

MINUTES OF THE TWO HUNDRED AND EIGHTY-FIFTH MEETING
February 4, 1975

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 February 4, 1975 with key members of the staff; a representative, Harvey A. Harnden, of the Consulting Engineers; representatives, Robert H. Bartholomew and P. Joseph Sesler of the Trustee, the Ohio National Bank; James D. Hartshorne, retired Deputy Executive Director and Executive Assistant to the Chairman, members of the press and others in attendance. The Chairman said three Members were present, and therefore there was a statutory quorum. He directed the minutes should show that Daniel E. Bricker, Richard D. Jackson and James W. Shocknessy, Members, were present.

The Chairman said that O. L. Teagarden had been taken ill the night before the meeting on his arrival in Columbus from Florida and was in University Hospital in Columbus and that Ralph H. Anderson was out of the state and would not be present.

The Chairman said Mr. Jackson was informally received warmly by both the staff and the Members who were present and they were glad to have him and had heard good things about him but he and the Commission would welcome Mr. Jackson formally when the Governor visited the meeting as expected later in the morning. The Chairman said he had welcomed six other ex officio Members to the Commission. He said he and Mr. Teagarden had welcomed all the other Members, both appointed and ex officio, who had served throughout the history of the Ohio Turnpike Commission, and Mr. Teagarden had especially wanted to be present at the meeting in order to see and welcome Mr. Jackson and therefore he extended Mr. Teagarden's greetings to Mr. Jackson. The Chairman said Mr. Teagarden was a marvelous man and that Mr. Teagarden and he had been on the Commission together for nearly 26 years and had sat at the very table about which the Commission was seated that morning for more than 20 of them. He said the Commission had always had a happy relationship with every Director of Highways and also with Mr. Jackson's predecessor, the Director of Transportation. He said the Commission had had pleasant relationships with all the Governors in its time and he had often paid tribute to the Governors who had served in the years the Ohio Turnpike Commission had been in business because not one of them had ever tried to influence the Commission in the conduct of its official business. He said the Commission had been without interference of any kind and the rapport the Commission had had with the Governors and with ex officio Members had been of the highest quality and the relationship always had been one of contributing to the Commission and never taking from it. He said there had never been a Governor or a Member

of the Commission who had sought in any way to exploit the Commission or its affairs on his own or on anyone else's behalf and that he had used the same words often that it was to the everlasting credit of the men who had served as Governors of Ohio and as Directors of Highways and the men as Director of Transportation. He said there was not much more to say. He said he regretted Mr. Teagarden's inability to be present and that he not only had great respect for Mr. Teagarden but he had great affection for him. He said Mr. Teagarden was a man of great goodness, a man of compassion, and a man of generosity as well as a man of capacity. He said he was not going to ask Mr. Jackson to say anything in response until the Governor and Pearl E. Masheter (former Director of Highways, January 14, 1963 to January 9, 1971) arrived because he considered Mr. Jackson a lineal descendant and protege of Mr. Masheter. He said Mr. Masheter and the Commission had worked together longer than with any other ex officio Member. He said Mr. Masheter had been an ex officio Member of the Commission for eight years.

A motion was made by Mr. Bricker, seconded by Mr. Jackson, that the minutes for the meeting of December 17, 1974 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: Bricker, Jackson, Shocknessy.

Nays: None.

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

The Chairman reported that he did not have a lot to say that morning that the Members had not read about in one way or another since the previous meeting. He reported that on Friday, January 31, the Assistant Secretary-Treasurer, Allan V. Johnson, and he, on behalf of the Commission, had presented its 26th Annual Report to the Governor of Ohio, James A. Rhodes, in the presence of the Director of Transportation and the Governor received the report appreciatively. He said he was quite sure that it was the first report of the Governor's new administration that had been presented to him and certainly the first with a picture of the Governor, and as good as the Commission's. The Chairman said he was not enthusiastic about the Governor's picture in the report, but that it was a little bit different. He reported that the Governor had said in the presence of several of the persons in the room that he liked the picture. He said the Governor also leafed through the report and indicated his satisfaction with it. He said he was especially pleased that it was the Commission's good fortune to be able to

present it to Governor Rhodes who was again Governor of Ohio as the Commission had presented Governor Rhodes with eight previous reports and this making nine reports of the 26 that had been presented to Governors.

The Chairman said he also wanted to thank Mr. Jackson for the use of the meeting room. He said the Commission had been using the meeting room at the sufferance of the Department of Highways and the Department of Transportation for many years so he hoped that Mr. Jackson would permit the Commission to continue to meet there. He said he did not want the Director of Transportation to think the Commission merely usurped the room. He said it did not and that it acknowledged Mr. Jackson's right to throw the Commission out. Mr. Jackson smiled and said he would not.

The Chairman reported that the Annual Report was before everybody and there were many copies of it in the room. He said the Members had all received the month-end statement of the Commission in which he had taken occasion to speak also in his own behalf. Since then he and the Director of Transportation had met the Governor who had given the Chairman his assurance on behalf of himself in the presence of the Director of Transportation that the representations which the Chairman had heard with respect to a financing program were not his. Mr. Jackson said that was correct. The Chairman said he was entirely satisfied that the proposal, which he had considered less than thoughtful, would not be considered as the administration's. He said that it was certainly not his idea that a thoughtful proposal would apply a 4% sales tax to gasoline nor apply an increase of an additional 2¢ tax per gallon on gasoline. He said it was his understanding that the 4% sales tax in the figures that were offered at the meeting, which he had mentioned, whether it was a meeting or not, certainly it was a gathering together in a room, contemplated applying the 4% not merely to the price of the gasoline but to the total paid including taxes upon it as well. He said the program, which also contemplated an increase in operators' license fees and a registration fee increase, would extend the sales tax to include motor fuel, and assign the yield to the general fund. He said that would bypass the earmarked fund issue in which he had a great interest. He said he had said many times that he did not think the Constitution of Ohio should encompass a provision to earmark any funds and obviously the people who had put together the proposal, even though some of them wanted earmarking to remain in the Constitution, which the Chairman had opposed as a Member of the Constitutional Revision Commission, had indicated that there were areas where they would like to see earmarking abandoned. The Chairman said he was not going to say anything else about that matter because he had said in a press release that the Governor of Ohio had told him the program did not represent his view. The Chairman reported that the Administrative Assistant to the Governor had said on January 31 that the program emphatically, and the word used was emphatically, did not represent the Governor's view. The Chairman reported that he had talked to the leadership of the General Assembly about a proposed bill en-

compassing the program and although it had been represented to him that the bill had the concurrence of leadership, the leadership did not know anything about it. He said he was through with that matter and he was glad to be able to say all he had to say before the Governor arrived because he would not want to embarrass the Governor to the extent of suggesting he had, even for a moment, given any credence to any report that the Governor was for anything as preposterous as that bill. The Chairman asked Mr. Bricker and the Director of Transportation whether they were satisfied with what he had said. Mr. Bricker said he was satisfied and that he had read the release. Mr. Jackson nodded, signifying that he was satisfied.

