

MINUTES OF THE THREE HUNDRED AND ELEVENTH MEETING
February 6, 1978

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 6, 1978 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; John W. Clark, Special Assistant to the Director of Transportation, members of the press and others in attendance.

The meeting was called to order by the Vice Chairman. The roll was called and the attendance was reported to be as follows:

Present: David L. Weir, Ralph H. Anderson, Clarence D. Rogers, Jr.,
Daniel E. Bricker

Absent: O. L. Teagarden

The Vice Chairman announced that a quorum was present. He said the Chairman of the Commission, Mr. Teagarden, was unable to attend the meeting because he was recovering from recent surgery. He said Mr. Teagarden had expressed both his regrets for not being at the meeting and his confidence that the other Commission Members would be able to carry on in his absence. He said, therefore, as Vice Chairman of the Commission, he would be chairing the meeting.

A motion was made by Mr. Rogers, seconded by Mr. Weir, that the minutes for the meeting of December 13, 1977, 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: Mr. Rogers, Mr. Weir, Mr. Anderson, Mr. Bricker

Nays: None

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

The Vice Chairman reported that Turnpike total revenue for the year 1977 amounted to \$50,431,696 and was greater than had ever before been tabulated by the Commission. He said that, however, it must be noted that routine expenses for operation of the road were up by \$3,148,573 over 1976

and totalled \$19,072,987, also a record high. He said an additional \$10,847,141 was spent for rehabilitation projects, including 37.4 miles of mainline resurfacing. He said bonds retired in 1977 totalled \$18,816,000.

The Vice Chairman reported further that revenue for January was estimated at \$2,882,000 or .3% below that recorded in January of last year. He said toll revenue increased .1% over January 1977.

The Vice Chairman reported also that during the month of January, the Commission's Trustee, The Ohio National Bank, purchased and thus retired \$943,000 face amount of bonds. He said that with the latest purchases, bond retirements now totalled \$269,935,000 while bonds outstanding amounted to \$56,065,000 of the original \$326,000,000 issued.

The Vice Chairman reported also that the vicious blizzard which struck Ohio late in January caused the closing of the entire Turnpike at 10:20 a. m. on January 26. He said it was the first time the road had been completely shut down in its 22-year history. He said snow drifts and massive traffic pileups, particularly in the sixty-mile area between Toledo and Sandusky, prevented its total reopening for more than three full days until January 29 at 3:15 p. m. He said preliminary cash toll receipts for the four days in which the Turnpike was either partially or completely closed revealed a \$150,000 reduction in revenue from tolls collected for the same days in 1977. He said the Commission had yet to be able to tabulate the final cost for restoring traffic flow on the road following the storm, but the cost would be considerable. He said the Executive Director would comment on the subject further in his report.

The Vice Chairman reported also that the Commission's annual report for 1977 had been delivered by the Executive Director to Governor James A. Rhodes, the Legislative Leaders of the General Assembly and to the offices of the Clerk of the Senate and the Clerk of the House of Representatives on January 31, 1978. He said the Executive Director would comment.

The Vice Chairman reported also that the Commission would take action during the meeting on two resurfacing contracts, RMP 59-78-1 and RMP 59-78-2.

The Vice Chairman reported also that all the Commission Members had copies of a memorandum from the Executive Director in their folders which announced the appointment of G. Alan Plain to the position of Chief Engineer, which became effective on February 5, 1978. He said Mr. Plain would continue to retain the position of Deputy Executive Director. He said the Executive Director would elaborate on Mr. Plain's appointment in his report.

The Vice Chairman said the report of the Vice Chairman was accepted as offered. He 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. Weekly traffic statistics
2. Traffic Accident Analysis Report - November 1977
3. Traffic Accident Analysis Report - Year 1977
4. Month End and Year End Statements
5. Detail of Investment Transactions which took place in December 1977
6. Draft of minutes of the December 13, 1977 meeting
7. Summary of Bond Purchases in Year 1977
8. Financial Statements as of December 31, 1977
9. Traffic and Revenue Report - December 1977 and Summary for Year 1977
10. Litigation Report for Quarter ending December 31, 1977
11. Expense and Budget Report - Year 1977
12. Report on Concessionaires - 1977
13. Accountants' Report, Financial Statements - December 31, 1977

The Vice 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 Commission had finished 1977 with expenses almost \$836,000 under budget for the year. He said that that amount was 4.2% of the total budget, which was \$19,908,590.

Mr. Anderson reported further that the principal items under budget were: PERS expense by about \$115,000 because it was proper to charge this amount to Reserve Maintenance accounts rather than to the operations budget; Highway Patrol expense by about \$402,000 for salaries and automobile expense because the district was under authorized strength as a result of fewer graduates from the academy than necessary to maintain strength; toll collector salaries by about \$204,000 as a result of fewer than expected full-time employees for the first part of the year. He said it should be noted that the toll collector

work force was now at full strength and the Patrol had just added ten troopers and hoped to add more to be at or close to full strength by mid-year.

