

MINUTES OF THE TWO HUNDRED AND SEVENTY-FOURTH MEETING
December 4, 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 December 4, 1973 with the key members of the staff; a representative, Harvey A. Harnden, of the Consulting Engineers; a representative, Robert H. Bartholomew, 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: Richley, Teagarden, Shocknessy.

Absent: Chastang, Anderson.

The Chairman announced a quorum was present. He said Mr. Anderson was in Florida and Mr. Chastang was in court; however, the court had refused to excuse him. He said the requirement of the bylaws and the law was that any action had to be taken by at least three Members so that any action taken at the meeting would perform be unanimous.

A motion was made by Mr. Teagarden, seconded by Mr. Richley, that the minutes for the meeting of November 6, 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 present responded to roll call. The vote was as follows:

Ayes: Teagarden, Richley, Shocknessy.

Nays: None.

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

The Chairman said he wanted to congratulate the Director of Transportation on his election as Vice President of the American Association of State Highway and Transportation Officials. He said he had told Mr. Richley personally and had written a letter to Mr. Richley in behalf of the Commission to tell him that an honor which came to Mr. Richley also in some measure came to the Commission because an honor to Mr. Richley as Director of Transportation was also an honor to Ohio and to the Commission of which he had been, ever

since he came to his first meeting, a very valuable Member. The Chairman said that over the years the Commission had relied on the Director of Highways, and then on the Director of Transportation, as its expert in the field of engineering. He said the Commission had had a lot of experts as Directors but it had never had a better one than it had now, and stated in his letter to Mr. Richley, in which he said:

"November 23, 1973

"Dear Phil:

"It was a real satisfaction to me personally and to all of us who are your colleagues on the Ohio Turnpike Commission to learn of the high honor accorded you last week at the Convention in Los Angeles of the American Association of State Highway and Transportation Officials by electing you to the office of Vice President. Honors and recognition by one's peers are the sweetest of all because they know one another.

"On behalf of the Ohio Turnpike Commission and myself personally and all the Members personally I salute you and once again give expression to our high regard for you personally and our sincere respect for your professional competence and integrity as a public official.

"Sincerely,

"James W. Shocknessy
Chairman"

The Chairman said there was a rather full press representation at the meeting and he always wondered when there was full press representation what was going on -- what it was that excited the press that they came to see the Commission, but he did not think it was anything esoteric that brought them to the meeting. He said everyone knew that it was an important occasion. He said since the last meeting of the Commission the President of the United States had requested a lowering of speed on highways and a curtailment of the merchandising of gasoline. He said the President had earlier issued an order for mandatory allocation of diesel fuel. The Chairman said everyone would remember that in the spring the Commission had resisted rationing of fuel by a contractor, Texaco, on the Turnpike, a rationing which would have been applicable only to the Ohio Turnpike. He said at that time the Commission had said that, "We will not tolerate a curtailment of fuel dispensation on the Turnpike in the absence of an Executive Order declaring an emergency applicable to all persons and things similarly situated." The Chairman said at that time, in order to support the position the Commission had taken, it had sought the assistance of the Common Pleas Court in Cuyahoga County and had made it clear to the Court and to the world that if and when a valid order was issued

restricting the distribution, dispensation, or sale of fuel by, or on the Turnpike, that the Commission would promptly give the order its full cooperation.

The Chairman said the President had not issued an outright order on gasoline. He said the President had issued a request but that on behalf of the Commission he stated with the authority of the Members, with all of whom he had spoken, that in time of national crisis a request by the President of the United States would receive the honor, respect, cooperation and acceptance just as if it were an order. The Chairman said the Commission had advised the concessionaires on the Turnpike that it was a matter between them and the President of the United States, but if they wanted to accord the respect of an order to the request of the President their action would go unchallenged by the Commission even though the Turnpike still had contracts requiring that gasoline and fuel be dispensed 24 hours a day every day without limitation. The Chairman directed that the following documents be included in the record:

"OPEN LETTER

"to

"Atlantic Richfield Co., Gulf Oil Corp., Mobil Oil Corp., Texaco Inc.

"from

"James W. Shocknessy
"Chairman, Ohio Turnpike Commission

"The attached release of the Ohio Turnpike Commission under date of November 27, 1973, was sent previously to each oil company operating on the Ohio Turnpike and is self-explanatory.

"In the event any of you decide to close the stations operated by you on the Turnpike, you are hereby advised that maintenance of security of the premises and facilities occupied and operated by you is your responsibility during the periods when the stations are closed as it is at all other times.

"We shall expect your immediate reply to this letter indicating compliance with its direction.

