

MINUTES OF THE TWO HUNDRED AND NINETY-FIRST MEETING
September 9, 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 September 9, 1975 with key members of the staff; a representative, Harvey A. Harnden, of the Consulting Engineers; a representative, P. Joseph Sesler, of the Trustee, the Ohio National Bank; a representative, John A. Blum, of the Office of the Auditor of State, members of the press and others in attendance. The Chairman said all Members were present except the Director of Transportation, Richard D. Jackson, who was on his way to the meeting and that the roll call would be kept open until Mr. Jackson arrived. Therefore, those members present were: O. L. Teagarden, Ralph H. Anderson, Daniel E. Bricker, Richard D. Jackson and James W. Shocknessy.

The Chairman said the minutes of the meeting of July 1, 1975 were before the Commission.

A motion was made by Mr. Bricker, seconded by Mr. Teagarden, that the minutes for the meeting of July 1, 1975 which had been examined by the Members and on which the corrections suggested by the Members had been made be approved without reading.

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

Ayes: Mr. Bricker, Mr. Teagarden, Mr. Anderson, Mr. Jackson
Mr. Shocknessy (Mr. Jackson arrived during roll call and voted.)

Nays: None.

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

The Chairman reported that the Commission had had a reasonably quiet but rather satisfactory summer.

The Chairman reported also that it had been just six months since he had undergone an operation for cancer and that normally everyone underwent a check every six months after such an operation and September 9 would have been six months after the operation. He said that so he could attend the Commission meeting he had gone to the hospital on Wednesday, September 3, before the meeting and had undergone tests and had received a full clearance from Dr. Robert M. Zollinger, his surgeon and others. He said Dr. Zollinger had stayed with him on Friday morning throughout his ordeal and when it was finished, Dr. Zollinger had told him that he was entirely satisfied that the surgery in March had been a success and there was no indication of any recurrence. The Chairman said he supposed he would have to undergo checks every six months for the next five years or so.

The Chairman recognized the presence of Mr. Sesler and Mr. Blum. He said he was glad to see Mr. Blum and said that the Auditor of State, who had been a friend of the Chairman's for the Auditor's whole life, had his best wishes. He said the Commission had extended its best wishes to all the newly elected officials at the first meeting of the year, but he wanted Mr. Blum to give the Commission's best wishes to Mr. Ferguson personally. He said the Commission had lived a long while with the Fergusons, father and son, and while they had had their ups and downs the Commission had loved them all the same.

The Chairman reported also that during September nearly \$5,000,000 face value of Ohio Turnpike revenue bonds had been purchased by the Trustee in the open market and retired. He said the total face amount of bonds retired totaled \$9,152,000 so far in 1975 which brought the total retired to date to \$222,994,000, or nearly \$223,000,000. He said that left only \$103,006,000 left to be repaid of the original debt of \$326,000,000. He said there was no doubt the Commission would be able to retire more than enough bonds in early October to bring the total owing to about \$98,000,000. The Chairman asked Mr. Sesler for his opinion. Mr. Sesler said that by early October the outstanding debt should be about \$98,000,000.

The Chairman said that once the Commission reduced the debt to less than \$100,000,000, the Commission would look even better and must certainly look better to those people whom he had called prophets of doom many years ago and whom he had ordered to slither back into their caves. He said as far as he was concerned, they might still be in their caves. The Chairman said by the end of the year, the Commission debt should be reduced to about \$95,000,000.

The Chairman reported further that revenues for August were estimated at \$5,127,000 and that was the first time since August of 1974 when monthly revenue had been more than \$5,000,000. He said it was only the fifth time in the Commission's history that monthly revenue had been more than \$5,000,000. He said the August revenues were only \$227,000 (4.2%) less than those for August 1974 and only \$355,000 (6.5%) less than the all-time monthly total set in August 1973.

The Chairman reported further that during the week ending August 30, 1975, compared with the comparable week in 1974, the week ending August 31, the traffic on the Ohio Turnpike was up 0.7% in the number of passenger vehicles and down 5.8% in the number of commercial vehicles. He said passenger toll revenues were up 1% for the four weeks ended August 30. He said the Ohio Turnpike was an economic barometer, as good a barometer as there was in the United States, and that one per cent increase looked like a gradual improvement in the economy. He said the Ohio Turnpike showed a 4.2% total drop in all revenue for the month of August as compared with August 1974. He said commercial tolls for the last four weeks of August were down only 8.4% compared with a 12.6% decline in commercial revenue for the first seven months of 1975, and the Turnpike barometric reading of the economy was good.

