

MINUTES OF THE 319th MEETING OF THE OHIO TURNPIKE COMMISSION

September 11, 1979

Pursuant to bylaws the Ohio Turnpike Commission met in regular session at the BancOhio National Bank Building at 155 East Broad Street, Columbus, Ohio at 11:00 a. m. on September 11, 1979 with key members of the staff; a representative, William R. Fleischman, of the Consulting Engineers; two representatives, P. Joseph Sesler and Dan Hearl of the Trustee, BancOhio National Bank; John W. Clark, Special Assistant to the Director of Transportation; members of the press, Lee Leonard, United Press International and Lee Stratton, Columbus Dispatch; and others in attendance.

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

Present: David L. Weir, Jo Ann Davidson, Clarence D. Rogers, Jr.

Absent: Ralph H. Anderson

The Chairman said that the meeting was the 319th of the Ohio Turnpike Commission, and it was being held at the BancOhio National Bank Building at the invitation of the Trustee, BancOhio National Bank, for the convenience of the Columbus-area Members and participants. He said that Mr. Anderson was out of the country and, therefore, was unable to attend the meeting. He said that a quorum was present and the official business of the Commission could be conducted.

A motion was made by Mrs. Davidson, seconded by Mr. Weir that the minutes of the meeting of July 10, 1979, 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: Mrs. Davidson, Mr. Weir, Mr. Rogers

Nays: None

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

The Chairman said the meeting would consist primarily of informational reports by the various committees of the Commission. He said that before those reports were given he would give a brief report on Turnpike

traffic and revenue statistics, especially those for the summer months because there had been a significant decrease in passenger car traffic which could not be ignored.

The Chairman reported that, for instance, passenger car traffic for July and August had been down 17.5% from the same two-month period last year. He said also that passenger car traffic for the first eight months had been down 9.8% from 1978.

The Chairman reported further that commercial traffic and revenues had been levelling off from the sharp increase experienced earlier in the year. He said that, nevertheless, commercial vehicle revenues for the first eight months were \$19,173,000, which was \$1,061,000 or 5.9% higher than a year ago.

The Chairman reported further that since August had traditionally been the peak traffic month of each year, the Turnpike was now in a period of traffic decline and, even though gasoline supplies appeared to be adequate, the high cost of gasoline would, no doubt, have a permanent effect on future travel. He said the precise effect certainly would be difficult to predict but a traffic forecast for the year 2005 would be a part of the engineering studies the Commission authorized at the last meeting. He said Allan V. Johnson would report further on the status of those studies during his presentation as Executive Director.

The Chairman reported further that since the last Commission meeting, the Trustee had purchased and retired \$4,629,000 in Turnpike bonds which left the outstanding debt at \$31,749,000. He said additional monies were available in the redemption account for bond retirement and he would request that the representative of the Trustee discuss that matter in his report.

The Chairman said that in the absence of any questions the report of the Chairman was accepted as offered. He said the report of the Secretary-Treasurer, presented by the Assistant Secretary-Treasurer, Mr. Johnson, in the absence of Mr. Anderson, would be received.

The Assistant Secretary-Treasurer reported that since the last meeting the following had been sent to all Members:

1. Traffic and Revenue Reports - June and July, 1979
2. Traffic Accident Analysis Reports for June and July, 1979
3. Financial Statements for June and July, 1979
4. Weekly Traffic Statistics
5. Month End Release - June, 1979

6. First Half of 1979 Expense and Budget Report
7. Draft of the Ohio Turnpike Commission Minutes of the July 10, 1979 meeting
8. Details of Investment Transactions which took place in July and August, 1979
9. Accountant's Report, Financial Statements - June 30, 1979

Mrs. Davidson asked the Assistant Secretary-Treasurer if he knew of any particular reason for the 50 percent reduction in special permit fee revenue which appeared on the six-month financial report.