"Signed

"James W. Shocknessy
Chairman, Ohio Turnpike Commission

"Dated November 28, 1973"

"For release
November 27, 1973

"The Chairman of the Ohio Turnpike Commission, James W. Shocknessy, said today 'We are willing to take the President's request for voluntary closing of filling stations beginning this weekend as an order but it is up to the oil companies to make that decision because we have no authority to order them to close,' and he went on to say, 'Instead, our contracts require that they dispense gasoline and diesel fuel to the public.'

"Shocknessy said also, 'If the oil companies interpret the President's request to close voluntarily between nine o'clock on Saturday evening and midnight on Sunday as an order, we shall not challenge their interpretation.' "

The Chairman said that Judge Adrian B. Fink, Jr., of the Cuyahoga County Court of Common Pleas, had said in his opinion that in the event of an order his injunction would be modified accordingly. The Chairman said he had advised Judge Fink that the Commission would interpret the request of the President as an order if the oil companies did so and would not challenge the interpretation of the oil companies. He said the oil companies had so interpreted the order.

The Chairman reported that the whole press had received the Commission's open letter to the oil companies dated November 28. The Chairman said the Commission did not have to worry about whether the oil companies recognized their responsibilities about security of their premises whether they were dispensing gasoline or not but that the Commission had warned them and the premises were all well covered during the hours of restriction.

The Chairman said the Commission had now had the experience of a weekend affected by the curtailment of the dispensation of fuel on the Ohio Turnpike and that practically no problem had been experienced. He said that when he received some panic calls about how bad things were going to be he did not anticipate any real problem. He said the Executive Director, Allan V. Johnson, would report that there were approximately seven calls for assistance in the 27-hour period and there would have been a comparable number of requests for assistance on any Sunday. He said unfortunately the curtailment had gone into effect on a day in a month when traffic was likely to be light. He said Sunday traffic in the winter was not usually as heavy as Sunday traffic in the summer. The Chairman said it was regrettable that the President had not chosen the spring of the year for his order. He said that at that time William E. Simon -- whom the newspapers said was to be named energy czar -- had issued some kind of a memorandum urging curtailment and Texaco Inc. had accepted Mr. Simon's memorandum as if it were a valid order. The Chairman said that that was what the Ohio Turnpike Commission resisted. He

said that if at that time the President had done what he had done recently, if in May he had uttered a request it would have received the respect and honor which it received Saturday night and Sunday, and a whole summer's gasoline, a whole summer's fuel would have been saved. He said that at that time the Commission had said it would urge that the President, by Executive Order, declare an emergency which the whole country would, of course, observe. He said the President had not done so and as a consequence the gasoline which might have been saved in the summer had not been saved and now the nation was starting to save it in the winter when less of it was used than usual. The Chairman said he understood from the Director of Transportation that there had been no more untoward experience on the state roads than on the Turnpike. He said the Turnpike experience in the 27-hour period had been very satisfactory. He said traffic was off about 29% and it had not yet been broken down as to how much of that was commercial traffic and how much of it was passenger car traffic, but the appearances were that the reduction in the number of vehicles was more likely a reduction of passenger vehicles than of commercial ones and the appearances were that the commercial vehicles continued to move. He said the commercial vehicles usually were better prepared to traverse longer distances than passenger cars because of the amount of fuel trucks were able to carry in their tanks. He said the percentage of reduction compared to a comparable Sunday in 1972, would amount to less than a million vehicles for the whole year and about \$1,500,000 in revenues. The Chairman said that even if a comparable loss occurred every day of the week, the loss would not be great enough to affect the Commission's credit. He said the Commission had already acquired more than \$23,000,000 in bonds for the year. He asked Mr. Bartholomew if that was a statement of fact.

Mr. Bartholomew, the trust officer of the Ohio National Bank who was responsible for acquiring the bonds that had been retired, said the statement was correct.

The Chairman said that with respect to speed the Commission had declared its hope that speed on the Turnpike would be reduced and during the month slips had been distributed to every traveller who entered upon the Turnpike requesting a reduction in speed. He said that through the cooperation of the Director of Transportation when the Governor had recently issued the same kind of request the Governor took special note that what he was doing was consistent with what the Ohio Turnpike Commission had done. The Chairman reported that in his press release the Governor had said: "The speed request is in line with the position taken by the Ohio Turnpike Commission". The Chairman thanked the Director of Transportation in behalf of the Commission for the assistance he had given it.