The Chairman reported also that the new interchange in Lorain County, Interchange 8A, had been opened on August 1 and that the Executive Director

would report on that event.

The Chairman reported also that he, the Director of Transportation and the Executive Director, Allan V. Johnson, had all attended the formal opening of the final link of I-270 around Columbus. The Chairman said that, as far as he knew, it was the longest traffic distributor of its kind in the United States. He said the opening had great significance for him because he was Chairman of the Board of Mt. Carmel Hospital when it was determined to build Mt. Carmel Hospital East, and now the interchange of I-270 and Broad Street led right into the Hospital. The Chairman said that the Mayor of the City of Columbus, The Honorable Tom Moody, had said at the ribbon cutting that the Chairman had been waiting 25 years for the building of the road. The Chairman said the Mayor had been exactly right. He said Fred E. Jones, of happy memory, and he were driving to New York and Mr. Jones had picked him up at his house. He said they drove out by way of Taylor Station and over the old viaduct and had commented on how wonderful it would be when the time came when there would be an outerbelt around Columbus. The Chairman said he had congratulated the Director of Transportation when he opened the road but he congratulated him again on behalf of the Commission because every improvement in traffic movement in Ohio had some relationship to the Ohio Turnpike. He said he therefore took a personal interest in every highway improvement that occurred and considered that the improvement in highways always rebounded to the benefit of the Ohio Turnpike. He said that had something to do with the fact that by the end of 1975 the Ohio Turnpike Commission would owe about \$95,000,000.

The Chairman reported also that he had received a copy of an anonymous letter in the mail, a letter which had been sent to the Auditor of State. He said the letter was not dated and he did not have the envelope in which the copy came because such envelopes were frequently thrown away before he saw the correspondence. He said it appeared to him that it had been written by a disgruntled Ohio State Highway Patrolman because the letter began "I am a disgruntled citizen having recently been subjected to an intensive investigation by the State Highway Patrol as was (sic) many other state organizations. My argument is why is Col. Chiaramonte considered such a knight in shining armor." The Chairman said he had answered that question at the meeting table before. He said he recalled that the Commission had given Colonel Robert M. Chiaramonte an award at a time when Col. Chiaramonte was receiving awards from many other people and many other organizations. He said he had sent a copy of the letter to Col. Chiaramonte. The Chairman reported that he ordinarily did not pay any attention to anonymous letters and that the writer was complaining about Col. Chiaramonte because the Patrol, in furtherance of its responsibilities to the Ohio Turnpike Commission, had, over a long period of time, made a certain security check on the Chairman personally. He said the Patrol did so because several times in the history of the Turnpike threats of one kind or another had been made which the Patrol knew about although such threats were not reported publicly. He said even as recently as the previous week he had received an anonymous threatening telephone call but that he had grown used to threatening

telephone calls in the days when the Ohio Turnpike Commission was appropriating right of way. The Chairman said the Director of Transportation must be the object of similar annoyances. The Director of Transportation indicated that he was.

The Chairman said the Commission had a contract with the Patrol and had had such a contract from the beginning of the operation of the Turnpike and that threats and that sort of thing were turned over to the Patrol to investigate. He said recently during the truckers' strike there had been some tense times, and he had been threatened personally and the Patrol had been advised and the Patrol had kept a watch over him. He said one time when things were especially tense, the Patrol was not willing to let him drive his own car from his house to the Athletic Club but insisted that he ride in the Patrol car and the Patrolman get out at the Athletic Club and go upstairs to check his floor and his suite before the Patrolman would let him enter. He said the letterwriter was making a complaint that the services of the Patrol cost the State money. He said that was not true because the Patrol was paid by the Commission for policing the Turnpike and for whatever other policing the Commission required. He said part of the duties over the years had been giving him a certain kind of security protection because he had been considered a target for alleged misdeeds of the Commission. He said he wanted to say all that in the presence of Mr. Blum for his benefit and for the benefit of the Auditor of State so that if and when the Auditor of State received the letter, the Auditor's office would know what the facts were. He said the facts were that the Patrol was under contract to police the Turnpike and he supposed that included pursuing malefactors to their destinations. He said most of the Members of the Commission had known that he had suffered some threats. He said one time there was a man who worked for him at his house who had been authorized by the Superintendent of the Ohio State Highway Patrol to keep a shotgun watch then over the Chairman because the man at his house had received a telephone call to the effect that someone was going to come out and shoot the Chairman. He said that occurred at the time of the 1968 riots at The Ohio State University. He said the University was another place where he had been personalized, just as he was personalized at the Turnpike. He said he was not looking for publicity about the matter, in fact he would be happy not to have publicity on it. He said he did not give any weight to anonymous letters or copies thereof but in the case of an anonymous letter which might give concern to someone, he was willing to look it straight in the eyes. He said he did so because he found that it was better for him to be first than last on something that concerned him and the Commission. The Chairman said that every so often the Executive Director had to talk to the Superintendent of the Highway Patrol or to the Commander of District 10 at Berea to advise him of things that had been done or not been done. He said the post having jurisdiction over the area in which his house was located was the Granville Post of the Patrol.

