ 142,560
6-2-62 to 6-1-67	2½%	69,252,075	67,563,000	1,689,075
6-2-67 to 6-1-72	2%	82,272,180	80,659,000	1,613,180
Total		\$156,418,815	\$152,974,000	\$3,444,815

The Chairman said further that the redemption premium rate from June 2, 1972 to June 1, 1982 would be 1% and that he trusted the Commission would be able to save this 1% as well.

The Chairman polled the Commission and determined that it was the Commission's will that the grief of the Members at the death of Senator Thomas A. Burke, who when Mayor of Cleveland was a friend of the Commission in the construction of the Ohio Turnpike, be expressed in a letter to Senator Burke's widow.

The Chairman said the report of the Chairman would be 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 had been sent to all Members:

1. Traffic and Revenue Report for October 1971.
2. Financial Statement as of October 31, 1971.
3. Detail of investment transactions which took place in November 1971.
4. Draft of the minutes of the November 2, 1971 Commission meeting.

Mr. Chastang reported also that at the November meeting the Commission had discussed the toll audit system and possible modifications, rehabilitation or entire change. Mr. Chastang said he had been named chairman of the committee to review the recommendation and that the other members had been Mr. Richley and the Executive Director. He said the committee met in Mr. Richley's office after they had reviewed the recommendations and surveys which had been concurred in by the Greiner Company. He said Mr. Richley and he had agreed that it was time to go into the matter further by developing a bid prospectus and to

accomplish the desired purposes based on the recommendations of all concerned. Mr. Chastang said the committee had communicated its decision to the Chairman by letter, and that it had a letter from the Greiner Company agreeing with the proposal to advertise for bids on the various propositions. He said the specifications for the bids were before the Commission on the table. Mr. Chastang said they were designated as three different sets of bids for rehabilitation and one set for totally new equipment. The Chairman said the matter had been discussed rather fully by the Commission and by the committee.

Mr. Chastang said that the committee had met at Mr. Richley's office and devoted two hours to their discussion and that he regretted that Mr. Richley was not present because he knew Mr. Richley would concur in the findings of the committee as he had done so in writing.

A resolution authorizing advertisement for toll audit field equipment and toll audit system contracts TAFE 1, TAFE 2, TAFE 3, and TAS 1 was moved for adoption by Mr. Chastang, seconded by Mr. Teagarden, as follows:

RESOLUTION NO. 23-1971

"WHEREAS the Commission's executive director and consulting engineer have made a study of the conditions, effectiveness and limitations of the Commission's toll-audit system, and the equipment comprising the same;

"WHEREAS the executive director has heretofore reported to the Commission thereon, and said report has been duly considered by the Commission and the recommendations contained therein are hereby accepted; and

"WHEREAS the executive director, the consulting engineer and a committee appointed by the chairman composed of the secretary-treasurer of the Commission, the executive director of the Commission and the director of highways have recommended that the Commission proceed to solicit bids in accordance with the aforesaid recommendations, and forms of notice to bidders, specifications, special provisions, and other documents for same are before this meeting;

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission hereby approves the specifications and forms of other contract documents before it at this meeting for toll

collection and data processing equipment contracts designated TAFE 1, TAFE 2, TAFE 3, and TAS 1, the aforesaid contracts being for and in connection with the furnishing of additional field equipment for anticipated new lanes, and for rehabilitation of existing field equipment, and, also, in the alternative for the furnishing of a new system of data processing which shall include field and central office equipment and may incorporate existing equipment, including field equipment if rehabilitated, and for the maintenance of equipment rehabilitated or furnished under any of the aforesaid contracts, provided, however, that weighing scales, axle counting treadles and photogating equipment are not included in the aforesaid contracts;

"FURTHER RESOLVED that changes in the technical specifications may be made as shall be recommended by the consulting engineer and approved by the executive director and general counsel, and that other additions and alterations may be made to the contract documents, including changes made by the issuance of addenda to said documents after advertisement, upon the authority of the executive director and general counsel; and

"FURTHER RESOLVED that the executive director and general counsel shall cause to be published advertisements of notices for the taking of bids for the aforesaid contracts, and that the executive director shall take and open bids for same and report the results thereof to the Commission."

The Chairman said the matter had had six months of intensive analysis and examination before the resolution was written. He said he had been rather skeptical about the whole thing and the Director of Highways had been, too. The Chairman said that all Members of the Commission including the Director of Highways and himself, who had been skeptical, were persuaded that the resolution was valid and should be adopted. He determined that Mr. Harnden and Mr. Cresswell, speaking for the Consulting Engineers, were also recommending adoption of the resolution.