The Chairman reported he had heard on television that a movement was on foot to increase the price of gasoline by 10¢ a gallon in order to restrict its use. He said as far as he was concerned such an action would be comparable

to what might be done in the event of a shortage of wheat. He said bread might be taxed so that people would not eat as much. He said gasoline was not unlike bread in the economy of the country and he would suppose if the man who had made the deal with the Russians on wheat were to make another one, the country could have the same kind of wheat shortage and the person who made the wheat deal might recommend the shortage be addressed by an increase in the price of bread. He said that just as people had to have bread for their sustenance so they had to have gasoline to reach their employment. He said gasoline was not a luxury item, it was a necessity. The Chairman said gasoline was a necessity which had to be respected as a necessity and if the use of gasoline had to be curtailed it had to be done in a way that the curtailment would not be chargeable in cash to the poor and to those who could least afford to pay an additional 10¢ a gallon. He said he had not said that to anyone before because he had been waiting to say it at the meeting. He said he wanted it understood that the experience on the Turnpike over the weekend had been as expected and especially as expected by the Director of Transportation and by the Chairman. He said he and the Director of Transportation had discussed the whole matter together with the Executive Director who had had a holiday alert in full effect on the Turnpike and that Colonel Robert M. Chiaramonte, Superintendent of the Ohio State Highway Patrol, had a full complement of the patrol available and Colonel Chiaramonte said the Patrol had supplied gasoline to about four drivers on the Turnpike and 104 in the whole state.

The Chairman said the American people could be counted upon to stand by its leadership regardless of how they felt about its leaders. He said Americans would respect their government and they would respect a crisis, and they would respect lawful orders, and even something less than lawful orders, mere requests. He said that regardless of the extent of stringency and regardless of whether or not the Turnpike income would be reduced, say a million dollars or so for the year by Sunday curtailment, such curtailment or more would not give the Turnpike any problem. He said even if the Turnpike were to be restricted and even if its business fell off every day of the year it was not likely that it would fall below the \$28,000,000 which was required for all exigencies on the Turnpike including interest, reserve maintenance, salaries and everything else. He said the final budget would be before the Commission during the morning and that the budget was \$13,357,900 and that the Commission's total requirements, including reserve maintenance and interest were about \$28,000,000. He said income for the year 1973 would be about \$46,000,000. He said it could be seen that even if the worst happened that there was an \$18,000,000 spread between the income that the Commission would have received by the 31st of December and the requirements which it had for every contingency so the worst that could happen to the Ohio Turnpike Commission would be a final retirement of the bonds a year or two later than was contemplated, but he doubted that would occur. He said the Commission

had addressed itself for the past 20 years, and he said he used the figure 20 advisedly, to being ready to meet an emergency which might be brought about by war or rationing. The Chairman said that over the last 20 years he had said many times the Commission would pay off its debt just as fast as it could while at the same time maintaining a competitive position in the market for the commodity it was selling, which was service. He said the Commission had maintained a competitive position and had reduced its debt by about \$195 million. He said the debt was now around \$131,000,000. He said the Turnpike had paid off the difference between \$326,000,000 and \$131,000,000 and that in 1974 it would have paid off \$200,000,000 perhaps even by the end of the first six months. He asked the Comptroller, William G. Gerber, what he thought. Mr. Gerber said it would take about eight months. The Chairman said it depended on what Mr. Bartholomew could do in April. He said every contingency that the Commission had worried itself about over the years and upon which its policy of early pay-off had been based was accommodated by what the Commission had done so it was not in the position of even having to think about increasing tolls. He said increasing tolls would do exactly what a 10¢ tax on gasoline or a 10¢ additional tax on a loaf of bread would do. He said the Ohio National Bank had paid an average price on December 3 of 89.5 for the \$4,833,000 face value of revenue bonds that were retired that day. He said 89.5 was slightly higher than bonds of similar authorities and he thought it reflected the credit reputation that the Ohio Turnpike had established. He asked Mr. Bartholomew if he accepted that statement. Mr. Bartholomew said he did. The Chairman said if the bond market went down further the Commission would benefit by the retirement of bonds which it would be able to retire for less money. He said 89 was less than the Commission had paid in more than a year.

The Chairman reported also that the revenue for November was in excess of \$3,400,000 which was almost \$200,000 more than the corresponding month of 1972. He said every augur, regardless of what restrictions might come in the ensuing year, even if it were not good for the Commission, was not bad because the Commission had prepared by its conduct of the last 20 years for war or rationing.

The Chairman reported also that two persons had lost their lives on the Turnpike during the month and that the work at Milepost 57.8 was practically completed.

The Chairman reported also that at the last meeting the Commission had uttered some strictures against the purveyors of food on the Ohio Turnpike and the purveyors had been offended, but had not challenged the validity of the Commission's criticism. He said that on December 3 he had a call from Howard B. Johnson, chairman of the board and president of the Howard Johnson Company of New York, which had some restaurants on the Turnpike. He said

Mr. Johnson had confirmed his remarks by telegram and rather than discuss the conversation he would read the telegram, as follows:

"December 3, 1973

"James W. Shocknessy-Chairman
c/o Ohio Turnpike Commission - 682 Prospect St. - Berea, Ohio

"Confirming this morning's telephone conversation and my personal commitment to the Ohio Turnpike Commission, our company is taking immediate steps to correct certain operating deficiency to which you referred.

