

MINUTES OF THE TWO HUNDRED AND SEVENTY-THIRD MEETING  
November 6, 1973

Pursuant to bylaws the Ohio Turnpike Commission met in regular session in the conference room of the Ohio Department of Transportation building at 139 East Gay Street in Columbus, Ohio at 11:00 a. m. on November 6, 1973 with the key members of the staff; a representative, Harvey A. Harnden of the Consulting Engineers; a representative, P. Joseph Sesler, of the Trustee, the Ohio National Bank, 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: Anderson, Teagarden, Chastang, Shocknessy.

Absent: Richley.

The Chairman announced a quorum was present. He said Mr. Richley had informed him that he would be absent because of a funeral in Youngstown at which Mr. Richley was to be a pallbearer on November 5 and that he was staying in Youngstown to vote because it did not appear that the Commission would have anything earthshaking to consider at the meeting. He said Mr. Richley had given him a telephone number where he could be reached if necessary.

A motion was made by Mr. Anderson, seconded by Mr. Teagarden, that the minutes for the meeting of October 2, 1973, 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: Anderson, Teagarden, Chastang, Shocknessy.

Nays: None.

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

The Chairman took note of the fact that the Executive Director, Allan V. Johnson, had begun his fourth year as Executive Director on November 1st, and said the Commission congratulated him on his three years and wished him well for his fourth year.

The Chairman said that two new members of the staff were attending the

meeting and that Miss Daisy G. Collins, the new staff lawyer, was one. He said he found Miss Collins' record very impressive and the Commission was glad to have another woman lawyer with it. He said the Commission had had a woman, the late Mrs. Ruth Wilkins, as General Counsel and that Mrs. Wilkins had been a credit to the Commission, to the legal profession and to women in the legal profession. He said he did not distinguish between lawyers because some were men and some were women. He told Miss Collins that the Commission was glad to have her with it. He said when he was State Counsel for the Home Owners Loan Corporation, he had employed many lawyers, a sizeable proportion of them women, and that one of the women afterward was a partner in his office for many years and was now retired. He said she was a very fine scholar and lawyer and as Home Owners Loan Corporation Counsel had appeared in the Supreme Court of Ohio and, he believed, in every Court of Appeals District in Ohio. He said the first woman lawyer the Home Owners Loan Corporation employed was Miss Pauline Seikel from Tuscarawas County. He said Miss Seikel was the first woman whose employment he had anything to do with and at that time it was considered almost revolutionary because there were not many women lawyers. He said that the HOLC was fortunate in having been able to decide that women could contribute mightily to the legal profession.

The Chairman welcomed Miss Collins to the meeting and said he hoped she would find her service rewarding and satisfying and that she would be able to make a contribution to the practice of law by women in her generation.

The Chairman said Mr. Robert E. Oliver, Jr., the new Chief Auditor, was also at the meeting. He said Mr. Oliver came to the Commission with fine credentials, credentials which he had examined at the courtesy of the Executive Director. He said Mr. Oliver succeeded Walter G. O'Grady, who had been with the Commission for more than 21 years. He said he wished the new people well and hoped they would enjoy their association as much as people had in the past. He said Turnpike service was usually exciting but enjoyable.

The Chairman said that since the last meeting of the Commission, the Executive Director and he had the pleasure of attending an open house at Mr. Anderson's new office building and he wanted the record to show that they had been very graciously received by Mr. Anderson, his wife, his sons and his whole organization. The Chairman said Mr. Anderson had a magnificent industrial complex.

The Chairman reported that John A. Love, former Governor of Colorado, and now administrator of the Federal Energy Policy Office, had issued an order concerning the dispensation of petroleum products in the mid-distillate range. He said the order included the dispensation of diesel fuel and he had written an open letter in behalf of the Commission to the four oil companies selling Diesel fuel on the Ohio Turnpike as follows:

"The Ohio Turnpike Commission has been advised informally that effective November 1, 1973, a program of allocation of certain fuel, not including gasoline, for commercial vehicles has been lawfully decreed by the United States. If so, as hitherto declared by the Commission it will wholeheartedly abide by any restriction imposed pursuant to any lawful order of the United States and you are hereby accordingly so advised again.