The Chairman said that in 1968 a special telephone line was installed in his house -- the late J. Phil Gibbs was the district commercial manager of the Ohio Bell Telephone Company at the time -- so that if a threatening call came in,

another telephone could be picked up to tell the telephone company to attempt to trace the call. He said that was done because the Columbus Dispatch had quoted him in a headline saying that taking over buildings was anarchy. He said after the paper appeared he had received a call to the effect that "Shocknessy is going to find out what anarchy is because we're going to get him."

The Chairman said he had gone through such experiences for years. He said when he was a very young man he was counsel for the Homeowners Loan Corporation during the depression and it was frequently his sad responsibility to turn down loan applications and it was standard for him to get threats at that time. The Chairman said that on the day before the meeting he had talked to Victor J. Williamson, commercial manager at the Columbus offices of Ohio Bell Telephone Company, about two calls he had received the night before. He said both calls had been received over an unlisted line. He said the telephone company thought it was an isolated occurrence and not significant, but he always reported such experiences to the Patrol or to the telephone company. The Chairman said the probabilities were that most public officials got into the same kind of thing and if one did not get such phone calls it would surprise him because he was persecuted when the Ohio Turnpike Commission was buying right of way for the Turnpike because the Turnpike went through a lot of virgin territory where there had not been roads and where the Turnpike had to acquire property. He said he sympathized with the Director of Transportation because today those building roads were subject not only to objections from the public but to the kind of thing the Director had to put up with from other agencies of the government. He said he had just recently heard about someone who had had to get clearance from the OKI, which was the Regional Planning Agency in the Cincinnati area. He said one had to get clearance from the Federal government and everyone else in order to build just the smallest highway.

Mr. Blum said that since the Chairman had made the copy of the letter a matter of record, it would be appropriate for him, on behalf of the Auditor, to make a statement for the record. He said he realized the strain the Chairman had been placed under in his position as Chairman of the Ohio Turnpike Commission and also as a member of the Board of Trustees of the Ohio State University during the riots. He said the Auditor's office would encourage and expect the Highway Patrol to furnish protection to any member of any public body, Board or Commission or to any elected official in the State of Ohio. He said certainly that such duty was in the intent of the legislature when it established the Ohio State Highway Patrol. He said the letter alluded to Highway Patrolmen leaving state highways and driving on private roads to which the Auditor would not object and that as far as the Auditor of State was concerned, no credence whatsoever would be placed in the letter. He said he wished to repeat that the Auditor did expect the Highway Patrol to furnish attention to any member of any public body and would encourage such attention.

The Chairman said it was not a special detail, that what happened was that the Patrolman who was on duty drove in the front gate at his residence and drove out the back gate. He said it added no mileage to his detail when he did so.

The Chairman thanked Mr. Blum for being present and he thanked him for making his statement. He said the statement was good for other public officials to know the Auditor of State was not going to give them trouble for receiving the protection they were entitled to.