The Assistant Secretary-Treasurer said the reduction in revenue from that source was due to a change in state law which extended the maximum legal length of commercial vehicles using Ohio's highways from 55 to 60 feet. He said the change in the law prompted a corresponding revision to the Commission's special hauling permit procedures governing over-length vehicles. He said that since the fee for over-length tractors and semi-trailers was one cent per mile for every foot over length, the Commission was losing as much as five cents a mile in permit fees from such vehicles.

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

In the absence of the Chairman of the Committee on Budget and Finance, Mr. Anderson, the Committee's Vice Chairman, Mr. Johnson, reported that the current expenses for 1979 were approximately \$909,000 or 5-1/2% under the budgeted amount of \$16,479,223 for the first eight months of the year. He said that barring any unforeseen disaster or blizzards, he anticipated finishing the year under budget.

Mr. Johnson reported further that the Commission's staff was still working on the preliminary budget for 1980 and that it would be reviewed by the Committee on Budget and Finance in early October after Mr. Anderson returned home. He said the preliminary budget would have to be adopted prior to October 20 in compliance with a covenant in 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, Mrs. Davidson, said that she and Mr. Johnson, Vice Chairman of the Committee, had reviewed the committee's report before the Commission Meeting and agreed that he would make the report.

Mr. Johnson reported that completion of contracts for remodeling and expansion of the rest room facilities at seven service plazas had been delayed primarily because of unexpected long delivery time of stainless steel partitions. He said the projects, which had originally been scheduled for completion in the month of July, would now be finished sometime in October.

Mr. Johnson reported further that contracts for remodeling and expanding the rest rooms of the remaining nine service plazas had been awarded as per the authority granted by the Commission in Resolution No. 12-1979 adopted at the last Commission meeting. He said the contracts were awarded to the low bidder in each case, namely the R. C. Organ Construction Company for Group I, which consisted of only one of the nine plazas, in the lump sum of \$345,000 and Rudolph/Libbe/Inc. in the lump sum amount of \$1,659,000 for the other eight plazas. He said both contractors had previously done work for the Commission and had performed satisfactorily. He said both bids were near or below cost estimates of \$339,124 and \$2,196,834, respectively.

Mr. Johnson reported also that, as he had mentioned at previous Commission meetings, the staff and consulting engineers had been studying other areas where renovation or expansion of the service plaza facilities was necessary or warranted. He said those other areas of concern included but were not limited to the underground fuel storage tanks and pipeline distribution systems, the plaza electrical systems, the sewage treatment and water systems and also the parking lots. He said preliminary recommendations and possible funding methods would be completed during the next month and any necessary Commission action would probably be presented at the October Commission Meeting.

Mr. Weir asked Mr. Johnson if he was correct in his belief that special accommodations for the handicapped were included in the remodeling of the service plazas. Mr. Johnson said that Mr. Weir was correct.

Mr. Johnson said the service plazas were 25 years old, and since they were to stay in operation after the revenue bonds were retired and the Turnpike was turned over to the state as a toll-free road, particular attention has been given to their overall condition to insure that they remained viable facilities and conformed to any federal regulations.

The Chairman asked Mr. Johnson if the construction work being done at the service plazas had aggravated the parking problems mentioned at the last Commission meeting.

Mr. Johnson said parking problems pertained to the increased number of commercial vehicles on the Turnpike versus a decreasing passenger car volume. He said modifications had been made to the parking lots to restrict trucks from being parked in passenger car areas. He said the changes to the lots had worked quite well during the summer months but

plans were being reviewed possibly to expand truck parking facilities.

The Chairman asked Mr. Johnson if he thought there was an adequate number of parking spaces marked specifically for the handicapped at the service plazas.

Mr. Johnson said he thought there was a sufficient number of such spaces at the plazas. He said that the current edition of the Turnpike map, which had a wide circulation, showed and described which plazas now have facilities available to the handicapped and what was planned for the near future at the other service plazas.

The 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.

The Vice Chairman of the Committee on Employee Relations, G. Alan Plain, reported that he anticipated that dates would soon be selected for the annual meetings with the various employee groups.

