

MINUTES OF THE 346th MEETING OF THE OHIO TURNPIKE COMMISSION

December 19, 1984

Pursuant to bylaws the Ohio Turnpike Commission met in regular session in the Administration Building at 682 Prospect Street in Berea, Ohio at 11:24 a.m. on December 19, 1984, with key members of the staff; a representative, William R. Fleischman, of the consulting engineers, J. E. Greiner Company-Ohio; a representative, Richard L. Fetzner, of the trustee, AmeriTrust Company National Association; two members of the press, Pauline Thoma, The (Cleveland) Plain Dealer, and Hank Harvey, The (Toledo) Blade; 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: Saundra Dombey Cooke, Charles R. Pinzone,
Clarence D. Rogers, Jr.

Absent: Warren J. Smith, William H. Schneider

A motion was made by Mrs. Cooke, seconded by Mr. Pinzone, that the minutes of the meeting of November 13, 1984, which had been examined by the Members, 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. Cooke, Mr. Pinzone, Mr. Rogers

Nays: None

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

The Chairman reported that the meeting was the 346th meeting of the Ohio Turnpike Commission, and it was being held at the Commission's headquarters as provided for in the Commission's Code of Bylaws. He said Warren Smith and William Schneider were unable to attend the meeting.

The Chairman reported further that the annual Christmas luncheon was scheduled for the day, so he hoped that the business of the meeting could be conducted and concluded in a prompt manner in order that those in attendance could join the employees at the luncheon.

The Chairman reported further that a number of guests were at the meeting whom he wished to recognize. He said that at the meeting were William Hartman, Dean Berry, and Kathy Petrey of Squire, Sanders & Dempsey, the Commission's fiscal and labor counsel; James "Tom" Sawyer, a partner of J. E. Greiner Company-Ohio, the Commission's consulting engineers; Richard Fetzner of

Ameritrust Company National Association, the Commission's trustee; and, of course, the other staff members and conferees who regularly attend. He said also, he welcomed Hank Harvey of The (Toledo) Blade, and Pauline Thoma of The (Cleveland) Plain Dealer.

The Chairman reported further that since the Commission's traffic and revenue information for January through November had been compiled and distributed, he saw no reason to comment on it at that time. He said that, further, the more important month-end, year-end financial report would be issued early next year, and that experience also would appear in the Commission's annual report, which was due by February 1, 1985.

The Chairman reported further that, essentially, the Members were at the meeting to act on a resolution to adopt a final budget for 1985, which was the same as the preliminary budget adopted in November. He said the Members also had before them four other resolutions to be explained and presented during the committee and staff reports.

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, Mr. Pinzone, would be received.

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

1. Weekly Traffic Statistics
2. Investment Transactions which occurred during November, 1984
3. Draft of the Commission Meeting Minutes of November 13, 1984
4. Traffic Accident Analysis through November 30, 1984
5. Traffic and Revenue report for October and November, 1984
6. Financial Statements for October and November, 1984
7. Transmittal of the executed Ohio Turnpike Commission First Supplement to the Trust Agreement dated September 1, 1984

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. Pinzone, said that at the last meeting of the Commission on November 13, a resolution was adopted to establish a preliminary

budget for fiscal year 1985 and it had been filed with the trustee and mailed to the consulting engineers as required under the 1984 trust agreement. He said there were no requests for hearings on the preliminary budget and it was appropriate, therefore, that the annual budget for 1985 be adopted in the same amounts as were contained in the preliminary budget.

Mr. Pinzone said further that a resolution for that purpose had been prepared and a draft was in each Member's folder. He said that since the figures were identical to those in the preliminary budget, he proposed to offer the resolution without reading and moved, thereby, that it be adopted.

A resolution adopting the annual budget for the fiscal year 1985 was moved for adoption by Mr. Pinzone, seconded by Mrs. Cooke as follows:

RESOLUTION NO. 17-1984

"WHEREAS, the Commission, by Resolution No. 10-1984, adopted a preliminary budget for the fiscal year 1985, and caused copies thereof to be filed with the trustee and mailed to the consulting engineers;

"WHEREAS, no request for a public hearing thereon has been made to the Commission;

"WHEREAS, pursuant to Article V, Section 5.01 of the trust agreement dated September 1, 1984, between the Commission and Ameritrust Company National Association, Cleveland, Ohio, as trustee, the Commission desires to adopt a budget of revenues, current expenses and capital improvement fund requirements for the fiscal year 1985, to be designated the "Annual Budget"; and