(At this point Ronald Clark of the Akron Beacon Journal entered)

The Chairman acknowledged Mr. Clark's presence and told him that he had missed the most important part of the meeting. Mr. Clark said he was glad that the meeting was recorded on tape. The Chairman responded by saying that Mr. Clark would be glad also to know that the record on the tape was always available.

The Chairman reported also that a Statewide Transportation Plan had been completed toward the end of 1974 which he believed the Director of Transportation had before him. He asked how many copies of the plan were provided in the contract. The Director of Transportation said, according to the contract and the interpretation as given to him, there was nothing said about the number of copies but that the consultants were going to ship 200 copies of the corrected draft for further corrections for spelling and that sort of thing, to the Department of Transportation. The Director of Transportation said that if there were any changes made in the so-called final draft that when it was actually printed the number and cost of those would yet have to be determined and ordered, but 200 copies would be furnished for the contract price. The Chairman asked whether the Director of Transportation could give one to the Ohio Turnpike Commission. The Director of Transportation said his Department would be more than pleased to furnish several sets to the Commission. The Chairman said he would like to take a good look at that report. The Director of Transportation said as soon as they were received he would be glad to make arrangements for the Ohio Turnpike Commission to have several copies. The Chairman thanked Mr. Jackson.

The Chairman reported further, apropos of the report, that he was appalled at the information that was in it and also that the Director of Transportation's immediate predecessor had written to Governor Norbert T. Tiemann, Administrator of the Federal Highway Administration, in which he said something with which the Chairman did not agree and which he did not like, and that he had considered addressing himself to Governor Tiemann to denounce what had been said but instead he was doing so at the meeting.

He said the Director's predecessor had over a period of several years kept inciting him by making statements about what he, the then Director, considered the need to prepare for taking over the Ohio Turnpike by the State of Ohio and referring to what had to be done as "upgrading" of the Ohio Turnpike which the Chairman resented. The Chairman said the Ohio Turnpike did not need any "upgrading" to fulfill the mission for which it had been financed and constructed. The Chairman said that, assuming conditions comparable to current conditions, the Turnpike would be debt free in 1981. He said if at that time the Turnpike required conformation with the then Interstate System as it might exist, and no one knew what it was going to be at that time, it would be the necessity and duty of the Federal Highway Administration to have any such work done before the Turnpike was incorporated toll free within the System. He said as a matter of fact, the Ohio Turnpike was within the system now, that all 241 miles of the Turnpike were within the system. He said he had always objected to what the Director's predecessor had said, that the Ohio Turnpike would have to be "upgraded" in order to be incorporated within the system and that the Director's predecessor wanted to start his so-called "upgrading" right away. He said the Chairman's position, which was supported by bond counsel, that moneys collected from tolls and for the retirement of the debt of the Ohio Turnpike Commission which had been borrowed to build Ohio Turnpike Project No. 1, were not available for capital improvements to the Turnpike for use beyond its mission. He said that incorporated in the current Annual Report in its Appendix was the opinion of counsel on that subject. He said the Director's predecessor now worked for Dalton-Dalton-Little-Newport, engineers, who had prepared the so-called Statewide Transportation Report. The Chairman asked if another man from the Department of Transportation who worked with Dalton-Dalton had also joined them. The Director of Transportation said it was his understanding the other man had done so.

The Chairman said he had taken a firm position with respect to the acquisition of future right of way with current funds or the expenditure of funds for improvements which might or might not be required to incorporate the Ohio Turnpike totally toll free within the interstate system after the bonds were paid. He said he had all kinds of legal support for his position and he mentioned it only because some how or other he found it pleasant to mention it several times a year. He said he would not say anything further about drafting a letter on behalf of the Commission to Governor Tiemann taking exception to the former Director of Transportation's letter to Governor Tiemann because so far as he was concerned the former Director of Transportation was last season's business. The Director of Transportation asked for the date of the letter that his predecessor had written to Governor Tiemann. The Chairman said that the date of the letter was January 8, 1975. The Chairman said that in his draft of a letter to Governor Tiemann, which he had not sent because he preferred to address the matter at a meeting of the Ohio Turnpike Commission, he said: "On January 8 the former Director

of the Ohio Department of Transportation wrote to you about what he described as 'the need to prepare for such upgrading of the Ohio Turnpike as may be required to fully meet the standards of the Interstate System' ". The Chairman said that was utter nonsense because the Turnpike obviously met the standards of the Interstate System or it would not now be incorporated within the Interstate System, and that the former Director wanted or intended, that the Ohio Turnpike should be altered in due time so that it would conform in 1980 or 1981 to such standards as the Interstate System might have at that time for toll free roads. He said, if he had sent the letter, it would also have said: "Since the United States has chosen to designate the Ohio Turnpike as a vital section of the Interstate System, I-80, I-90, I-76, without ever having paid any of its costs the Congress conceivably could decide to provide funds for use on the Ohio Turnpike and other toll roads similarly situated prior to the facilities becoming toll free, in which event the Ohio Turnpike Commission would expect to cooperate fully with such a program to the extent that it would not adversely affect the rights of users and bondholders. " The Chairman said that could stand as a topic statement and that it was all he was going to say about that.

The Chairman directed that the letter from the former Director of Transportation be incorporated in the minutes of the meeting. The letter read as follows:

"Ohio Department of Transportation

"January 8, 1975

"Honorable Norbert T. Tiemann
U. S. Department of Transportation
Federal Highway Administration
Washington, D. C. 20590

"RE: Ohio Turnpike Section of the
Interstate System

"Dear Governor Tiemann:

"At the recent AASHTO meeting in Detroit I had a rather inconclusive discussion with Les Lamm relating to Ohio's concern with the need to prepare for such upgrading of the Ohio Turnpike as may be required to fully meet the standards of the Interstate System. The desirability of commencing such an upgrading program prior to its becoming toll-free (presently estimated to occur in 1981) was agreed to beyond any question; however Mr. Lamm indicated he felt that the existing provisions of Section 129, Title 23, might not permit Federal participation in such a program until after the Turnpike becomes a toll-free facility.

"The logic of waiting until such toll roads become toll-free before commencing the engineering studies and plan development escapes me, and I feel certain that Congress never intended such a result. Proper planning concepts dictate that we begin now to make preliminary engineering studies of additional interchange requirements, redesign needed to meet Interstate requirements and additional lanes needed to increase capacity consistent with Interstate standards.