"First, we are assigning Mr. Bruce L. Greene, Manager of Restaurant Operations of our Harrisburg division, to establish new operating standards to assure a high level of customer service. He will be located on the Turnpike until this task is implemented and completed.

"Second, our architectural department will survey all restaurant units to set up a refurbishing program for presentation to the Commission. A letter will follow detailing these steps.

"Let me repeat my assurance that the Howard Johnson Company takes great pride in it's Ohio Turnpike representation and intends to see that the attractiveness and presentation of it's unit meet the high standards to which the motoring public is entitled.

"Howard B. Johnson"

The Chairman said Mr. Johnson had said almost all that to him on the telephone and he had told Mr. Johnson "All right, you send me a telegram that I can read to the Commission tomorrow."

The Chairman reported that the Commission had received the same kind of assurance from Gladieux Food Services, Inc. He said Mr. Teagarden had talked to Virgil E. Gladieux, chairman of that corporation. The Chairman said that much as he hated for the Commission to do things the hard way, and it was the hard way to publicly complain against or about the concessionaires and the concessionaires had accepted the complaint. He said the Commission had had its shopper out on the Turnpike. He said the Commission had every reason to believe that the statements made by Mr. Johnson in his telegram and by Mr. Gladieux in his discussions with Mr. Teagarden would be observed. He said Mr. Gladieux had not talked to him personally. He said Mr. Teagarden had said to Mr. Gladieux one day, "Why don't you call the Chairman?" Mr. Gladieux had said, "I don't want to call him, he will tear me up." The Chairman said Mr. Teagarden could tell Mr. Gladieux that the Commission paid tribute to his industry and effectiveness and good humor in taking the

Commission's criticism as he had taken it.

The Chairman reported he had talked to Colonel Chiaramonte and that Colonel Chiaramonte had said he was experiencing some difficulties with wildcat truckers who had tried to block I-80 in Pennsylvania and I-70 in Ohio. He said Colonel Chiaramonte had said that he had the situation under control and the Chairman had a telegram which had just been handed to him. He said Colonel Chiaramonte had informed him that the truckers were saying that they were going to attempt to close the Pennsylvania Turnpike as well as the Ohio Turnpike at all interchanges and the Turnpike Commission, along with Colonel Chiaramonte, would be on the alert for any problems. He said one of the things the truckers were complaining about was the difference between the speed allowed by the President in his request as applied to passenger cars and the speed limit applied to trucks, and it appeared to him that the Congress was going to bail the President out on that question and make the speed limit a uniform 55. The Chairman said the bill had to go to the Senate and he assumed they would also approve a uniform 55 speed limit. He said the Director of Transportation and the Governor were already prepared for such a limit and that the Commission was prepared, that it had the digits ready, and within 24 hours the Commission could establish the speed control signs on the Turnpike. He said it would take the Department of Transportation a little bit longer because it had more to do, but if the order came out at 55, he thought the whole public would be better satisfied. He said the whole public was dissatisfied at the preferential treatment which the existing request would give commercial vehicles as distinguished from passenger vehicles. He said he could not imagine how a passenger driver would feel if he were driving lawfully at 50 and a truck passed him driving lawfully at 55. The Chairman said one knew to whom that driver would address his imprecation - it would not be to God directly, it would be to the President of the United States.

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

In the absence of the Secretary-Treasurer, Mr. Chastang, the Assistant Secretary-Treasurer, Mr. Johnson, reported that since the last meeting the following had been sent to all Members:

1. Traffic & Revenue Report for October 1973
2. Financial Statements as of October 30, 1973
3. Draft of the minutes of the November 6, 1973 meeting
4. Detail of Investment Transactions which took place in November 1973

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.

In the absence of the chairman of the Committee on Budget and Finance, Mr. Chastang, the Assistant Secretary-Treasurer, Mr. Johnson, reported that at the October meeting the Commission had adopted a preliminary budget for 1974 as required by the Trust Agreement and that the preliminary budget had been filed with the Trustee and mailed to the Consulting Engineers and to the principal underwriters. The Assistant Secretary-Treasurer said the 1973 budget did not require any amendment. The Chairman said the Commission would finish fiscal 1973 with a surplus of several hundred thousand dollars. The Assistant Secretary-Treasurer said no request had been received for a hearing to modify the budget as was provided in the Trust Agreement. He said he had in his possession a memo from the J. E. Greiner Company in which the Consulting Engineers recommended that the Commission adopt the preliminary budget as the Commission's final budget for 1974. He said a resolution had been prepared to adopt the preliminary budget as the final budget.

The Chairman determined by asking Mr. Harnden that the Consulting Engineers through Mr. Harnden had expressed approval of the budget.