The Chairman reported also that many agencies were worrying about the newly enacted Sunshine Law requiring State agencies to hold their meetings in public, but that was not something the Ohio Turnpike Commission had to worry about because he was practically the author of the Sunshine Law. He said sunshine had been streaming into the Ohio Turnpike Commission from its very beginning. He said the very first meeting of the Commission was held in Governor Frank J. Lausche's conference room just outside the Governor's office. He said it was an organizational meeting and one of the then Members told him, when the Commission was ready to do business at the table, that there were people in the room who, the Member knew, were not Members of the Commission or the Highway Department. The Chairman said the Member had asked him who the people were and what he was going to do with them and he had replied: "Nothing, they're newspapermen." He said the Member then asked if it were his intention to do business with newspapermen present and he had replied: "Yes, that's what I'm going to do." He said the Member who asked the question was a man of great eminence in the State of Ohio who was still living at 96. The Chairman said he had always been pleased that the Ohio Turnpike Commission had never had any secret private meetings. He said the Commission met every month after the Members had received reports by mail of things going on at the headquarters from Commission staff and reports by Commission Members who were chairmen of committees like the Committee on Employee Relations and the Committee on Service Plazas. He said if anyone wanted to know, the Ohio Turnpike Commission did not have to change anything as far as the Sunshine Law was concerned because the Sunshine Law did not give any more sunshine to the Commission than it had always given itself.

The Chairman said the report of the Chairman was accepted as offered. (Mr. Blum left at this point and the Chairman thanked him.) The Chairman said the report of the Secretary-Treasurer would be received.

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

1. Accountants' Report - Financial Statements - June 30, 1975.
2. Detail of Investment Transactions which took place in July and August 1975.
3. Traffic and Revenue Reports for June and July 1975.
4. Financial Statements as of June 30, 1975 and July 31, 1975.

5. Draft of the minutes of the July 1, 1975 meeting.
6. Report on Concessionaires - First Half 1975.
7. Budget Report - First Half 1975.
8. Month-end releases - July and August 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 chairman of the Committee on Budget and Finance, Mr. Anderson, reported that the staff had continued work on the 1976 preliminary budget but had delayed its final preparation pending further developments in the discussions with employee representatives. He said the preliminary budget would be available at the October meeting of the Commission at which time it would be adopted to comply with the covenants of the Trust Agreement.

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

The chairman of the Committee on Service Plazas, Mr. Teagarden, reported that income from the restaurants had been increasing while all other income showed a decrease. Mr. Teagarden said that indicated to his committee that it was doing a pretty good job of serving the public in the restaurants. He said the increase in restaurant revenue in the first six months of 1975 had amounted to about \$91,000 or about 10%.

Mr. Teagarden reported further that the twelve months restaurant revenue ended June 30, 1975 was \$1,998,000 compared with \$1,775,000 for the 12 months ended June 30, 1974. He said that was a \$223,000 increase which was more than ten percent.

Mr. Teagarden reported further that there were very few complaints about the service plazas or restaurants. The Chairman said he had received no complaints about the restaurants.

Mr. Teagarden reported further that perhaps there were fewer complaints because a woman was now checking the restaurants and that might have something to do with the good housekeeping. The Executive Director said he thought it did. He said the woman was now on the staff and he thought she was a very important addition. He said it was the first time a woman had held that position.

The Chairman said the report of the Committee on Service Plazas was accepted as offered. He ascertained there would be no report from the Committee

on Employee Relations. He said the report of the Director of Transportation would be received.

The Director of Transportation, Mr. Jackson, reported that in a week or two he would have an interim report on traffic control in work zones available for discussion with the Chairman and the Executive Director. He said the report reflected the Department of Transportation's views on such traffic controls as those views related to the Department's experience with traffic control through areas of maintenance or reconstruction operations. The Executive Director said he had been waiting for such an opportunity and he assured the Commission that the Turnpike staff was prepared and was making a comprehensive review of the entire construction activity traffic control area and he would be very pleased to meet with the Director of Transportation's staff on the subject.

The Chairman said that the Commission had been unhappy about one specific experience which he was convinced did not represent in any way any dereliction on the part of the Commission. The Director of Transportation said there certainly was no dereliction at all. The Chairman agreed.

The Director of Transportation reported also that he had visited the new toll plaza, 8A, and he had been very pleased with the reception he received and was very pleased to have seen it and was greatly impressed with it. The Chairman said the new interchange was a good installation and that that reminded him that the Commission had had some letters from the Kent State University thanking the Commission for the traffic assistance the Turnpike had given them by erecting directional signs. He said there had been a request from the University of Toledo as well. The Executive Director said he had informed the University of Toledo that before any such signs were placed on the Turnpike leading people off the Turnpike to the University, the Commission would require the University to have placed lead-in signs on the rest of the route all the way to the University so that no one would get lost.