"We understand that Section 129 does permit Federal participation in such upgrading improvements of toll bridges, tunnels, and even of certain two-lane toll roads. It appears obvious that these provisions were included to take care of particular specific situations, but the reasons for their inclusion were the same as we are concerned about and the justification is identical.

"The national interest in having the Interstate System completed to uniform standards, at the earliest practicable moment, should motivate the United States Department of Transportation, as well as each of the States having toll-road portions of the Interstate System, to take steps toward accomplishing this necessary work.

"Accordingly, we ask that you review the possibilities of resolving this matter, first, under existing Federal laws and procedures, or, secondly, in the event you determine that additional legislative authority is required that you advise us if the Department of Transportation will consider supporting inclusion of such authority in your legislative program for 1975.

"In accordance with my conversation with Les Lamm, I am forwarding to you a letter prepared by our legal counsel, Squire, Sanders and Dempsey, outlining various alternative possible changes in language that might be appropriate for your review and consideration. Final language adopted would be that which your legal counsel would feel would be more appropriate.

"Further, I am enclosing a draft of language that will allow preliminary planning and engineering to be initiated in anticipation of Federal reimbursement on the same basis as all (free) Interstate Highways.

"I trust that this data and submission is sufficient to provide you with an opportunity for proper review of this important matter and to initiate whatever you deem appropriate in order that it will move forward. The Department stands ready to assist you in any manner which you might desire.

"Very truly yours,

"J. Phillip Richley
Director of Transportation

"JPR:jr

"Enclosures

"bcc: John W. McBee w/encls.
James W. Shocknessy w/encls.
James L. Stegmeier w/encls.
File"

The Chairman reported also that the revenue of the Ohio Turnpike Commission for 1974 was \$44,544,050 which was \$1,410,514 less than was received in 1973, the all time record year, but \$2,440,543 more than was received in 1972, the previous record year. He said despite wind and weather and a form of gasoline rationing which had been sustained early in 1974, the revenue experience was very good. He asked P. Joseph Sesler of the Ohio National Bank, Trustee for the bondholders, whether the Trustee was satisfied. Mr. Sesler said the Trustee was satisfied.

The Chairman reported further that revenue for January was approximately \$2,738,000 which was \$99,000 or 3.6% less than was received in January of 1974. He said the decline in commercial vehicle toll was partially offset by an 18% increase in passenger car tolls during the month. He said he did not want to misrepresent anything with that comparison because in January 1974 the use of gasoline and its sale were restricted.

The Chairman said that Mr. Johnson would discuss the Christmas Day asphalt missile incident.

The Chairman reported also that there had been one fatal accident during the month of January and that the 1974 accident experience had been unbelievably good and that there were only ten fatalities during the year. He said he could not in conscience overlook the fact that the reduction in the speed certainly had something to do with the development of that record.

(At this point Governor James A. Rhodes entered the meeting room together with P. E. Masheter, former Director of Highways 1963 - 1971, and Chan A. Cochran, Executive Assistant to the Governor.)

The Chairman asked the Governor and Mr. Masheter to sit at the Commission table, the Governor at the Chairman's right hand and Mr. Masheter at his left.

The Chairman said it was a great satisfaction to the Commission to be able to receive Governor Rhodes again as Governor of Ohio and he also was especially happy that Mr. Masheter was able to come because he had worked with Mr. Masheter, when he was a member of the Governor's cabinet, longer than he had ever worked with any other person in a similar position. The Chairman told Mr. Masheter that he had welcomed Mr. Jackson not only as the Governor's Director of Transportation but as sort of a protege of Mr. Masheter's and that he, Mr. Masheter, at the meeting could do everything but vote.

The Chairman said someone had once asked the Governor how long the Chairman was going to live, implying that he had lived long enough. The Governor replied, "How long is he going to live? He is going to live until the last Turnpike bond is paid." The Governor said that was right.

The Chairman told the Governor that he had mentioned the Turnpike press release of February 1 which Mr. Jackson and he had discussed with the Governor and that he and Mr. Jackson did not need to say anything else about it, but that the Governor might say anything he would like to say because there was no better way of presenting to the people of Ohio the solidarity that the Ohio Turnpike Commission had always manifested with the State than by having the Governor sit with the Commission and tell it anything he chose with respect to policies that might affect not only the Commission but the transportation industry.

The Governor said that first of all he wanted to thank the Chairman and the Commission for the invitation to attend. He said he had known no one in the realm of government at any level who had provided as much leadership as the Ohio Turnpike Commission had. He said in the eight years of his two previous terms as Governor it had been the Ohio Turnpike Commission and its Chairman that provided the drive and determination to finish some of the interstate network of roads. He said when his second term ended, Ohio let the nation and the system in Ohio was 93 or 94% finished. He said the State had a job ahead of it and would have other projects and then he and the Director of Transportation would come before the Commission about proposals and would need the help of the Commission in the future. He said Ohio was the transportation center of America. He said Ohio was closer to more markets than any other state of the Union and the state was going to play a big part in combating unemployment, crime and welfare. He said the cost of highways was a cost of production chargeable to industry generally and that Ohio had to have the best highway system in the nation. He said Ohio had to have the best operator, which it had in the Ohio Turnpike, and it was the Ohio Turnpike

that set the leadership for all turnpikes and that the Governor, the Commission, and the Director of Transportation had to establish one goal and that was to perpetuate the claim that Ohio was the transportation center of America and Ohio could do that only with everyone trying to cooperate. The Governor said there might be points of difference of how the problems should be approached but there never had been a point of difference that could not be overcome in order to reach a satisfactory arrangement to achieve the end, which was to build highways. He said voices had been raised in the very room in which the meeting was being held that day and that people had disagreed but when they left the room they were all in agreement and that they had come to the conclusion that it was necessary to build highways. He said it was sometimes necessary to lower goals in order to achieve the overall program and there had been controversies with other people and that all of those had been won. He said some people in the State of Ohio said that no more highways were needed and that there were some people who said they did not need any more fire protection and that there were some people who said that they did not need improved police protection. The Governor said he was concerned with the best highway system because of jobs; that the State could have greater employment and could attract new industry and could cause present industry to expand, if it had a better highway system. He said there were problems in some of the larger cities because some highways and innerbelt roads were not finished and some eyesores had been created, and in one city the situation was such that the city might become one of the unattractive cities of America. He said his administration wanted to finish all of the interstate network during its four years and would do so in three years or two years or one year if it could. He said his administration would have different programs that he believed would be progressive and that would be in the interest of everyone in the State of Ohio. He said the State could not afford eight percent unemployment and therefore his administration would have programs that it would announce shortly. He said one of the programs would be a highway program, and that he hoped his administration could also take care of mass transportation. The Governor said that his administration hoped that it could help some of the cities and counties, and some of the other areas, in the field of transportation. He said everyone who was concerned with transportation must stand united, move forward and finish the interstate network and then take care of some of the other problems of mass transportation and other problems.