"WHEREAS, Article V, Section 5.01 of the trust agreement provides that the total appropriations in any division of the annual budget will not exceed the total appropriations in the corresponding division of the preliminary budget;

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission, having duly and fully considered the same, hereby adopts the following budget;

Annual Budget of Revenues, Current Expenses
and Capital Improvement Fund Requirements

Revenues		\$82,500,000
Current Expenses		
Administration & Insurance	\$ 9,950,000	
Operations	30,800,000	
Bond Interest	408,850	
		41,158,850
Estimated Capital Improvement Fund Deposits		\$41,341,150

"FURTHER RESOLVED that the Commission hereby determines that the total appropriations in any division of the budget aforesaid do not exceed the total appropriations in the corresponding division of the preliminary budget heretofore adopted by Resolution No. 10-1984; and

"FURTHER RESOLVED that the assistant secretary-treasurer is hereby instructed to file a copy of said 'Annual Budget' with the trustee and to mail copies thereof to the consulting engineers and to the original purchaser forthwith."

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

Ayes: Mr. Pinzone, Mrs. Cooke, 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. 17-1984.

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 Budget and Finance, Mrs. Cooke, said that the Committee had been quite busy in its efforts to get all the Turnpike's restaurants up to date, and 1985 would be a very busy year for the Committee.

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, said the Committee had met with the various employee groups and had recommended the following;

1. An increase in the major medical portion of the health insurance from \$75,000 maximum to \$150,000 maximum per illness or injury effective January 1, 1985.
2. The life insurance paid for by the Commission be doubled for every category effective July 1, 1985, with a \$50,000 maximum limitation. He said that since July 1 was the annual date of adjustment, the increase would then become effective.
3. A general wage increase of four percent effective January 1, 1985.
4. Some minor changes in working conditions of an administrative nature, which can be handled administratively.

The Executive Director, Allan V. Johnson, said the recommendations of the Committee had been presented to him and he proposed to implement them. He said he also would incorporate the necessary changes into the employee manual, as provided in the bylaws, assuming he had the assent of the Commission. (The members did not express any objections.)

The Chairman said he thought it worthy to add that in going over some of the insurance figures it was found that the coverage was sorely lacking in many aspects and the cost of providing the additional coverage did not double. He said the cost to the Commission was very reasonable compared to some of the other programs available, and he thought the employees certainly deserved the added insurance coverage.

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

The vice chairman of the Committee on Safety, Mr. Johnson, said he did not have a formal report but did want to say that since the Commission would continue its jurisdiction over the Turnpike at least until 1990, the Committee would be examining the traffic rules and regulations. He said he thought that some changes might be made to the rules and regulations to bring them more into conformance with the Ohio Revised Code. He said that sometime in 1985 the Committee would come to the Commission with some suggested changes to the rules and regulations, which had not been amended or changed for a long time.

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 his report would consist of explaining and introducing the remaining resolutions that were before the Commission. He said the first resolution authorized the Executive Director to take immediate action concerning the awards of certain bridge renovation contracts. He said the resolution listed the 15 separate contracts, called CIPs, which was an abbreviation for Capital Improvement Projects, the language for that type of work contained in the new trust agreement.

The Executive Director said further that plans were being prepared for the projects, which consisted of bridge deck replacements or bridge replacements and widening. He said the number of bridges involved would be 57. He said bids on the projects would be done on a staggered basis as soon as the plans were completed. He said that it was his expectation that in 1985 the contracts would be awarded earlier than had been done in 1984 so that some of the problems encountered then could be avoided. He said some of the 1984 projects had been delayed due to holdups in steel deliveries and those delays resulted in extended traffic congestion during the summertime. The Executive Director said further that bids on some of the projects would be opened prior to the next Commission meeting, so he was asking for authority to award them pursuant to the regular bidding process. He said that in the event that the Commission did have a meeting before all the contracts were awarded it would be appropriate for the Commission to act on them. He said that in that case the contracts would be brought to the Commission for award. He said he requested that the Commission adopt the resolution.