"The only caveat the Commission utters at this time pursuant to the assumed lawfully imposed allocation is that the contractors with the Ohio Turnpike Commission for the dispensation of fuels make allocations fairly, justly, honestly, lawfully and with absolute respect for the total needs of the public in this time of economic peril. It admonishes the owners and operators of commercial vehicles affected by the restrictions of the assumed lawful allocation to cooperate with the assumed valid order so that no dislocation in the orderly movement of commerce on the Ohio Turnpike and other organs of transportation will be experienced.

"There is incorporated herein by reference all statements made, including the orders of Judge Adrian B. Fink, Jr. of the Court of Common Pleas, Cuyahoga County, Ohio, with respect to allocations and rationing of fuel not covered by the order effective November 1, 1973, since and including the Commission's statements to Texaco and Gulf and communications of same to Mobil and Atlantic Richfield since May 25, 1973.

"The Commission's position as hereinabove stated will be the same with respect to any other order lawfully decreed by the United States with respect to speed of vehicles on the Ohio Turnpike or any other restrictions or controls similarly imposed by the United States on Interstate Highways.

"Signed

"James W. Shocknessy  
Chairman, Ohio Turnpike Commission

"Dated October 31, 1973"

The Chairman said the Commission had said publicly in Judge Fink's Court in June, that the Commission would not oppose any lawful order. He said the Commission appeared along with counsel from Texaco Inc. before Judge Fink on November 5 and consented to the amendment of Judge Fink's order of June 14 to permit limitation on the sales of diesel fuel. The Chairman said the cause came on for hearing on Monday, November 5, upon the application of Texaco to amend the preliminary injunction issued by the court. The Chairman read from the order thereupon issued as follows: "Upon the evidence adduced and the arguments of counsel, it is hereby ordered, adjudged and decreed that Texaco Inc. shall comply with the lawful order of the Energy Policy

Office as set forth in 38 Federal Register No. 199, pages 28660 et seq., issued on Tuesday, October 16, 1973, and any subsequent orders or regulations; and that to the extent, if any, that Texaco's obligation to comply with the said orders is inconsistent with its obligations under the injunction previously issued on June 14, 1973, said injunction shall not apply. "

The Chairman said the order was signed by Judge Adrian B. Fink and he said he also considered it a very good order, that it did precisely what the Commission had said it always would accept. He said Judge Fink's order gave sanction to the Texaco company to comply with the order which was signed by Governor Love.

Mr. Teagarden asked what Diesel fuel oil had been assigned to the Turnpike. The Executive Director said that mandatory allocation program specified that every company should supply 100 per cent of the quantity delivered in the same month of the preceding year, i. e., 1972, unless the companies did not have that much to supply, whereby the amount might be reduced proportionately according to the amount they had to supply. Mr. Teagarden asked how the quantity had been arrived at. The Executive Director said the companies were relying on their 1972 figures and that beginning in November were allocating on that basis. The Chairman said the allocations did not apply to the Commission. He said the allocations applied to the contractors who dispensed the fuel and this applied only to Diesel fuel. He said the order had no application to rationing of gasoline and that it was to be remembered that in May it was principally gasoline that Texaco Inc., served notice on the Commission about and wished to ration. He said it should be remembered that at that time he said the Commission would not tolerate such rationing in the absence of a valid order from a proper agency under the President. He said such an order now was on hand and that Texaco could comply with the contract it held with the Commission and at the same time limit the dispensation of Diesel oil by virtue of an order, which so far as the Turnpike knew was valid, of Governor Love. He said there was nothing else to say about it and that all Members of the Commission had received copies of the letter that he had sent to the oil companies and of the statement which was sent out at the same time. The statement read:

" 'Revenues of the Ohio Turnpike for the month of October are estimated at \$3, 860, 000, a new record for the month,' James W. Shocknessy, Chairman of the Ohio Turnpike Commission, said today. 'The total is \$307, 000 more than the total for the corresponding month in 1972, the previous record October.