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

Ayes: Chastang, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identi-

fied as No. 23-1971. The Chairman congratulated the staff, the Consulting Engineers and everybody who had anything to do with the work because it was good work. He said his congratulations did not exclude the General Counsel, Judge Lockwood Thompson.

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 Committee proposed a supplemental annual budget for the fiscal year 1971. He read the following report:

"Several times during the year it has been reported that expenses for 1971 would exceed the budget for 1971 and that a supplemental budget would be required. The Commission has before it a proposed resolution adopting a supplemental budget for fiscal year 1971 which shows an increase in the budget for Administration and Insurance of \$140,000, an increase in the budget for Operations of \$305,000 and an increase in the budget for Trust Indenture Expense of \$5,000, making a Supplemental Annual Budget of \$450,000. Administration and Insurance needs the additional budget allowance because of increased employee insurance costs and increased Public Employees Retirement System contributions, which have exceeded the allowances. Operations needs an additional budget allowance because of increased cost of routine maintenance of service plaza buildings, snow and ice material used, and increased cost of Highway Patrol salaries and automobiles. Finally, Trust Indenture Expense needs an additional allowance because of increased costs.

"The \$450,000 represents a 4.6 per cent increase over the budget adopted for 1971. The expected 1971 actual expenses will be approximately 14.7 per cent higher than the actual expenses for 1970, whereas the 1972 budget is only 10.9 per cent higher than the supplemented 1971 budget.

"The consulting engineers recommend that the 1971 budget be supplemented by \$450,000."

A resolution adopting supplemental annual budget for the Fiscal Year 1971 was moved for adopting by Mr. Chastang, seconded by Mr. Teagarden, as follows:

RESOLUTION NO. 24-1971

"WHEREAS pursuant to Sec. 505 of the trust agreement dated June 1,

1952, entered into between the Ohio Turnpike Commission and The Ohio National Bank of Columbus, as trustee, and The National City Bank of New York (now First National City Bank, New York), as co-trustee, the Commission, by resolution No. 36-1970, adopted an annual budget for the fiscal year 1971;

"WHEREAS pursuant to Sec. 505 of the said trust agreement, the Commission may, at any time, adopt an amended or supplemental annual budget for the remainder of the then current fiscal year;

"WHEREAS experience in the operation of the Ohio Turnpike now indicates a need for certain supplementary budget allowances for the remainder of the current fiscal year; and

"WHEREAS a supplemental budget for the remainder of the year 1971 has been submitted to the Commission and the adoption thereof has been recommended by the Commission's Budget and Finance Committee, and said amendment to the budget is now before the Commission;

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission, having duly and fully considered the same, hereby adopts the following supplemental budget of current expenses for the fiscal year 1971:

Supplemental Annual Budget for Fiscal Year 1971

Expenses

Administration & Insurance (increase in estimate)	+ \$140,000
Operations (increase in estimate)	+ 305,000
Trust Indenture Expense (increase in estimate)	+ <u>5,000</u>
Total	+ \$450,000

"FURTHER RESOLVED that the assistant secretary-treasurer is hereby instructed to file a copy of said supplemental annual budget with the trustee and to mail copies thereof to the consulting engineers and the principal underwriters forthwith."

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

Ayes: Chastang, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 24-1971. The Chairman directed that a letter from the J. E. Greiner Company dated December 7, 1971 to the Executive Director, on the subject of Ohio Turnpike Supplemental Budget for 1971 be included in the minutes.

"December 7, 1971

"TO: A. V. Johnson, Executive Director
Ohio Turnpike Commission

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

"SUBJECT: Ohio Turnpike
Supplemental Budget for 1971

"At the meeting held on October 5, 1971 the Executive Director advised the Commission that the expenditures in several accounts of the 1971 preliminary budget were then over budget and a supplemental budget for 1971 would be required.

"Unexpected increases in costs have been experienced in employee insurance, PERS, snow and ice material used, Highway Patrol salaries and Highway Patrol automobiles.

"The Comptroller and General Counsel have advised this office orally that a resolution is being prepared to supplement the budget for 1971. The proposed supplements are as follows:

ADMINISTRATION AND INSURANCE	\$140,000
OPERATIONS	\$305,000
TRUST INDENTURE	<u>\$ 5,000</u>
TOTAL	\$450,000

"These amounts appear to be reasonable and sufficient for the remainder of the year. We have recommended the budget for 1971 be so supplemented.