A resolution authorizing the Executive Director to take immediate action concerning award of certain bridge renovation contracts was moved for adoption by Mr. Pinzone, seconded by Mrs. Cooke as follows:

RESOLUTION NO. 18-1984

"WHEREAS the Commission is preparing to advertise for bids for its 1985 bridge renovation program for contracts for deck replacement, deck replacement and widening, and in connection with Contract CIP 43-85-09 the construction of a new ramp bridge, to wit:

CIP 43-85-01	S.R. 49, Milepost 2.1, Williams County, Ohio;
CIP 43-85-02	Exit 2 Ramp, Milepost 13.4, Williams County, Ohio;

CIP 43-85-03 Exit 3 Ramp, Milepost 34.9,
Fulton County, Ohio;

CIP 43-85-04 Swan Creek, Milepost 47.4;
S.R. 64, Milepost 47.5,
Fulton County, Ohio

CIP 43-85-05 Sugar Creek, Milepost 81.3;
Wolf Creek, Milepost 82.0;
Conrail Railroad, Milepost
83.3; Wagoner Road, Milepost
83.3, Ottawa and Sandusky
Counties, Ohio;

CIP 43-85-06 Little Muddy Creek, Milepost
90.2; S.R. 19, Milepost 90.3;
N & W Railroad, Milepost 90.7,
Sandusky County, Ohio;

CIP 43-85-07 Green Creek, Milepost 96.2;
Branch of South Creek,
Milepost 96.7; Erlin Road and
South Creek, Milepost 97.1;
Raccoon Creek, Milepost 97.9,
Sandusky County, Ohio;

CIP 43-85-08 S.R. 58, Milepost 140.2; N &
W Railroad, Milepost 140.6;
Conrail Railroad, Milepost 141.7,
Lorain County, Ohio;

CIP 43-85-09 Exit 11 Ramp, Milepost 173.2,
Summit County, Ohio;
and
FTP 43-85-01 S. R. 21, Milepost 172.9,
Summit County, Ohio

CIP 43-85-10 Exit 12 Ramp, Milepost 180.0,
Summit County, Ohio

CIP 43-85-11 Hudson Aurora, Milepost 184.2,
Summit County, Ohio

CIP 43-85-12 Cuyahoga River, Milepost 191.4,
Portage County, Ohio

CIP 43-85-13 Bryant Road, Milepost 202.8,
Portage County, Ohio;

CIP 43-85-14 Turner Road, Milepost 222.7;
Kirk Road, Milepost 222.8;
Conrail Railroad, Milepost
223.0 Mahoning County, Ohio

CIP 43-85-15

Sharrot Road, Milepost 232.0;
S. R. 7, Milepost 232.6; Western
Reserve Road, Milepost 230.7,
Mahoning County, Ohio;

"WHEREAS, it is imperative that the work to be performed under these contracts be commenced as soon as possible so as to take advantage of the construction season;

"WHEREAS, it is estimated that the cost of each of the aforesaid contracts will exceed the \$250,000 limit of authorization heretofore granted by the Commission to the executive director with respect to the awarding of such contracts;

"WHEREAS, the Commission desires to delegate to the executive director authority to make award of these contracts for the performance of the work of each of these projects so that such awards may be made immediately as soon as appropriate;

"NOW, THEREFORE, BE IT

"RESOLVED that with respect to the award of the contracts as set forth above, if, in the opinions of the executive director, the deputy executive director-chief engineer and the consulting engineer it is in the best interest of the Commission for an award to be made by the executive director in advance of any meeting of the Commission, the executive director hereby is authorized to award and enter into any contract or contracts and to take whatever other action, on behalf of the Commission, the executive director, with the approval of the deputy executive director-chief engineer and the consulting engineer, shall determine to be in the best interest of the Commission, notwithstanding any limitation imposed upon the authority of the executive director under any resolution heretofore adopted, provided that any award made and contract entered into pursuant to authority granted herein shall be approved by general counsel; and

"FURTHER RESOLVED that the executive director shall inform the Commission of the actions taken hereunder."

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

Ayes: Mr. Pinzone, Mrs. Cooke, 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. 18-1984.

The Executive Director said also that the next resolution authorized the Executive Director to take immediate action

concerning the award of certain roadway resurfacing contracts. He said there were three projects, also Capital Improvement Projects, for the resurfacing of mainline roadways and for the addition of a third lane eastbound between mileposts 165 and 168.5. He said that 1984 was the first year in 17 years in which there were no mainline resurfacing projects. He said the reason for that was that many of the bridge projects were in areas where resurfacing work was needed, and both projects could not be done at the same time. He said bids on the resurfacing projects probably would be advertised before the next Commission meeting, and he was asking for authority to make those awards pursuant to the regular advertising and bidding process.