" 'On October 2 Turnpike bonds in the face amount of \$3, 436, 000 were acquired by the Trustee for retirement. The total amount retired thus far is \$189, 535, 000, leaving unpaid only \$136, 465, 000 out of the \$326, 000, 000 borrowed,' Shocknessy continued. 'By the end of 1973 the debt is expected to be reduced to approximately \$133, 000, 000, which gives further weight to the prediction that the Turnpike will be debt free and toll free in 1980.'

"Upon receipt of advice that mandatory allocations of certain fuels have been instituted by the United States, Shocknessy advised the four oil companies that sell oil on the Turnpike that 'The Commission, as it hitherto declared, will wholeheartedly abide by any restriction imposed pursuant to any lawful order of the United States' and he said he incorporated by reference all statements made by the Commission with respect to fuel rationing since May 25, 1973 and the orders of Judge Adrian B. Fink, Jr. of the Court of Common Pleas, Cuyahoga County, Ohio. He said also that 'The only caveat the Commission utters at this time is that the contractors with the Ohio Turnpike Commission for the dispensation of fuel make allocations fairly, justly, honestly, lawfully and with absolute respect for the total needs of the public in this time of economic peril. The Commission admonishes the owners and operators of commercial vehicles affected by the restrictions to cooperate with the order so that no dislocation in the orderly movement of commerce on the Ohio Turnpike and other organs of transportation will be experienced.'

"He also said that 'The Commission's position as hereinabove stated will be the same with respect to any other order lawfully decreed by the United States with respect to speed of vehicles on the Ohio Turnpike or any other restrictions or controls similarly imposed by the United States on interstate highways.'

"Shocknessy said also that 'Deplorably during the month of October the Ohio Turnpike experienced four accidents in which five persons were killed. Sleepiness was suspected as the cause of three of those accidents in which four of the persons died. In the other accident in which a person was killed the driver inexplicably lost control of the vehicle. It is not known whether or not seat belts were in use in the four accidents but it is known that seat belts cannot control drowsiness, which is the worst driving hazard we contend with.' "

Mr. Chastang asked whether the trucks using Diesel fuel would be able to arrive at any destination on the Turnpike after running out of fuel on the roadway. The Chairman said the trucking companies would have to schedule themselves in accordance with the availability of fuel oil.

The Chairman said the question was between the commercial hauling industry and the fuel companies to work out their schedules within the limitations of availability of Diesel fuel on the Turnpike.

In answer to a question by Mr. Teagarden the Chairman said the oil companies started rationing of Diesel fuel oil on November 1 with the exception of Texaco which was bound by the injunction of Judge Fink until November 6. Mr. Teagarden said he had talked with the Executive Director and found that traffic had not declined despite rationing. The Chairman said he thought that the trucking industry would adjust itself to the exigencies of the oil shortage. The Chairman said that he had said on another day and he said it again that

the Commission expected the contractors for dispensation of fuel to make allocation justly, honestly, and lawfully and with respect of the total need of the people in a time of economic peril.

The Chairman said the oil companies did not have much discretion, as he saw it because Diesel fuel oil was to be made available in accordance with a rather rigid formula. He said the formula was related to the amount of fuel sold at comparable locations in comparable months of 1972 as indicated by the Executive Director. He said he did not know of anything else that could be said except, as the Commission had anticipated many years before, a time might come when the Commission's revenues would be diminished because of war or rationing. He said the Ohio Turnpike Commission's credit had scheduled its payments in light of such an event so that the Turnpike Commission's credit would not suffer. He said the Commission was several years ahead of the implied requirements of the Trust Indenture and that the man who led the effort to take over the Turnpike in 1972 was the man that headlines had mentioned on the morning of November 6, 1973 as having reported about the fuel shortage and what it would mean. He said the whole public as well as all Members of the Commission could be gratified and grateful that the takeover attempt had not succeeded and that validity attached to the financial philosophy that the Commission had followed in paying its debt as fast as it could.

The Chairman said that the financial philosophy of the Commission had been commented upon by the New York World-Telegram in an editorial on February 9, 1965, which read as follows:

"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.

"In other words, why pay in 1980 what you can put off till 1992?

"Shocknessy tells why in the commission's latest annual report:

'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.'