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 that passenger traffic throughout the summer of 1975 had been greater than that of 1974 and that commercial traffic, while still less than that of 1974, had been gradually improving every month. He said exceedingly wet weather over the Labor Day weekend had caused a decline in traffic for that period but there had been no fatal accidents during either the Labor Day or Fourth of July holiday periods. He said he regretted to report that there had been 18 fatalities during the first seven months of 1975 which compared with only seven in the same period of 1974. He said the 1974 record was the lowest fatality experience in the history of the Turnpike and that it was the best in general accident rate as well. He said the rates in 1975 were not unusual compared to other years, but the number was one which concerned the Commission and its staff but he did not see any way in

which the accidents that did occur could have been prevented by the Turnpike Commission or its staff because virtually every one of them had been the result of some form of driver inattention, or of some other factor over which the Turnpike had no control. He said one of the recent fatalities was a pedestrian, a man whose car had become disabled and who was on foot on the highway berm when he was struck by a truck.

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

The Executive Director reported that the new interchange, Interchange 8A, Lorain County West, between the Turnpike and State Route 2 in Lorain County, had opened as scheduled in August 1st. He said the interchange eventually would be the place at which I-90 would enter and leave the Turnpike but the road would not be so designated nor would the interchange, until sections of I-90 in the City of Cleveland were completed. He said two projects remained to be let for construction in the City of Cleveland and that it was his understanding that the Department of Transportation planned to let those contracts in October of 1975. The Executive Director said that it was expected that traffic and usage of the new interchange would be light initially and that had been the experience so far, but it certainly was an addition to the immediate local area. He said there were sections of I-90 in eastern Lorain County and western Cuyahoga County which were under construction and would add a substantial amount of I-90 traffic to the system once they were finished, which would be soon. He said usage of the interchange would be increased many times over current traffic when that occurred.

The Executive Director reported also that the toll plaza project for the new interchange with I-680 in Mahoning County was approximately 70 per cent complete. He said the area had been suffering from building trade strikes some of which had lasted almost five months and that a strike of roofers then in progress could delay the scheduled completion of the toll plaza building and facility. He said related I-680 projects being built by the Ohio Department of Transportation were also being affected by strikes and that he could not say whether the Commission or the Department of Transportation would be ready to open by the scheduled completion date which was the end of October but that he would report further about progress at the October Commission meeting. The Director of Transportation said that he hoped to open the connection by the end of the year.

The Executive Director reported also that two interchanges, Interchange No. 4 and Interchange No. 8, were being resurfaced by the Commission's own maintenance forces. He said those projects were well under way and proceeding without problems.

The Executive Director reported also that contracts had been let to pave two tandem trailer lots, those at Exit 10 and Exit 11. He said work at Exit 10 was scheduled to start on September 15 and at Exit 11 on September 29. He said both were relatively small projects which, the Commission had stipulated, must be completed within one week because the lots had to be totally free of traffic when

they were paved and it was an inconvenience to the users.

The Executive Director reported also that there had been an attempt to apply the Occupational Safety and Health Act, commonly referred to as OSHA, to the operations and the employees of the Commission. The Executive Director said he would not go into all the details which he had covered in a memorandum dated August 18 that was sent to all employees and the Members. He said it was sufficient to say that the Act did not apply to the Ohio Turnpike Commission but that although it did not do so, he had emphasized to the employees in his memorandum that the Turnpike Commission was deeply concerned about all areas of safety including those covered by the Act and the Commission expected to conduct itself and its operations accordingly. The Executive Director said the Federal Act specifically exempted public agencies from inspection by the OSHA administration. He said before the Ohio Turnpike Commission received a decision that the Act did not apply to it, inspections had been made and citations for minor violations had also been made and the Turnpike had to oppose the citations by filing a notice of contest stating the Act did not apply. He said the determination that the Act did not apply then was made by the OSHA Commission itself. He said OSHA filed a motion to vacate the citations because the Secretary of Labor stipulated that the Ohio Turnpike Commission was a political subdivision of the State and was therefore exempt from the requirements of the Act. He said he had just received a copy of the granting by the Secretary of Labor and by the commission of the motion to vacate.