Mr. Anderson reported further that at the December meeting when the budget for 1978 was adopted, he indicated it would be submitted to the Members of the General Assembly, to the Office of Budget and Management and to the Legislative Budget Office of the Legislative Service Commission in compliance with a new section of the Ohio Revised Code adopted in 1977. He said that that had been done promptly after the meeting by Mr. Johnson but both the Director of the Office of Budget and Management and Chairman of the Legislative Budget Committee wrote to Mr. Johnson and said they did not think the information submitted constituted compliance with the Ohio Revised Code. He said Mr. Johnson had since responded to each with a detailed summary of the events that led to the adoption of the new legislation along with a statement that the Commission considered that the information submitted did constitute legal compliance. He said copies of the correspondence had been furnished to all Members and there had been no further response from the two offices. He said it should also be mentioned that the Speaker of the House, Vern Riffe, acknowledged receipt of the Commission's budget with his thanks for its cooperation.

The Vice 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. Johnson, reported that the extensions of the current contracts with the two Turnpike restaurant concessionaires, which had received the Commission's authorization by resolution at the last meeting, had been furnished to both concessionaires and he had already received the executed contract from the Howard Johnson Company and anticipated receiving a like agreement from Gladieux Food Services, Incorporated within several days.

Mr. Johnson reported further that, as he had mentioned at the December meeting, several price adjustment requests pertaining primarily to Commission-controlled selections on the standard menu, had been submitted by the restaurant concessionaires. He said those requests had been thoroughly scrutinized by the Commission's staff with the result being that modest adjustments were approved late in January and had gone into effect on February 1. He said that there had not been any price increases in Commission-controlled selections on the standard menu since January of 1977.

Mr. Anderson said, for the record, he wished to ask Mr. Johnson if a survey of off-turnpike restaurant prices for similar items had been conducted prior to approving the recent concessionaires' requests.

Mr. Johnson said that such a survey had been conducted, always the practice when proposed price increases were submitted by the Turnpike

restaurant operators. He said the Committee waited until after the first of the year to see what impact the increase in the Federal minimum wage would have upon food prices charged at off-turnpike restaurants. He said the mandatory wage hike had been cited by the Turnpike restaurant operators as one reason they were asking for the price adjustments. He said the survey, which was taken after the Federal minimum wage increase became effective, revealed that the concessionaires' moderate price adjustments were not out of line and food costs at Turnpike restaurants remained comparable to those charged by off-turnpike restaurants.

The Vice Chairman said the report of the Committee on Service Plazas was accepted as offered. He said the report of the Committee on Employee Relations would be received.

On behalf of the chairman of the Committee on Employee Relations, Mr. Bricker, the Committee vice chairman, Mr. Plain, reported that changes in wages and salaries in the Employee Manual for 1978, which had been recommended to the Executive Director by the Committee and had received his approval and which were reported in detail to the Commission at the December Commission meeting, had been implemented.

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

The Director of Transportation, Mr. Weir, reported that several weeks prior to the Commission meeting the American Association of State Highway and Transportation Officials had a daylong session in Washington, D. C. at which time they reviewed the proposed 1978 Transportation Act. He said he had been unable to attend the session but had been represented by Mr. Dennis Garwood, Assistant Director of the Ohio Department of Transportation. He said Mr. Garwood had alerted the assembled group of the situation concerning the Ohio Turnpike with regard to its current status and the proposal for Federal Aid Interstate participation, on a 90-10 financial basis, in improvements or upgrading determined to be necessary for the Turnpike to become a toll-free facility and the current inability to obtain such aid until after the road was toll free. He said he would soon be mailing letters further outlining the problem and position of the Ohio Department of Transportation concerning the matter to the appropriate government officials.

The Vice Chairman said the report of the Director of Transportation was accepted as offered.

Mr. Clark said that he thought it appropriate at that time to mention that on behalf of the Director of Transportation he had offered testimony before the Transportation and Urban Affairs Committee of the Ohio House

of Representatives concerning the resolution before them, House Joint Resolution 57, which would memorialize the Congress of the United States to amend Section 111 of Title 23, United States Code. He said that it was his understanding that the resolution had been passed by the committee but had yet to be scheduled for a House vote.

The Vice Chairman thanked Mr. Clark for his comments. He said the report of the Executive Director would be received.

The Executive Director reported that the January blizzard was a vicious storm, described by some as a killer storm, but that fortunately there had not been any fatalities on the Turnpike as a result of it. He said, however, that the high winds and snow which accompanied it caused zero visibility along almost the entire length of the Turnpike, particularly in the western half of the road.