"It may not often happen, he concedes, but 'good business practices can be followed in government'.

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"Just because the road is a big money-maker now, Shocknessy points out, doesn't guarantee perpetual prosperity. The interstate highway system may crimp its revenues. So could any number of unforeseeable setbacks.

"Far better, he says, to be on the safe side 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'.

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

The Chairman said that because the Commission had never failed to look any critic in the eye, he would mention publicly the utterance of a Cleveland Plain Dealer columnist to the effect that Ohio should probe for payoffs. He said the Plain Dealer was a paper with which the Commission had had good rapport for many years. He said he had brought with him a reproduction of a clipping of the column of October 21, 1973, which he had received anonymously. He said the anonymous correspondent had added a message which said: "You are always so prompt to mail out at Turnpike Commission expense clips that bolster your already overinflated ego. Could there be some reason why you didn't mail this one."

The Chairman said the reason, if there were a reason, that the Commission did not mail the clipping was that the clipping was not an adequate representation of the facts of Maryland as related to Ohio. He said all the Members of the Commission had seen the clipping and that it was not generally circulated because it was not his idea of anything worth circulating. He said he wanted the world to know that the decision not to circulate the clipping was not taken because the Commission considered the clipping embarrassing. He said the column was an annoyance and not an embarrassment to the Commission and he did not consider it worth the postage that would have been required to send it to the full mailing list. He said the only publicity the Turnpike sent out over the years had been publicity that was based upon fact and in the best interests of the Ohio Turnpike Commission's public relations.

The Chairman said that at the September meeting he had gone into the whole history of the Turnpike and its employment of J. E. Greiner Company and that he had sent a copy of the transcript to the Cleveland Plain Dealer prior to the appearance of the column. The Chairman said the columnist, whom he had known for a long time and had thought he had reasonable rapport with, apparently had not seen the transcript. He said he had always had sympathy and compassion for the columnist because of an affliction from which the columnist suffered and he did not want to contribute to a situation which might make him a misanthrope. The Chairman said he had written a letter to the publisher of The Plain Dealer anent the column and said: "For him I have always had sympathy and compassion because of his affliction lest he might become the misanthrope which his recent columns indicate he has become unless he has the other affliction of these sad times, 'Washington Paranoia.'" The Chairman said he did not know why the columnist thought that engineers would be the only crooks dealing with the public. He said if a pattern of corruption afflicted either the State of Ohio or the Turnpike Commission, it would not be limited to engineers. He said the columnist also failed to understand that the Commission had been audited from its beginning by Peat, Marwick, Mitchell & Co. He said he did not hear any complaint about the length of time the Commission had employed Peat, Marwick & Mitchell. He said the columnist took exception to no one except Greiner and the latest information he had seen with respect to Greiner indicated that Greiner perhaps was not actually involved in the so-called Agnew scandal. The Chairman said he had said before that Greiner's relationships with the Commission, like those of Peat, Marwick & Mitchell and others, had been very satisfactory. The Chairman said that the columnist said in his column: "Shocknessy, who shrieks like a banshee whenever any impropriety on his part is even hinted at, would do well to encourage a full investigation into whether all is in order at the commission." The Chairman said he did not know what more the Commission could do than what it had done. He said the Commission had a continual audit by Peat, Marwick & Co. and that the Auditor of State accepted the Peat, Marwick & Mitchell audit in lieu of one of his own. He said his letter to the publisher of the Plain Dealer said: "...I do know that unless he has some information of probative value to support his statements and nefarious implications that even in these days when public officials are fair game under judicial decisions for his ilk unless malice or high crimes are charged he is skirting libel as to all persons who have served as members of the Ohio Turnpike Commission this past quarter century and as to all professional engineers employed either by the Ohio Turnpike Commission or the State of Ohio and as to the present Governor and all former governors and the Director of Transportation and all his predecessors.....I would assume he had some evidence to offer which I think he should provide to you so that you can determine whether we are to take his seemingly irresponsible statements as The Plain Dealer's call for an investigation of the J. E. Greiner Company and all engineers similarly situated by their employment by public bodies such as Preston and Associates, Rackoff and Associates and Barnhouse Associates."