The Chairman said that settled the matter. He said that if one did not take a position to protect one's legal status, supernumeraries of agencies such as OSHA would be able to drive one to distraction. He said that was what OSHA had been doing, writing all kinds of little complaints about things of little consequence.

The Executive Director agreed and said that the complainants' statements on the forms which they submitted said that the conditions complained of involved matters of immediate threat to life. He said that brought the OSHA inspectors out in a hurry and then they disrupted everything, but every one of the things they had come out for and looked at were determined to be nonserious in nature and of a minor magnitude.

Mr. Teagarden said safety had been the number one item on the Turnpike ever since he had been a member and every time there had been a meeting of Employee Relations Committee, the Committee went into safety items that had been referred to them.

The Chairman said there had been some provocateurs. He said they probably were among the Turnpike's own employees who went to OSHA just in order to give somebody something to think about.

The Executive Director said the most annoying thing was that it took an opinion from within the Department of Labor to assert jurisdiction of OSHA over the Commission and the Department of Labor had never told the Ohio Turnpike Commission about the opinion, although it had been delivered to someone else months before and neither the Commission nor its staff know about it. He said the Turnpike Commission had to ask for the opinion under the Freedom of Information Act. Mr. Teagarden said he had received a letter from his Congressman, The Honorable Delbert L. Latta, telling him that the Secretary of Labor, the Hon. John Dunlop, had issued instructions to all of the people in the Labor Department to be more lenient in their inspections and to give industrialists a chance to make corrections without issuing citations. He said he had been cited and had to pay a fine and that his Congressman had told him that every Congressman had received so many letters with reference to the methods that OSHA was using that something had to be done.

The Chairman said that many such agencies ought to be required to put up signs such as the Department of Transportation put up, "This is where your tax dollars go." He said the Director of Transportation put up such signs to show what construction the Department was doing, but other agencies ought to be required to put up signs to show that they were taking pepper out of sugar and that he could express that in a less pleasant manner.

The Executive Director reported also that the changeover of service stations from the current operators to operation by Standard Oil Company of Ohio (SOHIO) would take place at 12:01 a. m. on October 1. He said the staff had been working closely with SOHIO and that the changeover should take place with a minimum of inconvenience. Mr. Jackson said the changeover intrigued him because it was sure to be a very difficult, tedious and detailed changeover. The Executive Director said it was not a small task. The Chairman said there would be almost infinite detail involved in transferring at an instant from four companies to one company. He said the Turnpike had changed once before but not as extensively, and it did work. The Executive Director said the staff expected it to work but it would not come about without a lot of preparation.

Mr. Bricker asked what would happen to the employees who worked for the present operators of the service stations. The Executive Director said they were employees of other companies and it was nothing the Ohio Turnpike Commission had any control over. He said it was likely that some of them would be picked up by Standard Oil, but because they were employees of other companies and not covered by the Commission's contract with SOHIO, that was a matter that had to be handled by SOHIO and the individuals concerned.

The Executive Director said hundreds of people were involved. He said three to four hundred people were needed to operate the service stations because they were required to be open twenty-four hours a day, seven days a week. Mr. Teagarden said those concerned had had a long time to prepare so he was sure they had it pretty much under control. The Chairman said there was no doubt

that there was going to be anguish among some individuals because some were going to lose their jobs, but he hoped that the companies for whom they worked would try to absorb them elsewhere. He said all the companies who had operated on the Turnpike had outlets not far from the Turnpike and that he thought a lot of the people who worked in the Turnpike facilities for the four companies could be absorbed by the same employers.