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

The Director of Transportation, Mr. Weir, reported that, as he had earlier mentioned to Mr. Johnson, the bids which O. D. O. T. had received for salt averaged \$6.85 per ton over 1978, moving the price from about \$18.10 to \$24.95. He said that, additionally, they had not received bids in 28 of the state's 88 counties. He said the result was that O. D. O. T. had removed the "buy American" requirement from the bid documents and that, after re-advertising, bids had been received from such countries as Mexico and Brazil at almost \$39.00 a ton. He said the increased cost of salt could total approximately \$4 million.

Mr. Weir reported also that, with regard to roadway resurfacing on both the Turnpike and state-maintained roads in 1980, he had been informed by asphalt industry representatives that resurfacing materials could increase next year about 25 per cent over 1979 costs. He said it would conceivably cost O. D. O. T. \$50 million in 1980 to do a \$40 million resurfacing program.

Mr. Weir said also that price increases in salt and asphaltic materials for next year would put an added burden on O. D. O. T.'s budget, which had yet to receive final approval. He said that a limited budget would preclude any additional construction for the next two years, including the building of the final portions of Interstate Route 480 to intersect with the Turnpike. He said he thought the funds available would restrict O. D. O. T. work to maintenance of the existing state highway system.

Mr. Johnson said that the Commission had been fortunate in that it

had not received any \$39.00 a ton salt bids. He said that the bids which had been received had been in the \$23.00 to \$24.00 range, approximately 25 to 30 percent over what they were in 1978.

Mr. Johnson said further that, as he had mentioned before, he expected the Commission's routine operating budget to be substantially higher in 1980 over 1979 due to inflated costs of salt and other needed maintenance supplies. He said that he also expected large increases in the other major area of the operating expense, and in the Reserve Maintenance Fund, a separate fund which covers such non-recurring expenses as the resurfacing contracts and rest room remodeling contracts.

Mr. Johnson said further that with operating expenses up and revenue down the rate of bond redemptions would be reduced noticeably. He said that, even though the outstanding bonds amounted to a little more than \$31 million at this time, he could not foresee what that figure would be reduced to next year.

Mrs. Davidson asked Mr. Johnson what was the status of plans for the Turnpike interchange with Interstate Route 480.

Mr. Johnson said that advertisements for bids to construct a toll plaza at the interchange had been cancelled in view of the fact that work on the remaining portion of I-480 had been delayed.

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, said he would have a detailed report on the Turnpike's safety experience in 1979 at either the October or the following Commission meeting. He said he did want to mention that the fatality record, which had been rather bad during the earlier months of the year, had improved and he hoped there would be few fatalities recorded during the remainder of the year.

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 said that Mr. Plain would report on the status of certain construction projects.

Mr. Plain said that some delay had been experienced in completion of RMP Project 70-78-1, reconstruction of the embankment at Milepost 99. He said that in order to correct slope failures at that location a cut had had to be made further back into the existing embankment than had been originally

anticipated. He said the added work would result in a two to three week delay with completion set for mid-October.

Mr. Plain reported also that the communication projects, RMP 38-78-7, replacement of communication console equipment for both the Turnpike and Ohio State Highway Patrol District 10 radio rooms, would be delayed approximately one month, until October, due to a problem encountered in delivery of materials.

Mr. Plain reported also that the replacement of the microwave communications equipment was in progress and the rescheduled date for the new equipment to be in service was October 12.

The Executive Director reported that the Commission Members had previously been furnished with the bid tabulations and engineer's cost estimates on Contract RMP 43-79-02, a project to resurface six Turnpike mainline bridge decks over various roads and a river not far from the Administration Building in Berea. He said that because of the critical timing of the work required, namely that it should be done while the weather was relatively warm and before the onslaught of winter, he determined that it would be in the best interest of the Commission for the award of the work contract to be made by the Executive Director using authority granted in Resolution No. 57-1955. He said the low bidder was Chapin & Chapin, Inc. with a unit price bid of \$520,125.50, which was substantially below the two other bids received and the engineer's estimate of \$620,000. He said the contract was awarded on August 28.