The Governor said he wanted to thank the Chairman for his work. He said he had always said that the Turnpike should be named, and he said that the Chairman would start to jump up and down and say he did not need the name, but he thought the proper name for the Turnpike would be "Shocknessy's Freeway". The Governor said that time waited upon no man and one of these days he would suggest it and he would like to do it while the Chairman was residing on this earth. He said it would be pointless to take something to St. Joseph Cemetery and place it on a monument. The

Governor said he did not know any person who had devoted as much time, effort and energy to one project in the State of Ohio as Mr. Shocknessy had done for the Turnpike. He said the Chairman had not only done a great job, an excellent job, but the whole Commission reflected the Chairman's enthusiasm for the Turnpike. He said he knew that was not easy because nothing was easy in public life. He said there were many problems to be solved and from time to time one had to take the unpopular side and do what one thought was best. He said his administration was going to be in that position but in the end it would mean highways and jobs.

The Chairman said there was one other thing he wanted to tell the Governor, that it had been necessary to hospitalize Mr. Teagarden. The Governor said that Mr. Teagarden made the best tomato juice in Ohio. The Chairman said that Mr. Teagarden had come from Florida and was somewhat ill when he left the airport in Florida but because of what Mr. Teagarden was, he did come to Columbus. The Chairman said that while he was at dinner the night before the meeting he received a telephone call informing him that Mr. Teagarden was ill at an inn in downtown Columbus, so the Assistant Secretary-Treasurer, Mr. Johnson, went to the inn and picked up Mr. Teagarden and that he and the Chairman had driven Mr. Teagarden to University Hospital. He said he wanted to tell the Governor that the hospital staff, especially Henry G. Cramblett, M. D., Dean of the Medical School of The Ohio State University and Manuel Tzagournis, M. D., Assistant Dean, had been enormously cooperative and took Mr. Teagarden in and gave him prompt emergency care. The Chairman said Mr. Teagarden was in the hospital and that he had seen him that morning and would see him again that afternoon.

The Chairman said another thing he wanted to mention publicly was that he and the Executive Director had delivered the Annual Report of the Turnpike Commission for 1974 to the Governor personally. He said it had been delivered with a special degree of satisfaction because it was the ninth report of the total of 26 reports that had been delivered to Mr. Rhodes as Governor. He said that gave Governor Rhodes nearly as long a tenure with the Turnpike Commission as Mr. Teagarden's and his own. He said regardless of all the kind things the Governor had said about him and his accomplishments, those accomplishments were always dependent on the cooperation and support that he had received and the Commission had received from the Governors. He said that during the life of the Ohio Turnpike Commission Governor Rhodes had served more years than any other Governor. He said Frank J. Lausche had been Governor in 1949 when the Ohio Turnpike Commission was created but that Governor Lausche had been elected to the Senate in 1956 so that Governor Rhodes' tenure as Governor during the life of the Turnpike Commission had been even longer than Governor Lausche's. The Chairman said that the Commission had had nothing but happy relationships, on the long term, with the Governors of Ohio and that Governor Rhodes had had more opportunity

to put pressure on the Commission than anyone else had and that he never had done so. He said Governor Rhodes had always given the Commission freedom to operate as it saw best as God gave the Commission to do in the best interests of the people of Ohio. The Chairman said he believed that the Commission's Report was the first annual report that the Governor had received from any agency in the Governor's new term and he was proud of that thought. He said he doubted if any report had come to the Governor so far with a picture in it such as the picture that the Commission had of him in that report. The Governor said that his wife loved the picture. The Chairman said that the Executive Director had liked it and everyone else had liked it, but it must be that the Chairman thought the Governor was even better looking than the picture showed because he thought it could have been a better picture. He said in any case, the Commission was glad that it had been able to present it to him. The Governor said his wife liked the necktie shown in the picture and because he did not have one like that, she was going to get one for him.

The Chairman then said that he wanted to shake hands in the presence of the Governor with the new Director of Transportation (he did so) and to give him his very best wishes and his assurances on behalf of the Commission to him and to the Governor that the Commission would give him every support that it could. He said that did not mean that he was volunteering to be the Director's or the Governor's expediter for I-90 and I-76 and I-480, but it meant that anything that the Governor or the Director asked the Turnpike to do it would do or try to do, and the Governor knew the Commission meant it. The Chairman said he did not need a badge, that he had never needed a badge. He said his face and his loud voice were the only badges that he had had.

At this point the Governor asked to be excused and left. Mr. Masheter stayed at the invitation of the Chairman.

The Chairman said he had made a point about being named expediter because it had appeared in the newspapers several times, in fact a reporter from one of the newspapers, George E. Condon, Jr., of the Plain Dealer, then present, had divined that the Chairman would accept the position. He said he had said to the Director of Transportation, in the presence of the Governor, that it was up to the Director to decide whether he needed anyone or any agency outside his own department to help. He said it was his personal belief at that time that the Director could proceed without any outside help but the Commission, and especially the Executive Director and the Chairman, who were the Interstate Coordinators before, would do anything to help just as they had helped Mr. Masheter before. He said Mr. Masheter would not be at the meeting except to attest that it was possible to get along with the Commission, despite what people might say.

The Director of Transportation said he was pleased to join the Com-

mission. He said he remembered going to college in Indiana and, since then he lived in New York, he travelled the Turnpike a good many times and that was his early exposure to the Turnpike. He said without the Turnpike the trip would have been much more tedious. He said it was a pleasure to be on the Commission and he looked forward to working with the Chairman, the other Members, and the Executive Director and he had spent some time on the weekend going through material having to do with the Turnpike. He said he was particularly pleased with the Annual Report and that its form and presentation were extremely good and that the Chairman and the staff were to be commended for its presentation. He said he wanted to say again it was a pleasure to be on the Commission and he looked forward to working on it.

Mr. Masheter said he considered it an honor to be invited to the Commission meeting and to welcome the Director of Transportation into the fold. He said if he remembered correctly, Governor Rhodes had attended the first meeting of the Commission that he, Mr. Masheter, had attended. He said at that time those at the meeting talked about the expediting committee on which the Executive Director served for years and which was a great help in getting the interstate network completed to 93 or 94% while Governor Rhodes was in office before. He said he looked back at the eight years he served as Director of Highways and his companionship at that time with the Chairman as one of the bright spots of his life because he could always rely upon the Chairman. He said if something were wrong in his opinion, he could ask the Chairman, and if he agreed, and if he could help, he would. He said the Chairman never failed him. He said sometimes the Chairman told him he was wrong and then the Chairman did not do anything, which was certainly all right, because he, Mr. Masheter, was not right every time, only 99 times out of 100, but he and the Chairman had had a wonderful relationship. He said he was sure that Mr. Jackson, as Director of Transportation, would also have a wonderful experience with the Ohio Turnpike Commission.