A resolution adopting annual budget for the fiscal year 1974 was moved for adoption by Mr. Richley, seconded by Mr. Teagarden, as follows:

RESOLUTION NO. 22-1973

"WHEREAS the Commission, by resolution No. 17-1973, adopted a preliminary budget for the fiscal year 1974, 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 Section 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 1974, to be designated the "Annual Budget"; and

"WHEREAS Section 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 1974

Income		\$42,500,000
Current Expenses		
Administration & Insurance	\$ 2,500,200	
Operations	10,680,200	
Trust Indenture Expense	<u>177,500</u>	
	Total Current Expenses \$ 13,357,900	

"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. 17-1973; 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 the budget had been discussed by the Members during the meetings and he had nothing further to say about it and as the mover and seconder were the only other Members of the Commission present he asked that the roll be called.

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

Ayes: Richley, 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. 22-1973.

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 said Mr. Teagarden was just the kind of provocateur who effectively brought about change and it took provocateurs to accomplish change.

The chairman of the Committee on Service Plazas, Mr. Teagarden, reported that November was the first time in 24 years that he had ever had an occasion to report unfavorably upon the conditions that existed at the Plazas. He said he wanted to express his appreciation to the press for the good coverage that they gave his report to the Commission and he pointed out that the Chairman had often said that the power of the press was one of the greatest assets the Commission had. He said the publicity that the press gave the report had brought the operators of the restaurants at the service plazas to realize their shortcomings.

Mr. Teagarden reported further that the response of the restaurant operators to the Commission's concern about patron complaints expressed at the last Commission meeting had been encouraging. He said top level executives of the Gladieux Food Services, Inc. and the Howard Johnson Company had been in touch with the Commission staff and both companies had indicated they were working with all levels of their own organizations to improve restaurant conditions and service. He said in addition to increasing surveillance of the restaurants with its own staff, the Commission had retained an anonymous shopper to investigate the restaurants.

Mr. Teagarden reported further that Gladieux had employed its own anonymous shopper and had instituted a program of inspecting and hand-wrapping all silverware in an effort to eliminate a common source of complaint -- dirty silverware. He said they had stepped up communications among all levels of personnel and had indicated the company had been able to use the publicity that developed from the complaints in such a way as to boost employee morale. He said there had been no written complaints about any Gladieux restaurant since the November meeting. He said the improvement had been substantiated by staff surveillance and shopper reports.

Mr. Teagarden reported further that the Howard Johnson Company had conducted meetings of all its Turnpike restaurant managers to impress upon them the concern of the Commission about eliminating conditions which had lead to complaints, and that although there had been one written complaint since November and some unfavorable comments from the shopper, it appeared that the strong position taken by the Commission had produced favorable results.

Mr. Teagarden reported further that new sales records had been

established at several restaurants and service stations during the Thanksgiving holiday period, and the concessionaires had increased their staffs in anticipation of heavy traffic. He said members of the Patron Services Department had visited all the service plazas during the holiday weekend and had reported that, except for brief periods when the number of people exceeded the capacity of a facility, there had been no service problems and sanitary conditions had been satisfactory. Mr. Teagarden said he was glad to make such a report.

The Chairman said the Commission was glad to receive such a report. He 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 report of the Director of Transportation would be received.

Mr. Richley reported that Governor Gilligan had requested Ohio Motorists to drive at 50 miles an hour as a voluntary action and the Department of Transportation had prepared a number of emergency fuel signs as a result of the request of the President. He said the Department had learned that the United States Senate and the United States House of Representatives Public Works Committee had already adopted a measure that would set a maximum speed limit of 55 miles an hour which would be uniform for trucks and automobiles. He said because of the confusion between the 50 and 55 mile an hour speed limits the Department had delayed the installation of the signs on the interstate system. He said that on December 3 the House of Representatives had approved and adopted 55 miles an hour and that the bill would be forwarded to the Senate and the Senate version of that bill would provide that the President should make that ultimate decision. He said that since his department lacked definitive direction from "on high" it was at somewhat of a loss as to exactly what should be done except to try to direct motorists to conserve fuel and energy by every possible means.

The Director of Transportation said the attitude of the people had surfaced quickly and clearly with respect to the differential in speed limits. He said under no circumstance would Ohio adopt a differential speed limit on the interstate system whether the maximum speed limit was 55 or 50. He said that had been clear and the only thing that troubled his department was what the figure was going to be. The Chairman said what the Ohio Turnpike Commission had done was precisely that which Mr. Richley had stated and which the Governor had publicized.