The Chairman asked Mr. Chastang if there was anything else that should be done about the column. Mr. Chastang said that it should be put in the round file. The Chairman polled the other Members and Mr. Teagarden and Mr. Anderson agreed that it should be thrown away. The Chairman said he had talked to the office of the publisher that morning and had said he would advise the Commission that the Commission need not consider the columnist's statements the policy of The Plain Dealer which had been one of the agencies which had scrutinized the Commission over all the years the Commission had been in existence. He said his letter said further: "Meanwhile we shall conduct the affairs of the Ohio Turnpike Commission as they have always been conducted in the past with respect to the Greiner Company and all others as set forth in a press release of the Ohio Turnpike Commission under date of September 4, 1973 which we already sent to you personally and to The Plain Dealer along with an exact transcript of the Chairman's statements as made at the meeting, both of which are forwarded again herewith for your ready reference with this letter. The same columnist's piece in The Plain Dealer of August 12 degrading professional engineers I dealt with at the Ohio Turnpike Commission meeting of September 4."

The Chairman said the Members had already seen the release of November 1 about revenues for the month of October and he was not going further into that.

The Chairman reported that the number of deaths charged to accidents on the Ohio Turnpike in October had been increased to six because a person injured in one of the accidents had died.

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

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

1. Traffic & Revenue Report for September 1973.
2. Financial Statements as of September 30, 1973.
3. Budget Report - First 9 months 1973.
4. Detail of Investment Transactions which took place in October 1973.
5. Draft of the minutes of the October 2, 1973 meeting.

The Assistant Secretary-Treasurer, Mr. Johnson, said that before the Secretary-Treasurer's report was accepted the Commission might consider a resolution concerning lost bonds. He said the necessary documents had been

provided through the Trustee, the Ohio National Bank, and a resolution in conformance with the Commission's procedure had been prepared and was before the Commission.

A resolution authorizing issuance of \$5,000 of new bonds to replace bonds Numbers M-291109 through M-291113, inclusive, lost per affidavit and application of Lowell M. Hayes and Edith W. Hayes, was moved for adoption by Mr. Chastang, seconded by Mr. Anderson, as follows:

RESOLUTION NO. 20-1973

"WHEREAS by Resolution No. 100-1954, adopted by the Commission on June 8, 1954, provision was made for the execution, authentication, and delivery of new bonds in exchange and substitution for mutilated bonds and their interest coupons, and in lieu of and in substitution for bonds destroyed or lost and their coupons, pursuant to Section 211 of the trust agreement relating to Turnpike Revenue Bonds, Project No. 1, and by said resolution certain requirements for execution and issuance of such new bonds and coupons were established; and

"WHEREAS The Ohio National Bank of Columbus, as Trustee, has approved the documents required by said Resolution No. 100-1954, and the conditions provided for in said Resolution No. 100-1954 have been complied with, including the submission by The Ohio National Bank of Columbus, as Trustee, to the Commission of the documents required by said Resolution No. 100-1954 and the terms and conditions adopted thereby, said documents including a surety bond in the amount of \$17,150, relating to Bonds Numbers M-291109, M-291110, M-291111, M-291112, and M-291113, each of the denomination of \$1,000 with coupons dated June 1, 1971 and all subsequently maturing coupons attached, which according to the affidavit and application submitted to the Commission belong to Lowell M. Hayes and Edith W. Hayes;

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission hereby approves the documents submitted to it by The Ohio National Bank of Columbus, as Trustee, as aforesaid and authorizes the execution, authentication, and delivery of the new bonds in lieu of the aforesaid bonds pursuant to Section 211 of said trust agreement, and the officers of the Commission are authorized to take any and all action necessary and proper to effect the execution, authentication, and delivery of such new bonds, and that said bonds be in definitive form with all coupons maturing subsequent to April 3, 1973, attached."

Mr. Chastang said that the Commission was fully protected. The Assistant Secretary-Treasurer said a surety bond was one of the documents submitted with the request for issuance of substitute revenue bonds of the Ohio Turnpike Commission.

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

Ayes: Chastang, Anderson, 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. 20-1973.