The Executive Director said that, even though it was probably not legally necessary, he had General Counsel, Francis K. Cole, prepare a resolution ratifying the awarding of Contract RMP 43-79-02. He said he assured the Commission that all the provisions of the resolution authorizing him to make the award had been complied with and the consulting engineer had agreed with his determination to take such action.

The Chairman asked Mr. Cole if the resolution met all legal requirements.

Mr. Cole responded that it did.

A resolution ratifying award of Contract RMP 43-79-02 for the repair of certain bridge decks in Cuyahoga County was moved for adoption by Mr. Weir, seconded by Mrs. Davidson, as follows:

RESOLUTION NO. 14-1979

"WHEREAS, on August 23, 1979, the Commission opened bids on a contract for the resurfacing of several turnpike bridge decks in Cuyahoga County, Ohio said contract being designated RMP 43-79-02;

"WHEREAS, the lowest and best bid received for said contract was that of Chapin & Chapin, Inc. for its alternate bid using crushed slag in the

amount of \$520,125.50;

"WHEREAS, Resolution No. 57-1955 authorizes the executive director to enter into contracts notwithstanding any limitation imposed upon the authority of the executive director when an emergency has arisen which in the opinion of the executive director and the consulting engineer requires immediate action;

"WHEREAS, in view of the condition of the bridge decks involved and the nature and scope of the work required and the importance of completing same prior to the onset of the winter season, the executive director and the consulting engineer were of the opinion that the conditions set forth in said Resolution No. 57-1955 were operative and that the award of Contract RMP 43-79-02 immediately following review and analysis of the bids received for said contract was in the best interest of the Commission; and

"WHEREAS, on the basis aforesaid, the executive director awarded said contract on August 28, 1979 to Chapin & Chapin, Inc.;

"NOW THEREFORE, BE IT

"RESOLVED that the action taken by the executive director in the award of Contract RMP 43-79-02 is hereby 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: Mr. Weir, Mrs. Davidson, Mr. Rogers

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 14-1979.

Mrs. Davidson asked the Executive Director if he could give her a brief explanation of why crushed slag was the best aggregate material for use in repairing the Turnpike mainline surface and why alternate types of aggregates were included in contract proposals.

The Executive Director said crushed slag had always been used in the surface course of the entire Turnpike as a safety measure because it had a superior skid resistance quality to it. He said that proposals for contracts to accomplish mainline repair work, such as that mentioned in the resolution, contained options for the use of other aggregate material in the event crushed slag were not available. He said that fortunately the crushed slag had been available for past mainline projects. He said an alternate aggregate would be used in an upcoming project involving resurfacing of ramps at an interchange because, in that case, crushed slag could not be



purchased. He said he did not consider that a problem since the traffic moved on the ramps at a slower speed than on the mainline and the skid resistance qualities of slag over other aggregate materials was not that important.

The Executive Director said that he had one final item in his report, the status of the engineering studies authorized by the Commission at its last meeting. He said the studies were to be done, as the Commission Members were aware, to determine what improvements should be made to the Turnpike after it became free of tolls and included preparation of environmental impact statements necessary to qualify the improvements for federal aid. He said a number of meetings had taken place in the last two months among the Commission's staff and representatives of the Ohio Department of Transportation and the Federal Highway Administration.

The Executive Director said further that the purpose of the meetings, in which he, Mr. Plain, Mr. Cole and John Laughlin, the staff design engineer, who was in attendance at the Commission Meeting, had participated, was to define the precise scope of the studies in order that consultants might be retained to perform the required work. He said that the meetings were progressing at a good rate and he anticipated that the consultants would be on board by the end of 1979 or early 1980.

The Executive Director reported further that, as the Commission had been informed, one of the early decisions of the three agencies involved had been that the Commission's consultants, the J. E. Greiner Company-Ohio, have been instructed to update their earlier Turnpike traffic forecast from 1990 to the year 2005. He said a considerable amount of information had already been provided to O. D. O. T., specifically some Turnpike traffic counts and origin and destination reports from past years.