The Director of Transportation said that it would be impossible to have the trucks travelling in the lefthand lane and the automobiles travelling in the righthand lane which was exactly what would result with the five mile differential in speed. He said, should a 10¢ surcharge in the form of federal tax on gasoline sold in Ohio become law, and even should the sales of gasoline

fall by 20%, such a tax would generate about \$400,000,000. He said he did not know what the Federal Government would do with the funds so raised but he supposed they would be impounded like other fuel tax revenues were impounded, in order to balance the budget, or some such thing. He said he agreed with the Chairman that the imposition of such a tax was not necessarily the most democratic process by which the curtailment of anything should be caused. The Chairman said that the proposal was typical of the callous people who had control of the lives of the people of the country these days. The Director of Transportation said it was most unfortunate but that was what some people in the government were thinking about, but he did not believe it would take place because he did not think such thoughts truly represented the sentiments of Congress, and with the number of vacancies and the rapidity with which they occurred in Washington, the nation might receive another proposal in the next week. The Chairman said he believed 16 people had left the White House and were either indicted or in jail.

The Director of Transportation reported that his department had a motorist service program over the previous weekend since it was the first weekend in which there might have been a shortage of fuel and that his department had provided special assistance but did not see any large rash of breakdowns. He said his department had served about 251 motorists and of those 251 only 43 were out of fuel. He said he expected that the same service would be provided the next weekend but it would probably be the last time the department provided it because most people were starting to adjust themselves. The Chairman said the people were adjusting. He said he thought their reaction was magnificent. Mr. Richley said he had driven I-71 between Cleveland and Columbus on Sunday and it was his judgment that the average speed at which the people were travelling was somewhere between 55 and 60. Mr. Richley said that one of his department's proposals, made prior to the President's strict numerical value, was a 10-mile an hour reduction on the posted speed limit across the board. He said the 70 mile an hour speed limit would have been 60; those areas with a 60 mile an hour speed limit would have been 50 and the minimum speed of 40 would be changed. He said it was proposed to reduce 45 mile an hour speed limits to 40 and 55 miles an hour to 45. He said that made more sense especially when one considered that probably two-thirds of the passenger miles were driven in urban areas where no one drove 70 miles an hour in any circumstance. He said the advantage of a reduction from 50 miles an hour to 40 miles an hour got lost. He said the greatest savings of fuel could take place in urban areas. He said over the weekend there had been only eight deaths on state highways in contrast to the normally expected experience of 15 or 16. The Chairman said there had been no deaths on the Ohio Turnpike.

Mr. Richley reported further that the safety record was a very excellent and wonderful side effect in the reduction in speed. He said the unfortunate part of the matter was that a 20% reduction in fuel consumption meant a 20%

reduction in the income of the Department of Transportation because its income was directly proportional to the number of gallons of fuel sold. He said that effect was going to be very detrimental to his department as time went on. He said that if the business of the country were as well as the business of the Commission that the country would not be in the dilemma that it now was.

Mr. Richley said he wished to express his very deep thanks for the Commission's very courteous and thoughtful congratulations on his election to the vice presidency to the AASHO. The Chairman said he did not say things he did not mean.

Mr. Teagarden asked the Director of Transportation if it was his understanding that the 10¢ tax per gallon that was being talked about would be a federal tax and whether all the income would go to the federal government rather than be allotted to the states. Mr. Richley said that it would go to federal and that his department estimated that Ohio would generate something like \$400,000,000 a year in the tax which was an awful lot of money. The Chairman said the proposed tax would generate rebellion. Mr. Richley said he did not believe the tax would ever be imposed and that it was a smoke screen for later rationing.

The Chairman said the Commission would abide by the wishes of the President; that it had no choice. He said he had been listening to a program on television when the Secretary of the Interior said, "Oh, what would you people do if you didn't have Nixon to kick around?" He said one of the other members of the panel had said, "Well, we may find out."

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

The chairman of the Committee on Safety, Mr. Johnson, reported there had been two fatal accidents in November but only one of them had occurred since the last meeting of the Commission. He said so far in 1973 there had been only 26 fatalities, three fewer than at the same time in 1972. He said this record was established despite record volumes of traffic, and there had been no deaths over the five-day Thanksgiving holiday period.

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, Mr. Johnson, reported that over the weekend the Turnpike staff and the Disabled Vehicle Service had been on full alert and the Ohio State Highway Patrol had been on full holiday alert. He said the toll collectors had handed out slips to patrons entering the Turnpike at

6:00 p. m. and after on Saturday advising that the filling stations would be closed until midnight Sunday and requesting that if they did not have enough fuel to complete their trips they not enter the Turnpike. He said the slip also asked patrons to reduce speeds to 50 miles an hour. He said during the month signs had been erected at every entering toll booth requesting that speeds be reduced to 50 miles an hour to save fuel and that slips had been handed out beginning November 15 requesting voluntary compliance with the reduced speed limit. The Chairman said the uniformity that had been achieved throughout the state by the Governor's having done the same thing was excellent and good for everyone. The Executive Director said that at the weekend the Turnpike staff had consolidated the service station enclosure slip with the speed slip and depending on what happened during the coming weekend, the staff would change the slip again. The Executive Director said that as far as speed went, patrons were lowering their speeds voluntarily and that the state and the Governor had had a dramatic impact on that. He said the Turnpike staff had positive information on speeds, that radar speed checks showed that speeds were being reduced and that the Ohio State Highway Patrol advised him that the number of arrests for speeding violations indicated that there was no question but that speeds were coming down.