The Executive Director reported further that the storm precipitated the official closing of the Turnpike from the Lorain-Elyria Interchange (Exit 8) to the Indiana Line, approximately 140 miles of the road, at 9:25 a. m. on January 26, 1978. He said that about one hour later the decision was made to close the remainder of the Turnpike in order to prevent additional traffic from entering onto the road, thus complicating maintenance crew efforts first to evacuate stranded motorists and then clear the snow from the road.

The Executive Director reported further that the area hit hardest by the blizzard was the 100 mile stretch between Milepost 30 and Milepost 130 which is just west of Toledo to Lorain. He said in that section of the Turnpike there were massive snow drifts up to 15 feet in height and in most cases, both east and westbound lanes were completely blocked where bridges crossed over the Turnpike. He said that throughout that 100 mile length of the road abandoned passenger cars and commercial vehicles were strewn all over the mainline. He said that in some cases it took Turnpike maintenance crews, assisted by the Ohio National Guard, two days to get in to find whether or not individuals were stranded or trapped in their vehicles and that there were great numbers of people evacuated to safety.

The Executive Director reported further that it took a tremendous effort on the part of everyone involved, Turnpike employees, the Ohio National Guard, the American National Red Cross, private contractors and others, to prevent the loss of life and clear the road in an orderly and efficient manner. He said that four of the 16 Turnpike Service Plazas were without power for almost two days and the people stranded in them managed to get by without any major disruptions occurring.

The Executive Director reported further that, following the end of the storm, the Turnpike was reopened in stages. He said that the road was reopened from the Pennsylvania line to the Lorain-Elyria Interchange (Exit 8)

on Friday, January 26, 1978 but that on Saturday, January 27, 1978 traffic was not permitted to travel west of the North Olmsted-Cleveland Interchange (Exit 9) because the Lorain-Elyria area could not accept any more Turnpike traffic from Exit 8. He said that on Sunday, January 29, 1978 the previously closed eastbound lanes of the Turnpike were reopened at 1:00 p. m. and the entire length of the road was reopened at 3:15 p. m.

The Executive Director reported further that, as had already been mentioned, the Commission had yet to determine the cost of the entire reopening process. He said preliminary toll receipts indicated an estimated loss of \$250,000 but that it would take some time to calculate the total loss of charge tolls, employee overtime and private contractor expenses.

The Executive Director reported further that the Commission would treat its employees in an identical fashion as he understood the State was doing for its employees with regard to whether or not they showed up for work on the two days declared an emergency by Governor James A. Rhodes, Thursday, January 26, 1978 and Friday, January 27, 1978. He said all of the Commission's regular, full-time employees in non-supervisory positions would be paid for at least eight hours for each of the two days even if they were unable to report for work. He said those who did work would be handled on those days on an overtime basis.

The Vice Chairman said that the Members of the Commission wished to congratulate all Commission employees for their outstanding efforts during the blizzard.

The Executive Director reported also that on January 31, 1978 he presented a copy of the Commission 1977 annual report to Governor Rhodes. He said he had originally had an appointment to see the Governor the previous day but had cancelled it. He said the Governor had thanked him for the report and expressed his confidence in the Commission and said it had been doing a fine job.

The Executive Director reported further that he had delivered copies of the annual report to the offices of the Legislative leaders of the General Assembly and to the offices of the Clerk of the Senate and the Clerk of the House of Representatives on January 31. He said the annual report, which had been widely distributed, had once again been completed on time and he wished to compliment those involved in its production.

The Executive Director reported also that the Commission staff had continued to work closely with Mr. Weir and Mr. Clark on Turnpike transition efforts.

The Executive Director reported also that G. Alan Plain had been appointed to succeed Frank A. Dutton as the Commission's Chief Engineer. He said Mr. Dutton had been with the Commission for about ten years prior

to his retirement. He said Mr. Plain started with the Commission as Assistant Chief Engineer and he considered that Mr. Plain was completely knowledgeable about the operations of the Engineering Department and could handle that position and his other duties as Deputy Executive Director.

The Executive Director suggested that, due to Mr. Plain's newly combined responsibilities, another staff member be added to the Committee on Employee Relations, namely David H. Ransbury, Assistant Chief Engineer.

The Vice Chairman said he accepted the Executive Director's suggestion and Mr. Ransbury would be appointed to the Committee.

The Executive Director reported also that bids had been solicited and received for two Turnpike resurfacing projects to be completed during 1978. He said the Members of the Commission had been sent tabulations of the bids and drafts of resolutions awarding contracts to the lowest bidder. He said the low bid for each project, which had been under the Engineering Department estimate, had been thoroughly examined by the Commission's staff and the Consulting Engineers and everything appeared to be in order. He said the firms who submitted the lowest bids, The William L. Schloss Paving Company of Cleveland and S. E. Johnson Company of Maumee, had both satisfactorily performed resurfacing work for the Commission before. He said that, therefore, the Commission's staff and the Consulting Engineers recommended that the contracts be awarded to the firm which bid lowest on each contract.