A resolution authorizing the Executive Director to take immediate action concerning award of certain roadway resurfacing contracts was moved for adoption by Mrs. Cooke, seconded by Mr. Pinzone as follows:

RESOLUTION NO. 19-1984

"WHEREAS, the Commission is preparing to advertise for bids on contracts for mainline resurfacing and, in connection with Contract CIP 59-85-03, for the addition of a third lane at Milepost 165.0 to Milepost 168.5 (eastbound), to wit:

CIP 59-85-01	Milepost 55.5 to Milepost 62.5 Lucas County, Ohio;
CIP 59-85-02	Milepost 153.5 to Milepost 161.6, Cuyahoga County, Ohio;
CIP 59-85-03	Milepost 161.6 to Milepost 173.0, Cuyahoga and Summit Counties, Ohio;

"WHEREAS it is imperative that the work to be performed under these contracts be commenced as soon as possible so as to take advantage of the construction season;

"WHEREAS it is estimated that the cost of each of the aforesaid contracts will exceed the \$250,000 limit of authorization heretofore granted by the Commission to the executive director with respect to the awarding of such contracts;

"WHEREAS, the Commission desires to delegate to the executive director authority to make award of these contracts for the performance of the work of each of these projects so that such awards may be made immediately as soon as appropriate;

"NOW, THEREFORE, BE IT

"RESOLVED that with respect to the award of the contracts as set forth above, if, in the opinions of the executive director, the deputy executive director-chief engineer and the consulting engineer it is in the best interest of the Commission for an award to be made by the executive director in advance of any

meeting of the Commission, the executive director hereby is authorized to award and enter into any contract or contracts and to take whatever other action, on behalf of the Commission, the executive director, with the approval of the deputy executive director-chief engineer and the consulting engineer, shall determine to be in the best interest of the Commission, notwithstanding any limitation imposed upon the authority of the executive director under any resolution heretofore adopted, provided that any award made and contract entered into pursuant to authority granted herein shall be approved by general counsel; and

"FURTHER RESOLVED that the executive director shall inform the Commission of the actions taken hereunder."

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

Ayes: Mrs. Cooke, Mr. Pinzone, 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. 19-1984.

The Executive Director said also that the next resolution authorized acceptance of a proposal for consulting engineering services. He said that from the beginning of the Commission the J. E. Greiner Company had served as the general consulting engineers for the Commission. He said that even though the Commission had a new trust agreement, there still was a requirement in that trust agreement for the Commission to retain the services of a consulting engineering firm. He said he had asked the J. E. Greiner Company-Ohio, which had served the Commission ably over the years, to submit a proposal to continue their services. He said they had submitted a proposal for the period beginning January 1 through December 31, 1985. He said their services essentially would be the same as they had been in the past. He said the biggest thing they would be doing would be the annual inspection of all Turnpike facilities, particularly the bridges, which was not only a prudent thing to do, but it was mandated by the National Bridge Inspection Standards. He said that although the Standards required the bridges to be inspected only once every two years, the Commission always has them inspected every year.

The Executive Director said further that he requested that the Commission adopt the resolution.

A resolution authorizing acceptance of the proposal for consulting engineering services was moved for adoption by Mr. Pinzone, seconded by Mrs. Cooke as follows:

RESOLUTION NO. 20-1984

"WHEREAS, the J. E. Greiner Company - Ohio, a partnership comprised of Frank T. Callahan of Irvine, Texas; James E. Sawyer of Tampa, Florida, and William R. Fleischman of Berea, Ohio, as partners, is presently performing the duties of consulting engineers in connection with the maintenance and operation of the Ohio Turnpike under an agreement with the Ohio Turnpike Commission which expires on December 31, 1984;

"WHEREAS, the J. E. Greiner Company - Ohio has been requested to and has submitted a proposal to the Commission to serve as the Commission's consulting engineer and to perform such services in accordance with the requirements of the Trust Agreement entered into September 1, 1984 between the Commission and AmeriTrust Company National Association, as trustee;

"WHEREAS, the J. E. Greiner Company - Ohio, or its predecessor firms, has ably served the Commission throughout the existence of the Commission as its only general consulting engineer;

"NOW, THEREFORE, BE IT

"RESOLVED, that the executive director be, and hereby he is, authorized to enter into an agreement for the continuation of the employment of the J. E. Greiner Company - Ohio as consulting engineers in connection with the maintenance and operation of the Ohio Turnpike as required by the trust agreement dated September 1, 1984 between the Ohio Turnpike Commission and AmeriTrust Company National Association, as trustee, for a period of one year beginning January 1, 1985."