"We hereby approve the supplemental budget adopted by the Commission this day.

"J. E. GREINER COMPANY

By:

"H. A. Harnden"

Mr. Chastang reported also that at its meeting on October 5, 1971 the Commission by resolution No. 20-1971 adopted a preliminary budget for the fiscal year 1972. He said copies of the preliminary budget were distributed to the Trustee, Consulting Engineers and principal underwriters as provided for under the terms of the Trust Agreement. He said there had been no request for a public hearing and, accordingly, it was recommended by the Committee on Budget and Finance that the Commission adopt the preliminary budget as the annual budget for the fiscal year of 1972. He said the Consulting Engineers had similarly recommended in a letter addressed to the Executive Director under date December 6, 1971. He said the annual budget was the same as the preliminary budget which the Commission adopted in October.

A resolution adopting annual budget for the Fiscal Year 1972 was moved for adoption by Mr. Chastang, seconded by Mr. Teagarden, as follows:

RESOLUTION NO. 25-1971

"WHEREAS the Commission, by resolution No. 20-1971, adopted a preliminary budget for the fiscal year 1972, and caused copies thereof to be filed with the trustee and mailed to the consulting engineers and the principal underwriters;

"WHEREAS no request whatsoever for a public hearing thereon has been made to the Commission by any person or persons whomsoever;

"WHEREAS pursuant to Sec. 505 of the trust agreement dated June 1, 1952, entered into between the Ohio Turnpike Commission and The Ohio National Bank of Columbus, as trustee, and The National City Bank of New York (now First National City Bank, New York), as co-trustee, the Commission desires finally to adopt a budget of income and current expenses for the fiscal year 1972, to be designated the "Annual Budget"; and

"WHEREAS Sec. 505 of the trust agreement provides that the total appropriations in any division of the annual budget will not exceed the total appropriations in the corresponding division of the preliminary budget;

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission, having duly and fully considered the same, hereby adopts the following budget:

Annual Budget of Income and Current Expenses
for the Fiscal Year 1972

Income		\$39,000,000
Current Expenses		
Administration & Insurance	\$ 2,089,900	
Operations	9,049,100	
Trust Indenture Expense	<u>161,000</u>	
Total Current Expenses	\$11,300,000	

"FURTHER RESOLVED that the Commission hereby determines that the total appropriations in any division of the budget aforesaid do not exceed the total appropriations in the corresponding division of the preliminary budget heretofore adopted by resolution No. 20-1971; and

"FURTHER RESOLVED that the assistant secretary-treasurer is hereby instructed to file a copy of said "Annual Budget" with the trustee and to mail copies thereof to the consulting engineers and to the principal underwriters forthwith."

The Chairman said that he found it very interesting and that it refreshed his memory of the Commission's powers and the fact that the Commission was bound by the language and figures of the preliminary budget in the absence of a public hearing. He said that the preliminary budget was also the final budget unless some change was required by public hearing.

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

Ayes: Chastang, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 25-1971. He directed that a letter from the Consulting Engineers dated

December 6, 1971 on the subject of Ohio Turnpike Annual Budget for Fiscal Year 1972 be included in the minutes.

"December 6, 1971

"TO: A. V. Johnson, Executive Director
Ohio Turnpike Commission

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

"SUBJECT: Ohio Turnpike
Annual Budget for Fiscal Year 1972

"The Ohio Turnpike Commission, by its Resolution No. 20-1971 adopted a preliminary budget of income and expenses for the fiscal year of 1972 as follows:

Income	\$39,000,000
Current Expenses:	
Administration & Insurance	2,089,900
Operations	9,049,100
Trust Indenture Expense	<u>161,000</u>
Total Current Expenses	\$11,300,000

"This budget for current expenses corresponds precisely with the estimate contained in our Sixteenth Annual Report forwarded to the Commission on September 27, 1971.

"No subsequent considerations have developed to indicate the desirability of revisions to this budget. We now recommend it be finally adopted as the Annual Budget for the Fiscal Year 1972.

"J. E. GREINER COMPANY

By:

"H. A. Harnden"

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 in keeping with established policy, members of the staff visited each of the service plazas during the Thanksgiving Holiday weekend to see that Turnpike patrons received proper attention. He said the standard of service and housekeeping in most cases ranged from good to excellent and it was found that Turnpike travelers were generally well accommodated when they visited the service areas.