The Executive Director reported also on energy conservation steps. He said a number of steps had been instituted to conserve the use of fuel. He said the Turnpike used a number of different kinds of fuel, gasoline for vehicles, heating oil for a number of facilities and some diesel fuel for certain pieces of equipment. He said natural gas was used at some installations for heating. He said the setting of all thermostats had been lowered to no more than 68 degrees in all offices and that the thermostats were set at still lower temperatures in other types of facilities, especially in the service areas of maintenance buildings. He said heating ducts to all unoccupied areas were cut off if they could be cut off and that employees had been instructed to operate Commission vehicles at no more than 50 miles an hour except in emergencies. He said employees had been required to reduce overall vehicle usage in order to cut down the number of miles travelled. He said he had appointed a Staff Energy Conservation Committee to review the fuel situation continuously and to recommend additional fuel conservation steps as the need arose.

The Executive Director reported also that a simulated plaza demonstration of the new toll audit system had been conducted at the contractor's plant. He said the demonstration was generally satisfactory although the detailed results were still being reviewed by the Turnpike staff and its consultants. He said full installation of the system was expected in April and that the next milestone was to have an actual plaza demonstration at Toll Plaza No. 9. He said the demonstration was expected to take place early in January. He reported that electrical site preparation at all toll plazas was essentially

complete and the telephone communication system was being installed. He said additional plaza computers had been delivered since he reported at the November Commission meeting and he considered progress to be satisfactory.

The Executive Director reported also that the work on the emergency project at Milepost 57.8 was expected to be completed by the end of the week. He said the only thing that remained to be done was the completion of a manhole on the south end of the project. He said the concrete and the asphalt pavements had been restored and were available although only one lane was being used in the eastbound direction until such time as the equipment could be removed.

The executive Director reported also that the situation at Milepost 15 was being reviewed with the Consulting Engineers and it was expected that resurfacing work would be done there in 1974. He said he hoped to be in a position to award contracts at the February meeting that would include anything that had to be done at Milepost 15. He said it appeared that nothing further would be done except to bring the pavement up to riding quality and resurface it, but a detailed examination was being done by the Consulting Engineers based on additional readings that had just been finished. The Chairman said that Milepost 15 had been a threat ever since 10 days before the Turnpike opened and there had never been a time when he had not considered it a threat. The Chairman said that Milepost 15 had bothered him as much as anything about what it would do to dislocation of traffic. The Chairman asked where the Commission stood on reimbursement on Milepost 57.8

The Executive Director reported that the first invoice had been submitted to the Lucas County Commissioners on November 7 in the amount of \$173,000. He said he was advised that the County Commissioners had approved the invoice and he had seen their letter of transmittal of approval to the Ohio Water Development Authority. He said the Turnpike had not yet received payment but he did not expect any difficulty on that. He said the second invoice would be forwarded on December 5.

The Director of Transportation said that the asphalt shortage which had been experienced in the fall would probably prevail in the spring and that even worse, the prices were going to be one and a half to twice what they had been because of the inability of contractors to get bitumen. The Chairman said there were only 23 miles of the Turnpike left to resurface and that bids would be taken on the 23 miles and that if bids were too high it might be necessary to reduce the program.

The Executive Director reported also that he had not received the monthly progress report on the facilities studies in time to put it in the Members' folders but he talked with the Consulting Engineers and the

program was still on schedule and was expected to be completed in January.

The Executive Director reported also on the restaurant situation. He said he, too, had talked to Mr. Howard B. Johnson, Mr. Virgil E. Gladioux and to various other executives at both companies and was satisfied that they were adequately concerned about the Commission's concern and they were doing something about it. He said the shopper reports indicated to him that the results were encouraging and the efforts of the Turnpike Commission were fruitful. Mr. Teagarden asked whether the shopper was the same one that had been previously employed. The Executive Director said she was, that she knew what to expect and what to look for, and he was confident that she would give the Commission honest reports.