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

Ayes: Mr. Pinzone, Mrs. Cooke, 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. 20-1984.

The Executive Director said also the last resolution expressed the Commission's sorrow and extended sympathy to the widow and four daughters upon the death of Carroll W. Hartford. He said none of the current Commission Members knew Mr. Hartford, but Mr. Hartford had been Executive Director of the Commission from 1957 until 1968. He said that prior to that, Mr. Hartford had served as chief of the right-of-way section of the Commission during the acquisition period of all the right-of-way acquired for the building of the Turnpike. He said he had known Mr. Hartford himself, and he was sure that others in the meeting room, particularly General Counsel, James C. McGrath, and Francis K. Cole, former General Counsel,

knew Mr. Hartford. He said Mr. Hartford was a competent man and he died a few weeks before the meeting. He said he thought it was appropriate for the Commission to recognize Mr. Hartford's death and extend its sympathy to his family. He said he requested that the Commission adopt the resolution, and then he would transmit it to his widow and daughters.

A resolution expressing the Commission's sorrow and extending sympathy to the widow and four daughters upon the death of Carroll W. Hartford was moved for adoption by Mrs. Cooke, seconded by Mr. Pinzone as follows:

RESOLUTION NO. 21-1984

"WHEREAS, the Commission has learned of the death of Carroll W. Hartford, former executive director and chief of right-of-way of the Ohio Turnpike Commission;

"WHEREAS, Carroll W. Hartford, after long service with the Ohio Department of Transportation, joined the Ohio Turnpike Commission in September, 1952 as chief of the right-of-way section. In such position he had overall responsibility for the acquisition of all the right-of-way for the construction of the Ohio Turnpike;

"WHEREAS, in January, 1957, Carroll W. Hartford was named executive director of the Commission. He served in such position ably and with distinction until his retirement in 1968;

"WHEREAS, Carroll W. Hartford gained for himself the friendship and respect of colleagues and associates and all those with whom he was associated during his tenure with the Commission;

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission notes with sorrow the passing of one who contributed much to the establishment and objectives of the Commission and hereby tenders to Mrs. Gertrude Hartford his widow and his four daughters its most sincere sympathy."

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

Ayes: Mrs. Cooke, Mr. Pinzone, 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. 21-1984.

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

The representative of the consulting engineers, Mr. Fleischman, said he wanted to thank the Commission and extended his company's appreciation for the opportunity to be of continued service.

The Chairman said the Commission appreciated the good job J. E. Greiner Company-Ohio had done in the past.

The Chairman ascertained there would be no report from the Trustee.

The Executive Director said he had invited P. Joseph Sesler, a representative of the Commission's former Trustee, BancOhio National Bank, to attend the meeting, but unfortunately the plane which was to have brought Mr. Sesler and Mr. Schneider to Cleveland had been grounded in Columbus due to poor weather conditions.

The Executive Director said further that the call of the last outstanding 1952 bonds had been conducted on December 1. He said that, of course, those bonds were no longer an obligation of the Commission once the refunding issue became official on September 19. He said he had asked Mr. Sesler to furnish him with some information on that call. He said that as of December 1, \$4,321,000 of the \$4,811,000 in bonds called were still not presented for redemption.

The Executive Director said further that Mr. Sesler also had provided him with a review of previous bond calls. He said the Commission had five previous bond calls amounting to \$15,955,000. He said that of those previous bond calls, which began in 1978, there still were \$971,000 of those bonds not presented. He said he was sure some of those bonds would never be turned in, but at least the original \$326,000,000 in bonds were redeemed, obviously something to be put in the Commission's history book.

The Chairman said the report of the Director of Information and Research would be received.

The Director of Information and Research, Robert P. Barnett, said work had begun on the Commission's 1984 annual report and it would be delivered on schedule.

The Chairman said the report of the Director of Information and Research was accepted as offered.

The Chairman said an exact time and place for the next Commission meeting would be determined after consultation with the Members.

There being no further business to come before the Commission, a motion was made by Mrs. Cooke, seconded by Mr. Pinzone 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. Cooke, Mr. Pinzone, Mr. Rogers

Nays: None

The Chairman wished everyone happy holidays and declared the meeting adjourned. The time of adjournment was 11:54 a.m.

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



Charles R. Pinzone, Secretary-Treasurer