The Chairman said the report of the Secretary-Treasurer was accepted as offered. He ascertained there would be no report from the Committee on Budget and Finance. He said the report of the Committee on Service Plazas would be received.

The chairman of the Committee on Service Plazas, Mr. Teagarden, reported that for some time the operators of the restaurants had done an excellent job, but that about a month before the meeting the Commission had begun to receive complaints, most of them from patrons who found the restaurants very unclean, not only the restrooms but the dining rooms. He said shortly after the last meeting, he and the Executive Director had discussed the situation and alerted both the Howard Johnson Company and the Gladieux Food Services, Inc. to the fact that the Ohio Turnpike was aware of the complaints which those companies had received about their operations on the East Coast. He said they were warned that if they did not continue to do a good job for the Ohio Turnpike Commission, the Commission would probably receive some bad reports.

Mr. Teagarden reported that the New Jersey authorities had changed restaurant operators. He said he and the Executive Director had discussed the situation with the operators and through the Superintendent of Patron Services, J. Budd Morrison, and his assistants. He said the Ohio Turnpike Commission followed up every complaint that it received. He said in almost every instance it was found that the complaints were justified and the only answer the Turnpike got from the concessionaires was that one of the managers had proved unsatisfactory and had been replaced. He said it was not the fault of the Commission that the manager had not done a good job. He said it seemed to him that companies as large as Howard Johnson and Gladieux would have responsible managers that could be appointed on short notice to do the job. He said it had come to the point where the Executive Director and he could not get satisfactory results from the local managers and he had suggested to the Executive Director that he hold meetings with higher management. He asked the Executive Director to report the results he had received from the two meetings with those officials.

The Executive Director said he had met, along with other members of

the Turnpike staff, with representatives of the Howard Johnson Company on October 31 and met on November 1 with representatives of the Gladioux Food Services, Inc. He reported that both meetings had been attended by vice presidents of the two organizations and their representatives specifically assigned to the Turnpike. He said the representatives at both meetings had been told that the Commission was deeply concerned about the rash of complaints, most of which were about conditions of the restrooms and the restaurants, which were typified in a letter of which the Executive Director had sent copies to all the Members of the Commission under date of October 17. The Executive Director reported that the complaint letter had been forwarded to him by James P. Celebrezze, representative from the Fourth District (Cleveland) to the 110th General Assembly of Ohio. He said he would read one paragraph from the letter which was about a Howard Johnson restaurant. He read as follows:

"The restaurant was absolutely filthy. Every fork in the rack was dirty. Things had been spilled and dried on the backs of chairs, table legs, etc. Spilled sugar and crumbs were on every table and on the floor and they were not too busy to clean it up."

The Executive Director reported he had told the representatives of both concessionaires that the Commission would not tolerate such conditions and that the Commission had intensified its own surveillance efforts and the Turnpike Commission expected the concessionaires to take whatever actions were necessary to eliminate such conditions. He said in addition to intensifying surveillance through two full time employees regularly assigned to the job, he had asked the staff members whenever they were on the road to stop in the restaurants and observe conditions. He said in addition he expected to reinstate the anonymous shopper and he hoped to have that person back on duty before the week was out.

Mr. Teagarden said he agreed with putting the shopper back to work. He said the concessionaires did not know who she was. He said it seemed to him that the harder the Commission worked on the restaurants the fewer results it got. He said it was very discouraging to go out and alert the concessionaires.

The Chairman said Mr. Teagarden knew what he could finally do. Mr. Teagarden said that was what he would like to have the Commission tell the Executive Director, what the Commission's next move would be, because if the Commission did not get results from the concessionaires, he knew where the Commission could go. He said the Committee on Service Plazas could go to the Chairman and have the Chairman telephone Howard Johnson and Gladioux.

The Chairman said he was perfectly willing to talk to anybody and do anything the Committee wanted him to do. He said there was one thing he had

always made clear to people, that they either did the job in accordance with the terms of the contract or the Commission cancelled the contract. He said he was tired of the service that the Commission was receiving from the concessionaires.