Mr. Masheter asked the Chairman to give Mr. Teagarden his best wishes as he had not seen him for four years. He said if he could be of any help, the Chairman should call. The Chairman said he had never hesitated to call Mr. Masheter whether he was in office or not.

The Chairman said there was something he wanted to mention while the Governor was present but had not done so. He said the Commission had four appointed Members, the two Republicans had been appointed by a Democratic Governor and the two Democrats had been appointed by a Republican Governor. He said Governor Rhodes had appointed Mr. Teagarden and him to their present terms, and that Governor John J. Gilligan had appointed Mr. Bricker and Mr. Anderson. He said he wanted to mention that because it had never mattered whether Commission Members were Democrats or Republicans, all one had to do was be a man of good

conscience, good will and industrious, and in the case of the Director of Highways or Director of Transportation, a good engineer.

The Chairman said the report of the Chairman was accepted as offered. He said that Mr. Bricker had to leave at 12:00 and as a result he would like to change the agenda. The Chairman asked the Executive Director to offer the statements on the contracts to be considered.

The Executive Director reported that on January 28, 1975 bids on four resurfacing contracts had been opened and on that day he had advised the Commission Members of the results of the bid openings and furnished them with tabulations of the total amounts of all bids and alternate bids and also the estimates of the Chief Engineer for every one of the projects. He reported further that more than one bid had been received on every project and the low bid on every project was below the engineer's estimate. He said the bids had been carefully evaluated by the staff and by the Consulting Engineers and the confidential financial and qualification questionnaire submitted by every contractor had been reviewed. He said as a result the Consulting Engineers had determined the lowest and best bid for every project as follows:

For Contract RMP 59-75-1 for milepost 14.8 to milepost 27.5, a length of 12.7 miles in Williams and Fulton Counties, S. E. Johnson Company of Maumee, Ohio, in the total amount of \$3,124,067 including the alternate to use crushed slag in the surface course as in all other Turnpike projects because of its superior skid resistant quality and the alternate to provide all pavement paint striping;

For Contract RMP 59-75-2 from milepost 92.4 to milepost 101.4, a length of 9.0 miles in Sandusky County, Arthur S. Langenderfer, Inc., of Toledo, Ohio, in the total amount of \$1,391,895 including the alternate to provide all pavement striping;

For Contract RMP 59-75-3 from milepost 153.6 to milepost 161.0, a length of 7.4 miles in Cuyahoga County, William L. Schloss Paving Company of Cleveland, Ohio, in the total amount of \$789,484, including the alternate to provide pavement paint striping. The Director reported that he had received an informal complaint from the other bidder on project RMP 59-75-3, the Horvitz Company, that the low bidder had submitted what Horvitz Co. claimed was an unbalanced bid for a credit for leaving crossovers in place. He said the construction and removal of the crossovers was in the lump sum bid for maintaining traffic. He said the complaint had been carefully reviewed and it had been concluded that it should have no effect on the legality of awarding the contract to the low bidder;

For Contract RMP 59-75-4 from milepost 177.4 to milepost 186.9, a length of 9.5 miles in Summit and Portage Counties, Northern Ohio

Paving Company of Twinsburg, Ohio, in the total amount of \$1,494,040, including the alternate to provide pavement paint striping.

The Executive Director reported that the General Counsel, Francis K. Cole, had reviewed all legal aspects of the bids and advised that the contracts might be legally awarded. He said he, too, had reviewed all aspects of the bids and he concurred in the recommendations of the Consulting Engineers and the Chief Engineer, to award every contract to the low bidder and a resolution for that purpose had been prepared for every bid and he recommended that the resolutions be adopted.

A resolution awarding Contract RMP 59-75-1 was moved for adoption by Mr. Jackson, seconded by Mr. Bricker, as follows:

RESOLUTION NO. 1-1975

"WHEREAS the Commission has duly advertised according to law for bids upon a contract for the repair and resurfacing of original Construction Sections C-55, C-56, C-57, C-58 and C-59 between Milepost 14.8 and Milepost 27.5 in Williams and Fulton Counties, Ohio, which contract is designated Contract RMP 59-75-1, and proof of said advertising is before the Commission;

"WHEREAS the contract so advertised included alternates for the material to be used in the construction of the surface course, one such alternate being for an asphalt concrete surface course using limestone, and the other such alternate being for an asphalt concrete surface course using crushed slag in the construction;

"WHEREAS there were also alternates for performing the work with or without pavement striping during construction;

"WHEREAS the Commission received bids from two bidders, each bidder having submitted four separate prices in accordance with the afore-said alternates set forth in the proposal;

"WHEREAS all bids of the S. E. Johnson Company were lower than any of the other bids received;

"WHEREAS said bids have been analyzed by the Commission's consulting engineer and by its chief engineer, and they have reported thereon with respect to said analyses, and they, and also the Commission's executive director, have made their recommendations predicated thereon;

"WHEREAS the bids for said contract were solicited on the basis of the same terms and conditions and the same specifications with respect to all bidders and potential bidders and the bid of the S. E. Johnson Company

of Maumee, Ohio, in the amount of \$3, 124, 067. 00 for the performance of said Contract RMP 59-75-1 using crushed slag in the surface course and providing the pavement striping, is, and is by the Commission determined to be, the lowest and best of the bids received for the performance of said contract, and it is determined to be in the best interest of the Commission to accept said bid;

"WHEREAS the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537. 04 of the Revised Code of Ohio, and the terms, conditions and specifications in the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the lowest and best of all bids for the performance of the work required under said contract, and of the incidental obligations thereof; and

"WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of the S. E. Johnson Company of Maumee, Ohio, in the amount of \$3, 124, 067. 00 for the performance of Contract RMP 59-75-1 using crushed slag in the surface course, and performing the pavement striping, is, and is by the Commission, determined to be the lowest and best of all bids received for the performance of said contract and is accepted, and that the chairman and executive director, or either of them, hereby is authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a performance bond as heretofore approved by the Commission, (2) to direct the return to the other bidder of its bid security, (3) to direct the return to the successful bidder of its bid security when the aforesaid contract has been duly executed and the performance bond furnished, and (4) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

The Chairman asked General Counsel whether he was satisfied in all respects with the legality of the contracts. Mr. Cole said that he was. The Chairman asked Mr. Harnden of the Consulting Engineers, whether he was satisfied. Mr. Harnden said he was as he had stated in his letter. The Chairman said Mr. Cole was speaking for the Commission as General Counsel and Mr. Harnden was speaking for the J. E. Greiner Company, the Consulting Engineers, and both approved the contract.