Mr. Teagarden reported also that the Committee had learned that both restaurant operators were actively engaged in correcting the maintenance deficiencies listed in the 1971 Greiner Report which were recently brought to their attention by the Executive Director. He said it appeared that the major portion of the deficiencies would be corrected before the end of the year.

Mr. Teagarden reported also that during the month of November meetings were held between representatives of Gladioux Food Services, Inc., a consulting architect and the Chief Engineer, Frank A. Dutton, in connection with the preparation of plans for the remodeling of the Tiffin River and Commodore Perry Service Plazas. He said it was expected that plans and specifications for those two projects would be reviewed by the Committee during the month and a contract for the work should be advertised for bid early in January 1972.

The Chairman said the report of the Committee on Service Plazas was accepted as offered. He ascertained that there would be no report from the Committee on Employee Relations beyond the receipt of the letters from Squire, Sanders & Dempsey already directed to be included in the minutes. The Chairman said the Director of Highways had left no report except a letter to which Mr. Chastang had referred. The Chairman said the report of the Committee on Safety would be received.

The chairman of the Committee on Safety, Allan V. Johnson, reported for the Committee that there had been two fatal accidents in November, each resulting in one death. He said the first occurred on November 14 when an eastbound vehicle with smooth tires skidded on wet pavement, went across the median and struck a truck in the westbound lanes. He said a passenger in the car was killed. He reported the second accident occurred on November 28 when a woman driver apparently fell asleep, went off the right side of the road and struck a culvert; the vehicle caught on fire and the driver was killed. He reported seat belts were not in use in either of the accidents.

Mr. Johnson reported also that there had been 34 fatalities so far in 1971 compared with the record number of 40 which occurred in both 1966 and 1969.

Mr. Johnson reported also that there had been an article in the November 28, 1971 edition of the Elyria Chronicle-Telegram, telling of a survey the newspaper conducted of the speed of trucks using the Ohio Turnpike. He said the survey showed that trucks generally operated at the Turnpike speed limits. He said copies of the article had been furnished previously to the Members.

Mr. Johnson reported also that at the Commission meeting in November, the recent release of a Federal Manual of Uniform Traffic Control Devices, utilizing signs based on international standards, had been discussed. He said it was decided that the Commission coordinate the adoption of those standards with the Ohio Department of Highways.

Mr. Johnson said further that he had since obtained a copy of the Manual and had talked to Robert D. McMillen, Engineer of the Bureau of Traffic, Ohio Department of Highways. Mr. Johnson said they agreed to coordinate their activities as they affected the Ohio Turnpike. He said the Ohio Department of Highways expected to do only centerline painting according to the new standards during 1972 and to incorporate the new signs over a five-year period thereafter. Mr. Johnson said the pavement marking on the Turnpike mainline lanes would not be affected by the new standards.

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, Allan V. Johnson, reported that he had attended meetings of the Transportation Advisory Committee on November 19 and December 1 and that another was scheduled for December 15. He reported the final meeting would be held on January 5, 1972. He said the Commission would be represented at all those meetings.

The Executive Director reported also that the J. E. Greiner Company was currently performing the duties of Consulting Engineers to the Commission under a three-year agreement which would expire on December 31, 1971. He said it had been decided to extend the agreement for one year only and at the same fee as had been in effect for the past six years. The Executive Director said he recommended adoption of a

resolution authorizing the execution of an agreement with the J. E. Greiner Company.

A resolution accepting proposal for consulting engineering services was moved for adoption by Mr. Teagarden, seconded by Mr. Chastang, as follows:

RESOLUTION NO. 26-1971

"WHEREAS the J. E. Greiner Company is presently performing the duties of consulting engineers in connection with the maintenance and operation of the Ohio Turnpike under a three-year agreement with the Ohio Turnpike Commission, which was originally executed under date of December 12, 1968, and which by its terms expires on December 31, 1971;

"WHEREAS the J. E. Greiner Company and the Commission desire to enter into a new agreement for a one-year period beginning January 1, 1972 and terminating December 31, 1972 whereby the J. E. Greiner Company is to be employed as consulting engineers in connection with maintenance and operation of the Ohio Turnpike;

"WHEREAS said J. E. Greiner Company, a partnership, has submitted to the Commission under date of November 11, 1971 a proposal for an agreement for a one-year period to perform the duties of consulting engineers in connection with the maintenance and operation of the Ohio Turnpike commencing January 1, 1972 and terminating December 31, 1972; and