Mr. Chastang said complaints about restaurant concessionaires increased in the fall of the year. The Chairman said it was true every year. Mr. Chastang said he was aware that when summer was over, restaurants reduced the number of their employees. He said he and his family were travelling, not on the Ohio Turnpike, and stopped at a Howard Johnson restaurant and it was filthy, especially the ladies room. Mr. Teagarden said that Howard Johnson and Gladieux were aware that when the summer help left they had a problem and they had known that for years. He said it was terribly discouraging to have the complaints after there had been such good results with the concessionaires. The Chairman said the complaints started in September. Mr. Teagarden said he knew the Executive Director and his staff were devoting more of their time to these restaurants than to anything else on the Turnpike and it was unfair to the Executive Director and to his staff. The Chairman said he was very unhappy with the complaint letters and he did not like the excuses that were given in response. The Chairman said it was not as if the complaints were not true. He said the concessionaires confessed to the offense and avoided it, in what the legal profession called confession and avoidance.

Mr. Anderson said he was very happy that the matter had been brought up. He said the Commission would have to bring it up every month and have continual vigilance if necessary. He said he had seen the same thing on other turnpikes but he had never seen it on the Ohio Turnpike. The Chairman pointed out that New Jersey had cancelled the Howard Johnson contract and that the Ohio Turnpike Commission deserved criticism if it did not cure the bad conditions in its concessionaires' places of business.

Mr. Chastang asked whose responsibility it was to see that restrooms were regularly cleaned and inspected. Mr. Teagarden said the responsibility evolved upon the manager or assistant manager of every restaurant and that one of them was supposed to be on duty at all times. He said it was up to them to see that the restrooms were kept clean. He said the greatest percentage of complaints were about uncleanliness, not food. The Chairman said he had one letter he had received from Mr. Johnson which covered everything, cleanliness and the service -- everything.

Mr. Teagarden reported further that dollar sales in the restaurants were about 50 per cent on controlled items and that 50 per cent were on non-controlled. He said the restaurant operators had made some advances in prices on the non-controlled items and advised the Service Plaza Committee afterward. He said the Executive Director had been unhappy about that and had written the conces-

sionaires. The Chairman said as far as he was concerned the Commission was at war with the two firms that had the restaurants on the Turnpike.

The Executive Director said that he would talk to the concessionaires and tell them that the Commission had discussed the situation and was very unhappy about it.

The Chairman said the report of the Committee on Service Plazas was accepted as offered. He ascertained there would be no report from the Committee on Employee Relations. He said the Director of Transportation was not present at the meeting and had sent no report to the Chairman so he presumed there was nothing Mr. Richley wished to discuss. He said the report of the Committee on Safety would be received.

The chairman of the Committee on Safety, Mr. Johnson, said that of the four fatal accidents in October, one was a multiple accident in which three people died. He said in November there had already been one accident in which one person died. He said that drowsiness was suspected as the cause of four of the five accidents. Mr. Johnson said that a woman driving a car with a Connecticut license plate crossed the median and her car spun around, striking another automobile with its rear end. He said that there were gasoline cans in the trunk of the Connecticut car which exploded and that the woman's two children burned to death and the driver of the car that was struck died in the hospital. The Chairman said that as sad as the case was, the charge should be involuntary manslaughter. He said he had compassion for the woman who had lost her children.

Mr. Chastang said everyone had doubtless seen the picture of the accident on the New Jersey Turnpike, an accident which took place in fog. He asked what the Ohio Turnpike did about fog, and asked whether speed was cut down with appropriate signs when fog was low on the ground.

The Executive Director said signs were placed at every one of the entrance lanes of all toll plazas indicating where fog areas were and the Ohio State Highway Patrol intensified its activities in the fog areas. Mr. Harnden said that the fog in New Jersey was aggravated by smoke which made the fog much denser.

The Chairman said that if the Turnpike ever had an impenetrable fog, the Executive Director should close the area. The Executive Director said the staff had plans that could be promptly implemented and that any particular area of the Turnpike could be closed off and traffic diverted to adjoining roads.