The Executive Director reported also that as he had previously reported to the Commission, the staff had not been satisfied with the contract for maintaining the new toll audit system, a contract held by the RCA Service Company. He said he considered the difficulties were largely due to the fact that the contract had been written almost three years ago, well before the new system was designed and installed, and the precise maintenance requirements for the new system were not known at the time the contract was written and entered into. He said that after the new system had been in operation for some time it became apparent that substantial modifications in the maintenance contract were desirable, and because of the substantial changes, other qualified companies should have an opportunity to submit proposals for performing the service. He said an agreement had been reached with RCA to terminate the contract and the Commission had then asked for maintenance proposals on revised terms from RCA; Electron, Inc., the designer, installer, and the system terminal manufacturer; Digital Equipment Corporation, which was the system computer manufacturer, and from Syntonic Technology Inc., a subsidiary of Control Data Corporation. He said Syntonic Technology was an established maintenance service company which performed maintenance on other toll roads and had submitted a system maintenance proposal to the Turnpike Commission some three years before when proposals for a new system were solicited. He said three of the companies responded with complete proposals; Digital Equipment Corporation had been interested only in maintaining the computers and therefore did not respond or submit a proposal. He said after a thorough evaluation by the Turnpike staff and by the Consulting Engineers, the J. E. Greiner Co., of the three proposals received, Syntonic Technology, Inc. had been selected. He said it was expected that an agreement would be entered into with Syntonic to provide service effective on October 1, 1975. The Executive Director said he was reporting on the matter at the meeting, but no formal action by the Commission was required, as a service contract was within his authority to enter into the agreement without formal resolution action by the Commission. He said he expected, from the thorough analysis that had been made of the proposal, that in the long run and for the long range the new contract was going to be a plus for the entire system and for its maintenance.

The Chairman asked if there were any questions. The Director of Transportation said he had two questions, one concerned the length of the contract and the other was whether the organization selected had facilities in the state. The Executive Director said the length of the contract was something that was going to be kept somewhat open, that that was one of the problems with the RCA contract and one of the reasons why the Commission had to enter into an agreement with RCA to terminate it. He said it had been a five-year contract which was found

not workable so the new contract was going to have a shorter length with different provisions for termination. He said Syntonic Technology did have facilities in the state. He said they had facilities in Cleveland and in Columbus, but in addition they expected to expand their facilities in Ohio, especially in the Cleveland area, in order to take on the assignment. The Director of Transportation said it was important that service people be close by so one did not have to call New York or some other place and have maintenance people say they would be out the following week. The Executive Director said the contractors were dedicated service people and the basic group they organized would be assigned only to the Turnpike Commission contract. The Chairman said it was necessary for the Commission to have practically instant service. The Executive Director said that was true, that the system had to operate twenty-four hours a day, seven days a week. The Director of Transportation said the Executive Director was absolutely right, and the contract sounded good.

The Executive Director said Mr. Harnden had participated in all matters relating to the new contract and he was sure that he would say that the Consulting Engineers concurred in the decision. Mr. Harnden said the Consulting Engineers had already approved and recommended the award orally and that he was going to write a letter to the effect that the Consulting Engineers approved the contract.

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 said he had no report but because the Executive Director had mentioned OSHA, he would like to add that the experiences with OSHA had been fascinating from the standpoint of the Legal Department and that the Department had had to file the equivalent of a legal brief with the OSHA solicitor in Washington. He said the brief turned OSHA around in its thinking that the Ohio Turnpike Commission was covered by the Act. The Director of Transportation said it was amazing to him that the matter had to be taken that far.

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 from the Trustee. The Chairman said members of the staff of the Trustee had their work cut out for them in order to have their October closing ready before the October 7 meeting of the Commission when he would be able to speak about the reduction of the debt to about \$98,000,000. The Chairman said the report of the Director of Information and Research would be received.

The Director of Information and Research, Talbot Harding, said he had no report but that his predecessor, James D. Hartshorne, was in the room. The Chairman said that Mr. Hartshorne was always welcome. Mr. Hartshorne thanked the Chairman.

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

RESOLUTION NO. 18-1975

"WHEREAS the executive director, deputy executive director, chief engineer, general counsel, assistant general counsel, secretary-treasurer, assistant secretary-treasurer, comptroller and the director of information and research of the Commission have by various written and oral communications fully advised the members of the Commission with respect to their official actions taken on behalf of the Commission since the Commission's last meeting on July 1, 1975, 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 July 1, 1975 hereby are ratified, approved and confirmed."

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

Ayes: Mr. Teagarden, Mr. Bricker, Mr. Jackson, Mr. Anderson,
Mr. Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted. The resolution was identified as No. 18-1975.

There being no further business to come before the Commission, a motion was made by Mr. Bricker, seconded by Mr. Teagarden, that the meeting adjourn until October 7, 1975 subject to call of the Chairman. A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Mr. Bricker, Mr. Teagarden, Mr. Anderson, Mr. Jackson,
Mr. Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 12:18 p. m.

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


Ralph H. Anderson, Secretary-Treasurer