"WHEREAS the Commission now desires to accept the same;

"NOW, THEREFORE, BE IT

"RESOLVED that the proposal of the J. E. Greiner Company, a partnership, dated November 11, 1971, to perform the duties of consulting engineers in connection with maintenance and operation of the Ohio Turnpike pursuant to a new one-year agreement beginning January 1, 1972 and terminating as of midnight December 31, 1972, and providing that the J. E. Greiner Company is to be paid \$6,000.00 per month for its services as such consulting engineers, and providing further that the services aforesaid may be earlier terminated by either party upon not less than thirty days' notice in writing given to the other party be, and the same hereby is, accepted; and

"FURTHER RESOLVED that the executive director be, and hereby

he is, authorized and empowered to execute an agreement on behalf of the Commission carrying into effect the proposal of the J. E. Greiner Company to perform the duties of consulting engineers in connection with the maintenance and operation of the Ohio Turnpike for the one-year period commencing January 1, 1972 and terminating as of midnight December 31, 1972, except as either the J. E. Greiner Company or the Commission may, upon not less than thirty days' notice in writing, earlier terminate the said agreement, and cause said agreement to be delivered to said J. E. Greiner Company on behalf of the Commission.

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

Ayes: Teagarden, Chastang, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 26-1971.

The Executive Director reported also that each year a number of employees of the Commission had been unable to take all of the vacation leave they had accumulated and it had been customary for the Commission to grant deferral of such leave until the following year. He said a resolution had been prepared for that purpose and he recommended its adoption.

A resolution authorizing deferment of days of annual vacations of certain named employees of the Commission from the calendar year 1971 until the calendar year 1972 was moved for adoption by Mr. Teagarden, seconded by Mr. Chastang, as follows:

RESOLUTION NO. 27-1971

"WHEREAS certain of the Commission's employees have, during the calendar year 1971, accumulated but not taken certain vacation leave, as indicated in the chart hereinbelow set forth; and

"WHEREAS said employees have requested that such accumulated vacation leave for the calendar year 1971 be deferred until the calendar year 1972, and the department heads concerned therewith have recommended such deferment;

"NOW, THEREFORE, BE IT

"RESOLVED that the employees hereinbelow listed are hereby granted permission to defer the accumulated days of vacation leave hereinbelow set forth opposite their respective names, until such time or times in the calendar year 1972 as shall be designated by such department heads as are charged with that responsibility:

<u>Employee</u>	<u>1971 Days of Vacation Leave Accumulated But Not Taken During Calendar Year 1971</u>
Blasko, Thomas	1
Burkholder, Raymond	14
Davis, Harry	6
Enders, Robert R.	2
Fletcher, Forest E.	4 1/2
Grace, A. R.	13
Hartshorne, James D.	30
Heil, John	6
Jocke, Virginia	3
Johnson, Allan V.	2
Kappel, Norman	3
Kapsar, Ellen	4
Knott, Gertrude	13
Kropp, Harlan A., Jr.	15
McBride, C. Paul	18
Maier, Wilma	3
Meywes, R. A.	3
Nelson, Lenora	10
O'Grady, Walter	5
Ployhart, Joseph	6
Ramsey, Bernard	3
Reid, Ted	2
Scott, Ruth	5
Smith, Roberta	2
Sturdevant, Dale	6
Taliaferro, Raymond	4
Vartorella, Alvin	5
Wilkens, La Verne	2
Zumfelde, H. F.	10

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

Ayes: Teagarden, Chastang, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 27-1971.

The Executive Director reported also that earlier in the year the Commission had discussed several luncheons which were held for employees of certain maintenance sections. He said that on December 17 from 12-1:30 P. M. a Christmas buffet luncheon would be held in the Administration Building for the employees at the Administration Building. The Executive Director said the luncheon would not be paid for out of Commission funds but out of the employee fund which was generated by the employees through the profits of vending machines located in the building. He said he wanted to take an opportunity to extend an invitation to the Commission Members, if they should be anywhere in the vicinity of the Administration Building, to join the staff on that day.