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

Ayes: Jackson, Bricker, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 1-1975.

The Chairman asked General Counsel whether that was his conclusion with respect to the other three contracts. Mr. Cole said he had so advised the Commission by letter on all the contracts. Mr. Harnden also indicated that he, speaking for the J. E. Greiner Company, had also approved all four contracts.

A resolution awarding Contract RMP 59-75-2, was moved for adoption by Mr. Jackson, seconded by Mr. Bricker, as follows:

RESOLUTION NO. 2-1975

"WHEREAS the Commission has duly advertised according to law for bids upon a contract for the repair and resurfacing of original Construction Sections C-35, C-36 and C-37 between Milepost 92.4 and Milepost 101.4 in Sandusky County, Ohio, which contract is designated Contract RMP 59-75-2, and proof of said advertising is before the Commission;

"WHEREAS the contract so advertised included alternates permitting the bidder to submit proposals for the performance of the work with or without pavement striping;

"WHEREAS the Commission received bids from three contractors, each contractor submitting proposals for the work with or without the pavement striping;

"WHEREAS the bids of Arthur S. Langenderfer, Inc. for the performance of the work, with and without the pavement striping, were both lower than any of the other bids received;

"WHEREAS the contract advertised also provided for an amount to be bid as a credit to be given the Commission in the event that the Commission should determine to nonperform the removal of one or more crossovers on the project, and the amounts bid as such credits in no way affect the relative position of any bids received regardless of the action which may be taken with respect to any or all of such crossings;

"WHEREAS said bids have been analyzed by the Commission's consulting engineer and by its chief engineer, and they have reported thereon with respect to said analyses, and they, and also the Commission's executive director, have made their recommendations predicated thereon;

"WHEREAS the bids for said contract were solicited on the basis of the same terms and conditions and the same specifications with respect to all bidders and potential bidders and the bid of Arthur S. Langenderfer, Inc. of Toledo, Ohio, in the amount of \$1, 391, 895. 00 for the performance of said Contract RMP 59-75-2 including pavement striping is, and is by the Commission determined to be, the lowest and best of the bids received for the performance of said contract, and it is determined to be in the best interest of the Commission to accept such bid;

"WHEREAS the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537. 04 of the Revised Code of Ohio, and the terms, conditions and specifications in the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the lowest and best of all bids for the performance of the work required under said contract, and of the incidental obligations thereof; and

"WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

"NOW, THEREFORE, BE IT

" RESOLVED that the bid of Arthur S. Langenderfer, Inc. of Toledo, Ohio, in the amount of \$1, 391, 895. 00, for the performance of Contract RMP 59-75-2 including pavement paint striping is, and is by the Commission, determined to be the lowest and best of all bids received for the performance of said contract, and is accepted, and that the chairman and executive director, or either of them, hereby is authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a performance bond as heretofore approved by the Commission, (2) to direct the return to the other bidders of their bid security, (3) to direct the return to the successful bidder of its bid security when the aforesaid contract has been duly executed, and the performance bond furnished, and (4) to take any and all action necessary or proper to carry out the terms of said bid and of said contract.

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

Ayes: Jackson, Bricker, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with all Members present voting in the affirmative. The resolution was identified as No. 2-1975.

A resolution awarding Contract RMP 59-75-3 was moved for adoption by Mr. Jackson, seconded by Mr. Bricker, as follows:

RESOLUTION NO. 3-1975

"WHEREAS the Commission has duly advertised according to law for bids upon a contract for the repair and resurfacing of original Construction Sections C-19, C-20 and C-21, between Milepost 153.6 and Milepost 161.0 in Cuyahoga County, Ohio, which contract is designated Contract RMP 59-75-3, and proof of said advertising is before the Commission;

"WHEREAS the contract so advertised included alternates permitting the bidder to submit proposals for the performance of the work with or without pavement striping;

"WHEREAS the Commission received bids from two contractors, each contractor submitting proposals for the work with or without the pavement striping;

"WHEREAS the bids of The Wm. L. Schloss Paving Company for the performance of the work, with and without the pavement striping, are both lower than any of the other bids received;

"WHEREAS the contract advertised also provided for an amount to be bid as a credit to be given the Commission in the event that the Commission should determine to nonperform the removal of one or more crossovers on the project, and the amounts bid as such credits in no way affect the relative position of any bids received regardless of the action which may be taken with respect to any or all of such crossings;

"WHEREAS said bids have been analyzed by the Commission's consulting engineer and by its chief engineer, and they have reported thereon with respect to said analyses, and they, and also the Commission's executive director, have made their recommendations predicated thereon;

"WHEREAS the bids for said contract were solicited on the basis of the same terms and conditions and the same specifications with respect to all bidders and potential bidders and the bid of The Wm. L. Schloss Paving Company of Cleveland, Ohio, in the amount of \$789,484.00 for the performance of said Contract RMP 59-75-3 including pavement striping is, and is by the Commission determined to be, the lowest and best of the bids received for the performance of said contract, and it is determined to be in the best interest of the Commission to accept such bid;

"WHEREAS the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.04 of the Revised Code of Ohio, and the terms, conditions and specifications in the legal notice

applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the lowest and best of all bids for the performance of the work required under said contract, and of the incidental obligations thereof; and

"WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of The Wm. L. Schloss Paving Company of Cleveland, Ohio, in the amount of \$789,484.00, for the performance of Contract RMP 59-75-3 including pavement paint striping is, and is by the Commission, determined to be the lowest and best of all bids received for the performance of said contract, and is accepted, and that the chairman and executive director, or either of them, hereby is authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a performance bond as heretofore approved by the Commission, (2) to direct the return to the other bidder of its bid security, (3) to direct the return to the successful bidder of its bid security when the aforesaid contract has been duly executed, and the performance bond furnished, and (4) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

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

Ayes: Jackson, Bricker, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with all Members present voting in the affirmative. The resolution was identified as No. 3-1975.