The Executive Director said he was pleased to notice that the Department of Transportation was working toward letting the contracts for the remaining sections of I-90 in western Cuyahoga County. He said he had noted that the Director of Transportation expected to let those contracts in December and he felt it was of more than casual interest to the Commission because the contract with the Turnpike interchange had been let and was under construction. He said the Turnpike needed the benefit of having the sections usable that the contracts would provide in western Cuyahoga County, because without them Turnpike traffic could build up in the next few years in the area, which was the Turnpike's busiest zone, and possibly exceed the capacity of the Turnpike. The Executive Director said he was pleased to see that Mr. Richley's efforts to expedite the matter were finally coming to a conclusion. Mr. Richley said his department expected to have acceptable bids on the Westlake section on December 27 and the Cleveland section on February 21. He said it was hoped to get them both under way and that the work -- approximately \$32,000,000 worth -- would be very beneficial to the area in terms of transportation. The Executive Director said it certainly would, that he remembered his own role in the planning at the time that he was in the Department of Highways, now the Department of Transportation, and he also remembered the efforts of the Chairman to expedite the plans.

The Executive Director reported also that in support of Mr. Richley's program to convert to the metric system the Turnpike had installed some metric signs similar to the ones that ODOT was erecting throughout the state. Mr. Richley said that since his department had taken that small step forward on the metric system the Federal Highway Administration had asked that Ohio prepare national guidelines. The Chairman said he was glad to get that in the record because Mr. Richley had been the first one who cottoned on to the metric system. Mr. Richley said some people felt that the metric system was a European system measurement and the United States should be truly nationalistic and should not be concerned about what was done across the water. He said that some people had said he was a traitor and that it was unpatriotic to consider using some foreigner's measurement units in

this country and therefore he should be impeached.

The Executive Director said the annual Christmas luncheon at the Administration Building in Berea would be held on December 20. He said the luncheon was financed from proceeds of vending machines in the building and that the employees at the Administration Building and he would like to extend an invitation to any Commission Member who might be in the area that day to join them.

The Executive Director reported also that every year certain employees were unable to use up all the vacation they had earned and that it had become customary for the Commission to authorize that the vacation be deferred. He said a resolution had been prepared for that purpose and was before the Commission Members.

A resolution authorizing deferment of days of annual vacations of certain named employees of the Commission from the calendar year 1973 until the calendar year 1974 was moved for adoption by Mr. Teagarden, seconded by Mr. Richley, as follows:

RESOLUTION NO. 23-1973

"WHEREAS certain of the Commission's employees have, during the calendar year 1973, 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 1973 be deferred until the calendar year 1974, 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 1974 as shall be designated by such department heads as are charged with that responsibility:

<u>Employee</u>	<u>1973 Days of Vacation Leave Accumulated But Not Taken During Calendar Year 1973</u>
Allebach, Jean	2
Dutton, Frank A.	2
Elek, Jesse	3
Fletcher, Forest	8
Grace, A. R.	15
Hein, Dorothy	3
James, Leora	3
Jocke, Virginia	3
Johnson, Allan V.	14
Kappel, Norman	5
Knott, Gertrude	9
McBride, C. Paul	18
Mayle, Donald	2
Meywes, Robert A.	3
Nelson, Lenora	15
Owen, Karen	6
Plain, G. Alan	5
Ployhart, Joseph	8
Radyk, Charles	5
Ramsey, Bernard	4
Resch, Margaret	10
Schank, Irene	3
Schroeder, Wilma	5
Scott, Ruth	14
Smith, Roberta	2
Staib, Francis	3
Stafford, Julius	18
Sturdevant, Dale	5
Vartorella, Alvin W.	6-1/2
Wilkins, Laverne	2''

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

Ayes: Teagarden, Richley, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 23-1973.

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, Francis K. Cole, reported that there was litigation for contracting for services rather than having them performed by civil service employees that might have at some future time relevance to the Ohio Turnpike operations. He said the case was Marshall against the Ohio Building Authority. He said he would continue to keep informed about the progress of the case.

The Chairman said the report of the General Counsel was accepted as offered. He ascertained there would be no report from the Consulting Engineers or by the Director of Information and Research. The Chairman said he wanted to congratulate the Director of Information and Research, Talbot Harding, and all the people in his department on handling the speed and gasoline station closing crises.

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

RESOLUTION NO. 24-1973

"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 November 6, 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 November 6, 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, Richley, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 24-1973.

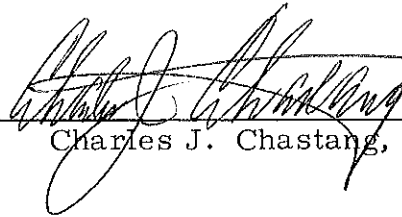
There being no further business to come before the Commission, a motion was made by Mr. Richley, seconded by Mr. Teagarden, that the meeting adjourn until February 5, 1974, subject to call of the Chairman. A vote by ayes and nays was taken and all Members present responded to roll call. The vote was as follows:

Ayes: Richley, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 12:25 p. m.

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



Charles J. Chastang, Secretary-Treasurer