The Chairman said that with respect to the opinions from Squire, Sanders & Dempsey on the subject of luncheons for the maintenance forces, and the two opinions from Squire, Sanders that had been included in the minutes on the subject of labor relations, he wanted to explain that the opinions had been solicited not because of any lack of confidence in the Commission's own counsel but, because the subjects were related to the Commission's staff, it appeared desirable to have an outside opinion, so that the General Counsel would not bear the burden of giving an opinion that would seem to be self-serving. The Chairman said further that it was to the Commission's advantage to have Squire, Sanders give labor relations advice especially in the case of the salaries and in the case of the entertainment of the employees and that it was desirable to have an outside, independent opinion.

The Executive Director reported also that the final link of Interstate Route 271 from just west of the Turnpike to Route 8 in Cuyahoga and Summit Counties had just been opened. He reported that a section of I-271 crossed the Turnpike and it was to be expected it would have some influence on Turnpike traffic between Strongsville-Cleveland (No. 10) and Akron (No. 12) Interchanges. He said the staff would continue to observe the traffic to determine the effect.

The Executive Director reported also that the plan to change the designation of Interstate Route 80-S east of Niles-Youngstown (No. 15) Interchange was one of the items Mr. Richley would be taking up with the American Association of State Highway Officials in Florida in the

week of December 7. The Executive Director reported he had sent a letter to the Highway Department to Director Richley expressing the Commission's position in the matter.

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 copies of the decision of the Seventh District Court of Appeals in the Exit 15 case were in the folders before the Members of the Commission. He said that he had not been able to mail the copies because the decision was reached on Thursday, December 2.

The Chairman said that it was a fine decision and he congratulated Mr. Thompson upon it. He said he thought the decision finally gave the Commission the kind of a decision that made determinations about interchanges the Commission's business and no one else's business. The General Counsel read from the decision as follows:

"We hold that the closing of the old Interchange No. 15 was within the authority of the Ohio Turnpike Commission, that its action in arriving at this decision was in agreement with the advice of their engineers who were hired to assist them in making such decisions, and that there is no evidence of any abuse of discretion on the part of the Ohio Turnpike Commission in arriving at this decision."

The General Counsel reported also that the certificate of completion had been prepared for the Chairman to sign because all releases of easements had been received. The General Counsel said the last release arrived on November 23. The Chairman signed the certificate of completion and it was countersigned by Mr. Chastang. The Chairman directed that copies of the certification be sent to the proper authorities.

The Chairman said he had received a letter from E. J. Donnelly, of the J. E. Greiner Company congratulating the Commission and its staff on completion of the construction of the Ohio Turnpike. He directed that the letter be included in the minutes as follows:

"J. E. Greiner Company, Consulting Engineers "December 6, 1971

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

"Dear Jim:

"It has just come to my attention that the Commission will take formal action at its regular meeting on December 7, 1971 declaring the completion of construction of the Ohio Turnpike.

"This is indeed a momentous and historic occasion. Please accept my congratulations for yourself, the Commission and the dedicated staff, all of whom working together insured a successful undertaking. Now we can look forward to full bond retirement as the final step in an outstanding testimonial to revenue bond financing.

"Sincerely,

"E. J. Donnelly"

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 reported for the Consulting Engineers that progress was being made at the service plazas in the correction of the deficiencies that were noted in the inspection made during the summer of 1971. He said he would continue to inspect the installations until all the deficiencies had been made good.

The Chairman said the report of the Consulting Engineers was accepted as offered. He ascertained there would be no report from 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. 28-1971

"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 November 2, 1971, and the Commission has duly reviewed and considered the same;

"NOW, THEREFORE, BE IT

"RESOLVED that all official actions taken by the aforesaid administrative officers of the Commission on its behalf since the Commission's meeting on November 2, 1971 hereby are ratified, approved and confirmed."

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

Ayes: Teagarden, Chastang, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with all Members present voting in the affirmative. The resolution was identified as No. 28-1971.

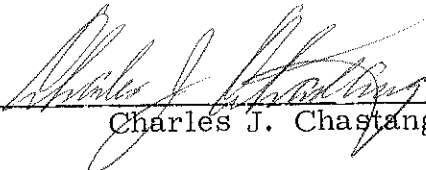
There being no further business to come before the Commission, a motion was made by Mr. Teagarden, seconded by Mr. Chastang, that the meeting adjourn until February 1, 1972 or subject to call of the Chairman. A vote by ayes and nays was taken and all Members present responded to roll call. The vote was as follows:

Ayes: Teagarden, Chastang, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. He said the next meeting would be February 1, 1972. The time of adjournment was 12:48 P. M.

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



Charles J. Chastang, Sec. - Treas.