A resolution awarding Contract RMP 59-75-4 was moved for adoption by Mr. Jackson, seconded by Mr. Bricker, as follows:

RESOLUTION NO. 4-1975

"WHEREAS the Commission has duly advertised according to law for bids upon a contract for the repair and resurfacing of original Construction Sections C-13 and C-14 between Milepost 177.4 and Milepost 186.9 in Summit and Portage Counties, Ohio, which contract is designated Contract RMP 59-75-4, and proof of said advertising is before the Commission;

"WHEREAS the contract so advertised included alternates permitting

the bidder to submit proposals for the performance of the work with or without pavement striping;

"WHEREAS the Commission received bids from three contractors, each contractor submitting a proposal for the work with or without the pavement striping;

"WHEREAS the bids of Northern Ohio Paving Company for the performance of the work, with and without the pavement striping, are both lower than any of the other bids received;

"WHEREAS the contract advertised also provided for an amount to be bid as a credit to be given the Commission in the event that the Commission should determine to nonperform the removal of one or more cross-overs on the project, and the amounts bid as such credits in no way affect the relative position of any bids received regardless of the action which may be taken with respect to any or all of such crossings;

"WHEREAS said bids have been analyzed by the Commission's consulting engineer and by its chief engineer, and they have reported thereon with respect to said analyses, and they, and also the Commission's executive director, have made their recommendations predicated thereon;

"WHEREAS the bids for said contract were solicited on the basis of the same terms and conditions and the same specifications with respect to all bidders and potential bidders and the bid of Northern Ohio Paving Company of Twinsburg, Ohio, in the amount of \$1, 494, 040. 00 for the performance of said Contract RMP 59-75-4 including pavement striping is, and is by the Commission determined to be, the lowest and best of the bids received for the performance of said contract, and it is determined to be in the best interest of the Commission to accept such bid;

"WHEREAS the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537. 04 of the Revised Code of Ohio, and the terms, conditions and specifications in the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the lowest and best of all bids for the performance of the work required under said contract, and of the incidental obligations thereof; and

"WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of Northern Ohio Paving Company of Twinsburg, Ohio, in the amount of \$1, 494, 040. 00 for the performance of Contract

RMP 59-75-4 including pavement paint striping is, and is by the Commission, determined to be the lowest and best of all bids received for the performance of said contract, and is accepted, and that the chairman and executive director, or either of them, hereby is authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a performance bond as heretofore approved by the Commission, (2) to direct the return to the other bidders of their bid security, (3) to direct the return to the successful bidder of its security when the aforesaid contract has been duly executed, and the performance bond furnished, and (4) to take any and all action necessary or proper to carry out the terms of said bid and of said contract.

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

Ayes: Jackson, Bricker, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with all Members present voting in the affirmative. The resolution was identified as No. 4-1975.

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

RESOLUTION NO. 5-1975

"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 December 17, 1974, 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 December 17, 1974 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: Bricker, Jackson, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with all Members present voting in the affirmative. The resolution was identified as No. 5-1975.

The Chairman said Mr. Bricker might be excused as there was nothing else on which to vote at the meeting. He thanked Mr. Bricker for being present. Mr. Bricker said he appreciated the fact that the Chairman had changed the agenda, thanked him, and left.

The Chairman said the meeting was one of the Commission's milestone meetings and the room was a milestone room because more things had been done in that room, as the Governor had suggested, with respect to public affairs than probably occurred in any other such room in the state government.

The Chairman said the report of the Secretary-Treasurer would be received.

The Assistant Secretary-Treasurer, Mr. Johnson, reported for the Secretary-Treasurer, Mr. Anderson, that since the last Commission meeting twelve items had been sent to the Commission Members. He said a copy of the list was in the Members' folders and would be included in the minutes as follows:

1. Summary of Bond Purchases - Year 1974.
2. Traffic & Revenue Reports for November and December 1974.
3. Financial Statements as of November 30 and December 31, 1974.
4. Detail of Investment Transactions which took place in December 1974 and January 1975.
5. Report on Concessionaires - Year 1974.
6. Cost and Budget Report - Year 1974.
7. Draft of the minutes of the December 17, 1974 meeting.
8. Accounts' Report - Financial Statements - December 31, 1974.
9. Annual Report.
10. Accountants' Report, Summary of Rentals reported by Service Station Operators, period October 1, 1973 through September 30, 1974.

11. Accountants' Report, Summary of Rentals reported by Restaurant Operators, period October 1, 1973 through September 30, 1974.
12. Year end release for year 1974 and month end statement for January 1975.

The Chairman said the report of the Secretary-Treasurer was accepted as offered. He said the report of the Committee on Budget and Finance would be received.

The Assistant Secretary-Treasurer, Mr. Johnson, reported for the chairman of the Committee on Budget and Finance, Mr. Anderson, that he had a few brief comments on the 1974 experience. He reported that operating expenses in 1974 amounted to \$13,330,000, which was just \$27,000 less than the budget that had been adopted for operating expenses by the Commission in December 1973. He said that was within one-fifth of one percent of the actual figure so there had been a good job done on preparation of the budget and staying within it. The Chairman said that one snowstorm would have upset the budget. The Assistant Secretary-Treasurer said that Providence was watching over the Ohio Turnpike Commission and the Chairman said that that was so and that Providence usually did so.

The Assistant Secretary-Treasurer reported further that there were some highlights in the revenues for 1974, and although the Chairman had touched upon some of them, he wanted to report that in 1974 commercial tolls amounted to \$20,651,860 which was the highest ever received from commercial tolls which helped offset lower revenues from reduced passenger car travel during the year. He reported that commercial traffic had been declining since November 1974, which was a reflection of the depressed economy, and that the upsurge in passenger car travel must be considered in view of the fact that the present period was being compared with the chaotic period of early 1974 when the oil embargo was in effect and the gasoline supplies were, at best, uncertain. He reported that all reports for the budget, including the Annual Report figures and the auditor's statements, had been completed and furnished to all Members.

The Chairman said the report of the Committee on Budget and Finance was accepted as offered. He ascertained there would be no report from the Committee on Service Plazas or from the Committee on Employee Relations.

The Chairman said there was one thing he wanted to say, because of all the turmoil arising from the change in the state administration, that employees of all agencies were concerned about whether or not their jobs were in jeopardy. He said that nobody on the Ohio Turnpike or working

for the Ohio Turnpike Commission was in job jeopardy because of any loss of revenue, nor from any other consideration of which he was aware. He said the Ohio Turnpike Commission did business on the basis of continuity over the years and did not increase personnel at any time for any artificial reason and did not have to drop personnel for any comparable reason, so employees of the Commission enjoyed a continuity of employment unaffected by anything except the basic economics of the Commission. He said the basic economics of the Commission were totally stable and in no way would require a reduction in employee personnel. The Chairman asked the Director of Transportation whether he wished to comment. The Director of Transportation said that was absolutely right. The Chairman asked Mr. Masheter whether he wanted to say something. Mr. Masheter said the Chairman was correct in what he had said.

The Chairman ascertained there would be no report from the Director of Transportation. He said the report of the Committee on Safety would be received.