The Executive Director said also that additional origin and destination surveys would soon be conducted to fulfill an earlier Commission request to determine more precisely the makeup of Turnpike traffic, especially as it relates to out-of-state travel.

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

Mr. Cole said that a decision on the damage issue in the Stacey Case had been received from Williams County Common Pleas Court, which reduced the damages from in excess of \$36,000 to in excess of \$11,000. He said the plaintiff had filed a motion for a new trial and after that was ruled on it would be time for an appeal. He said that the Commission would file an appeal in the event one was filed by the plaintiff.

The Executive Director said the case was over 23 years old and the chances that an appeal would be filed by the plaintiff should the new trial

not be granted were pretty good in that \$11,000 plus was just a drop in the bucket.

General Counsel said he wanted to point out that in the presiding judge's opinion, copies of which were given to the Members, that a ratio of 75.38 percent appearing on page 8 was applied to the \$16,000 on page 7 to derive the decision figure of \$11,382.

The Chairman said the report of General Counsel was accepted as offered. He said the report of the consulting engineer would be received.

Mr. Fleischman said the consulting engineer's annual inspection of Turnpike facilities had been completed in July and that it included a very in-depth examination of the service plazas. He said the report of the annual inspection would be submitted on or before October 1.

The Chairman said the report of the consulting engineer was accepted as offered. He ascertained there would not be a report from the Director of Information. He said the report of the Trustee would be received.

Mr. Sesler said he first wished to introduce Mr. Dan Hearl, who was attending the Commission Meeting. He said Mr. Hearl handled all the day-to-day trust activities for the Commission. He said the Trustee had accepted a Turnpike bond tender of \$1,698,000 with a settlement date of September 13, and tender of \$29,000 with a settlement date of September 20 for a total of \$1,727,000. He said the high price was 101, the call price, and the low price was 90.9091, the latter from a bank in New York. He said the average price of the total bonds mentioned was 100.768.

Mr. Sesler said further that the cash balance in the bond redemption account at that time was \$2,123,000 and if bonds were bought at the call price and considering that additional reserve moneys were available another \$2,246,000 in face amount of bonds could be retired to bring the outstanding debt to under \$30 million. He said that if the Trustee could not use all the moneys in the redemption account a bond call would be made again on December 1.

Mr. Johnson asked Mr. Sesler if he had a current status report on the December 1, 1978 bond call.

Mr. Sesler said the paying agents had received approximately 75 percent of the bonds called last December. He said the Trustee was attempting to locate the remaining 25 percent of the called bonds by examining each interest coupon mailed in to the bank.

The Chairman said the report of the Trustee was accepted as offered. He said that, before adjourning the meeting, he would like to

mention that he, as Chairman, and Messrs. Johnson, Plain and Disantis would attend the annual meeting of the International Bridge, Tunnel and Turnpike Association in New Orleans, Louisiana on September 23 through 26 as representatives of the Commission.

The Chairman said the next meeting of the Commission would be on October 9 with the meeting place open pending further consultation with the Members.

There being no further business to come before the Commission, a Motion was made by Mrs. Davidson, seconded by Mr. Weir, that the meeting adjourn, subject to call of the Chairman.

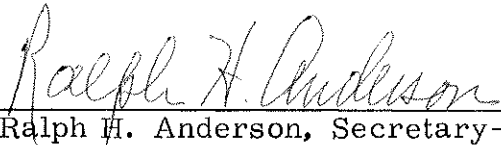
A vote by ayes and nays was taken and all Members present responded to roll call. The vote was as follows:

Ayes: Mrs. Davidson, Mr. Weir, Mr. Rogers

Nays: None

The Chairman declared the meeting adjourned. Time of adjournment was 11:56 a. m.

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

  
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Ralph H. Anderson, Secretary-Treasurer