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

The Executive Director reported on the situation at Milepost 57.8. He

said the project was being constructed in three stages; the first stage involved a sheet pile cofferdam in the median, the second a sheet pile cofferdam in the eastbound lanes and the third stage a sheet pile cofferdam out to the south right-of-way line to complete the project. He said stage one, the most crucial stage, was completed on October 24 and that the only thing that remained to be done in the median was final grading and sodding of that area. He said that stage two across the eastbound lanes was essentially completed and that the last pipe was being installed. He said that portion should be backfilled by November 7 or November 8 so that the subgrade would be up to the point that the pavement could be replaced where it had been removed from the eastbound lane. He said the stage three cofferdam was driven and the excavation was under way. He said the job was proceeding quite satisfactorily and it was expected the entire project would be finished by November 16.

Mr. Chastang asked where the mining machine was. The Executive Director said it had been buried in the median and he had a picture taken on the day it was removed during the first stage of the project. (The Executive Director showed photographs of the mining machine and sheet piling being driven for the cofferdams.)

The Chairman said the Toledo Blade had published a picture of the site and said that traffic had been interrupted because of the Ohio Turnpike Commission, or something like that. He said the Blade did not indicate that the trouble arose because the County Commissioners of Lucas County had chosen a contractor who could not do the job. The Executive Director said the traffic had continued to move throughout the construction. The Chairman said that the Blade had not indicated that the trouble was not initiated by the Commission. He said he was certainly glad to have it out of the way.

The Executive Director reported also on the study on future facilities that was being performed by the Consulting Engineers. He said he had included the monthly status report in the Members' folders. He said emphasis was being given in the facility study to the question of increasing commercial traffic and a special portion of the report was devoted to Exit 7 and the Cedar Point area. He said that special portion was in its final draft form and should be completed soon.

The Executive Director reported also that in the last week of October and on the first of November luncheons had been held for the personnel of three maintenance sections. He said the luncheons were given in recognition of some of the major work that had been done with the Commission's own work forces in resurfacing interchanges and service plazas. He said such luncheons had now been given for all eight of the maintenance sections and that they had been quite successful and the employees had appreciated them.

The Executive Director reported also that the problem encountered in the delivery of certain toll plaza computers for the new toll audit system had

been resolved. He said there had been a slight delay in the production of the terminals which were to be located in the toll booths, but steps were being taken so that the delay would not adversely affect the project. He said the system's software was successfully demonstrated during October and the electrical site preparation was completed at 15 of the 17 toll plazas and should be completed at all toll plazas by November 16. He said that before the December meeting a simulated plaza demonstration would take place which would be one of the significant milestones of the project. He said that all in all the project was moving ahead satisfactorily.

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

The Chairman asked if there was anything Mr. Richley might be interested in. He said he knew Mr. Richley was always interested in the report from the Consulting Engineers on the facilities study. The Executive Director said he would see that everything discussed at the meeting was furnished promptly to Mr. Richley.

The Chairman determined 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. 21-1973

"WHEREAS the executive director, deputy executive director, chief engineer, 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 2, 1973 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 2, 1973 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, Anderson, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 21-1973.

Mr. Anderson said he would not be able to attend the December meeting because his physician had ordered him to get as much exercise as he could to help his recovery from his operation. He said he probably would be out of the city in February and March but he would return for those meetings if he were needed.

The Chairman told Mr. Anderson that it was a great satisfaction to the Commission to see how well he had recovered. He said Mr. Teagarden also had problems but was getting along very well. He said Mr. Teagarden had been under great pressure from the Commission, from his business and from health problems in his family, but that Mr. Teagarden held up well in all areas.

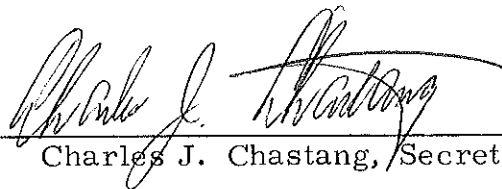
There being no further business to come before the Commission, a motion was made by Mr. Chastang, seconded by Mr. Teagarden, that the meeting adjourn until December 4, subject to call of the Chairman. A vote by ayes and nays was taken and all Members present responded to roll call. The vote was as follows:

Ayes: Chastang, Teagarden, Anderson, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 12:31 p. m.

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



Charles J. Chastang, Secretary-Treasurer