A resolution authorizing the awarding of Contract RMP 59-78-1 was moved for adoption by Mr. Weir, seconded by Mr. Anderson, as follows:

RESOLUTION NO. 1-1978

"WHEREAS the Commission has duly advertised according to law for bids upon a contract for the repair and resurfacing of original construction Sections C-50, C-51, C-52, and C-53 between Milepost 39.0 and Milepost 48.6 in Fulton and Lucas Counties, Ohio, which contract is designated Contract RMP 59-78-1, and proof of said advertising, together with the bids received, is before this meeting;

"WHEREAS two bids for the performance of said contract were received and were duly opened and read as provided in the published notice for said bids;

"WHEREAS said bids have been analyzed by the Commission's consulting engineer and by its acting 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 upon such analyses;

"WHEREAS all 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 S. E. Johnson Company of Maumee, Ohio, in the amount of \$2,016,115.00 for the performance of Contract RMP 59-78-1 has been determined by the Commission to be the lowest and best of all bids received, and 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 to the terms, conditions and specifications and to the legal notice applicable thereto, and accordingly, the Commission may legally 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 S. E. Johnson Company of Maumee, Ohio, in the amount of \$2,016,115.00 for the performance of Contract RMP 59-78-1, 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: Mr. Weir, Mr. Anderson, Mr. Rogers, Mr. Bricker

Nays: None

The Vice Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 1-1978.

A resolution authorizing the awarding of Contract RMP 59-78-2 was moved for adoption by Mr. Weir, seconded by Mr. Anderson, as follows:

RESOLUTION NO. 2-1978

"WHEREAS the Commission has duly advertised according to law for bids upon a contract for the repair and resurfacing of original construction

Sections C-17, C-18, and parts of C-16 and C-19, from Milepost 161.0 to Milepost 173.0 in Cuyahoga and Summit Counties, Ohio, which contract is designated Contract RMP 59-78-2, and proof of said advertising, together with the bids received, is before this meeting;

"WHEREAS two bids for the performance of said contract were received and were duly opened and read as provided in the published notice for said bids;

"WHEREAS said bids have been analyzed by the Commission's consulting engineer and by its acting 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 upon such analyses;

"WHEREAS all 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 \$1,858,791.00 for the performance of Contract RMP 59-78-2 has been determined by the Commission to be the lowest and best of all bids received, and 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 to the terms, conditions and specifications and to the legal notice applicable thereto, and accordingly, the Commission may legally 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 \$1,858,791.00 for the performance of Contract RMP 59-78-2, 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: Mr. Weir, Mr. Anderson, Mr. Rogers, Mr. Bricker

Nays: None

The Vice Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 2-1978.

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

Mr. Harnden said that he did not have a formal report but did wish to add his commendations to those expressed by others during the meeting with regard to the excellent performance of the Commission's employees in reopening the Turnpike after the recent blizzard.

The Vice Chairman thanked Mr. Harnden for his comments. He said the report of the Consulting Engineers was accepted as offered. He ascertained there would be no report from the Trustee.

The Executive Director said that although Mr. Sesler did not have a report he wished to point out that at the conclusion of 1977 all the money in the bond redemption account had not been utilized for bond purchases. He said that, as had already been reported, the Commission had retired bonds in January which meant that all the funds carried over in the Redemption Account from 1977 had been utilized for bond purchases on the open market and, therefore, there would not be any need to call bonds on June 1. He said that had there been money in the account on April 15, the Commission would have had to go to a call.

The Vice Chairman ascertained there would be no report from the Director of Information and Research.

The Vice Chairman said it appeared that it would not be necessary for the Commission to meet in March. He said the next meeting would be held on April 11, 1978.

There being no further business to come before the Commission, a motion was made by Mr. Weir, seconded by Mr. Anderson, that the meeting adjourn until April 11, 1978 subject to call of the Chairman.

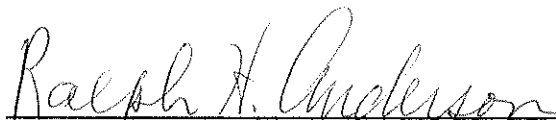
A vote by ayes and nays was taken and all Members present responded to roll call. The vote was as follows:

Ayes: Mr. Weir, Mr. Anderson, Mr. Rogers, Mr. Bricker

Nays: None

The Vice Chairman declared the meeting adjourned. The time of adjournment was 11:46 a.m.

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



Ralph H. Anderson, Secretary-Treasurer