The chairman of the Committee on Safety, Mr. Johnson, reported that during 1974 the Ohio Turnpike, as reported in both the Annual Report and year-end statement, had an outstanding safety record, having only ten fatalities for the year compared to 28 the year before. He said there had been as many as 40 fatal accidents in other years. He reported that 1974 was the best year the Turnpike had ever experienced including the first year the Turnpike was in full operation when there was less than half as much traffic. He said there was no question in his mind that a measure of that must be attributed to the lower speed limits and to rigid enforcement by the Patrol. He said the Ohio State Highway Patrol had done an outstanding job for the Ohio Turnpike Commission. The Chairman said that the Ohio State Highway Patrol was doing a great job and he wanted the world to know that. He said the Executive Director should write to Colonel Robert M. Chiaramonte, Superintendent of the Ohio State Highway Patrol, and let him know that the Commission had paid tribute to the enforcement practices of the Patrol which had contributed so much to the magnificent safety record which had been established in 1974.

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 that the year had ended on a tragic note. He said on Christmas Day a crime in which an asphalt missile was dropped from a Turnpike overpass had resulted in the death of a young woman. He said the Ohio State Highway Patrol and the local law enforcement authorities were continuing extensive efforts to apprehend the criminals. He reported that so far no one had been charged with the crime. He said it had generated a great deal of publicity especially in the area where it occurred (Lorain County) and that the Elyria Chronicle-Telegram had

launched a reward fund which already had thousands of dollars in it. He said there were hopes that the reward fund would help to break somebody down. He reported that in view of the incident he had asked the Consulting Engineers to review the situation within their realm of experience and to advise the Commission whether there were any known ways to prevent such incidents. He said the Consulting Engineers had responded in a letter dated January 30, 1975, copies of which were provided to the Commission Members. The Executive Director said that the Consulting Engineers found that there were attempts to provide types of protective barriers at locations throughout the country, and that most of these barriers were in urban areas where there were bridges with walkways and heavy pedestrian traffic especially in areas where there were heavy concentrations of traffic involving children on pedestrian overpasses, especially bridges constructed only for pedestrian traffic. He said there were such bridges within the City of Cleveland over I-71. The Executive Director reported that the significant conclusion in the Consulting Engineers' letter was:

"The provision of walkway screen will not eliminate the potential 'dropped object' hazard created by overpass structures. There is no practical device or method yet devised that can be universally applied to prevent a determined individual from dropping an object from an overpass. Small objects can be dropped through wire mesh screens. It is also a known fact that any type of physical preventive measure acts as a motivating challenge to some individuals. Screening has been in place on one existing bridge over the Turnpike; yet Commission records show three reported cases of objects being dropped on the Turnpike at this location in the four years surveyed. It should also be noted that overpass screening in addition to the initial cost, can often increase the necessary maintenance on overpass structures."

The Executive Director said he would conclude his report on the matter by saying there was no question in his mind, nor any question in the mind of the Ohio State Highway Patrol and the law enforcement authorities investigating the accident, that the occurrence was a deliberate act of a determined individual and he could not hope that every such sick act could be prevented because the Commission might prevent one kind of such act and have another kind occur.

The Chairman said the Greiner statement was supportable and that there was nothing really basic that could be done. He said if people wanted to commit a murderous act it was extremely hard to keep them from doing so and that was what was being dealt with. He said he did not think the person who dropped the asphalt intended to kill that girl, but whoever did it was sufficiently reckless and really did not care.

The Executive Director reported also that the state's project for construction of the ramps and interchange with I-90 in Lorain County had

progressed well. He said the project was the photograph on the cover of the Annual Report. He said the interchange was scheduled for completion in July and that the Ohio Turnpike Commission's project for the toll plaza portion was well underway and he believed both projects could be completed within the scheduled completion time without any difficulty unless some unforeseen difficulty arose. He reported on the interchange project with I-680 in Mahoning County that the project for the toll plaza portion which had been awarded at the Commission meeting in December, was just getting started, but was expected to progress coincidentally with the state's project which was scheduled for completion in October of 1975. He said he saw no reason why both projects could not be completed on schedule.

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 from the Consulting Engineers beyond those they had rendered earlier in the meeting on the resurfacing contracts.

The Chairman directed that the record should show that the Ohio Turnpike Commission extended its sympathy to the Greiner Company and to the family of John J. Jenkins, Jr. He said he had known Mr. Jenkins as one of the principal engineers in the construction of the Ohio Turnpike and he considered his death at 63 as untimely and he wanted the record so to show. The Chairman directed that a letter be sent on behalf of the Commission to Mr. Jenkins' survivors with a copy to the J. E. Greiner Company.

The Chairman ascertained there would be no report from the Trustees. He remarked that the debt of the Ohio Turnpike Commission was down to about \$112,000,000 and God willing, and futile efforts to curtail transportation by foolish methods to the contrary notwithstanding, the debt would be well under \$100,000,000 at the end of the year. He said he expected the debt to be between 95 and 100 million dollars at the end of 1975. Mr. Sesler agreed.

The Chairman ascertained there would be no report from the Director of Information and Research. The Chairman said as far as he knew, there was no new business and the resolution approving the actions of administrative officers had already been approved. He said the next meeting would be four weeks later, on March 4.

The Chairman said in 1955 he had written a letter to the editor, now deceased of the Columbus Dispatch, as follows:

"Mr. George A. Smallsreed, Editor
Columbus Dispatch
34 South Third Street
Columbus, Ohio

"Dear George:

"I have just finished reading the article in today's Columbus Dispatch under the byline of _____ about a pigsty off the right-of-way of the Ohio Turnpike and adjacent to one of our service plazas. As the Plain People in Pennsylvania would say, it 'wonders me' that with all the gorgeous beauty through which the Ohio Turnpike passes from the Pennsylvania border to the Indiana border, Mr. _____ found only a pigsty to write about. Other writers whom I have been reading find Nature's glories manifesting God's wisdom and providence along the Ohio Turnpike.

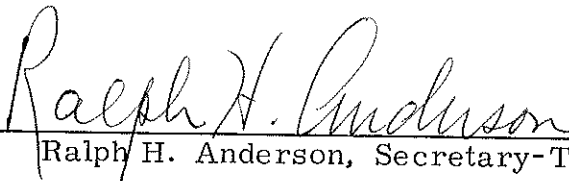
"I read another article by Mr. _____ in the Dispatch last week wherein he discussed prospective trouble we might have with organized Labor. I do not believe I have seen anything about that prospective trouble elsewhere although I do not doubt that the Ohio Turnpike Commission, like the Columbus Dispatch may, from time to time, have differences with organized Labor. It is a noteworthy coincidence, however, that in the construction of the Ohio Turnpike over the past three years little if any trouble with Labor has been encountered and somehow or other I lean to the view that the Commission will be able to live with Labor in the operation and maintenance of the Ohio Turnpike as agreeably as it has lived with Labor in the construction of the Ohio Turnpike. It just 'wonders me', George.

"Sincerely,

"James W. Shocknessy
Chairman"

The Chairman said the meeting was adjourned until March 4, 1975.
Time of adjournment was 12:25 P. M.

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



Ralph H. Anderson, Secretary-Treasurer