



MEETING NOTICE

TO: North East Texas Regional Mobility Authority Board Members
FROM: Linda Thomas, Chair
DATE: Tuesday, December 12, 2017
SUBJECT: **December Board Meeting**

The next meeting of the NET RMA is scheduled as follows:

DATE: Tuesday, December 12, 2017
TIME: 1:30 PM
PLACE: Harrison County Historical Museum
200 W. Houston St.
Marshall, TX 75670
Harrison County

Enclosed please find the agenda and other pertinent information for your review prior to the meeting. Should you have any questions, please call Bianca Blattman at 903.630.7894.

NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY (NET RMA)
BOARD OF DIRECTORS REGULAR MEETING
Tuesday, December 12, 2017, 1:30 PM
Harrison County Historical Museum
200 W. Houston St.
Marshall, TX 75670
Harrison County

1. CALL TO ORDER AND DECLARATION OF QUORUM

Notice of this meeting was posted with the Secretary of State's Office and on the NET RMA website and office on Friday, December 8, 2017.

1:32PM start time. Attending: Cory Floyd, Barham Fulmer, Hudson Old, Linda Thomas, James Harris, John Cloutier, Robert Messer, Dan Droege, Jason Ray, Mike Thomas, David Anderson, Andrea Williams-McCoy, Gary Halbrooks (remote), Dave Spurrier (remote), Bob Moore, Larry Morse, Jason Ray.

Dave Spurrier had to leave at 2:27.

2. INVOCATION

David Anderson provided the invocation.

3. WELCOME & INTRODUCTION OF BOARD MEMBERS

Linda Thomas welcomed all to the board meeting and thanked everyone for attending. She also thanked Dr. Harris and Mrs. Harris for hosting lunch at the art museum.

4. OPEN PUBLIC FORUM/COMMENT PERIOD

Judge Hugh Taylor provided a welcome. He stated that he looks forward to working with the NET RMA

5. DISCUSSION, CONSIDERATION AND APPROVAL OF THE MINUTES FOR THE NOVEMBER 14, 2017 BOARD MEETING**Action Item**

Motion, Bob Moore. 2nd: Larry Morse. Unanimously approved.

6. CHAIR'S REPORT

Linda Thomas

Linda Thomas again thanked all for traveling to Harrison County. She stated that she hoped they'll be able to stay for the lights. She also mentioned that she attended the i69 corridor meeting in Houston and passed out a handout regarding that meeting. She stated that Jeff Austin III was the guest speaker for the event and that it was a productive and interesting meeting. The project is moving forward, and more and more progress is being made that will dramatically impact the East Texas area. She stated it's inspiring to know that there are so many who support this vision for Texas.

7. PRESENTATION ON THE I-20 CORRIDOR COUNCIL, EASTEXCONNECTS, AND THE GoVET PROGRAM

Bob Moore, Christina Anderson & Richard Anderson

Christina Anderson presented. She stated she would discuss two important projects. The I20 corridor rail is meant to connect the dots between Marshall and Meridian. Feasibility studies have been made and a multi-state coalition was made to help facilitate this. 48 counties are in support of this project. Northern Louisiana has been a great ally. No annual operating subsidy. Could transform a community by allowing them to travel all over in a day. Capacity study was recently completed, and they have received funds that will help understand the cost this project will accrue so that the project can actually happen. They received funds from Texas and her husband, Judge Anderson, was able to secure funds from Louisiana. Next, she spoke about EasTexConnects where she is vice chair. They've been working on it for 6 years and during this time, they realized there was a need for transportation for veterans. They now a service that shuttles veterans twice a week from Longview and Marshall to medical centers. She stated that they feel very proud to have a service for

their veterans with a roundtrip ticket of \$30. They are working with Camp, Gregg, Harrison, Marion, Panola, Rusk and Upshur counties on this project. This was a grass roots transportation initiative and it is believed that it is a program that can be replicated in other regions within the US to help veterans all over. They plan to expand this service to 5 days a week if needed. She also stated that she feels particularly passionate about transportation because infrastructure is so important. Linda Thomas thanked Christina for sharing her information and stated that the NET RMA would be happy to help in whatever way they can.

8. REVIEW AND ACCEPTANCE OF NET RMA FINANCIAL STATEMENTS

Michelle Colburn

Michelle Colburn provided the presentation on September 2017 financial statements. She first touched upon the statement of revenues and expense. The NET RMA is over about 2 million in comparison to last year. Operating expenses year to date, are about 88,000 more than last year. Michelle reiterated that this is largely due to public information campaigns, safety issues, archeological issues and the recreation of the employee handbook. Surety bonds and trusted fees are also over due to the construction fund audit. General expenses, include court liaisons, etc. There are two additional items under Toll 49 operating expenses and they are the segment 3B slope repair and segment 3B asphalt replacement. In the next section, revenues through 9/30/17, she was comparing budget year to date vs actual year to date. Pay by mail was reported to be \$1 million less in comparison to last year. This is likely due to transactions in general being lower. Barham Fulmer asked how \$1 million was missed on depreciation expenses and Michelle answered that she would have to investigate further and get back to him as she had not been present when the budget was planned last year. Michelle also said that she had planned to have a more in depth look at the financials but due to this month being audit month, decided it would be better to save that for the following months. Robert Messer said that he and Michelle had spoken about the financials a lot and he believed that she was doing an excellent job. He said that he believes that they need to be cautious about how they pay their professionals in the future.

Motion: Dan Droege, 2nd: Robert Messer. Unanimously approved.

9. REPORT ON TOLL 49 TOLLING TRANSACTIONS AND REVENUE

Michelle Colburn

Michelle Colburn provided the presentation. She stated that again, Friday was heaviest traffic day with Sundays being lowest. She stated that tolling transactions were in a lower trend for the moment likely due to ongoing construction, the temporary closure of i20 and weather factors. Mike Thomas asked if it's possible to get construction road transaction data from other RMAs to see why the numbers might be that way. John Cloutier then asked if the data would even be comparable. Everett Owen responded that the data would not be comparable in that Toll 49 is only a 2-lane road whereas other toll roads have several. Thus, when one road is closed on Toll 49, the impact is much greater when compared to toll roads with multiple lanes. Additionally, the larger roads use concrete pavement which makes it so that they have less maintenance to contend with. John Cloutier asked if they had recognized there would be a dip in tolls at some point. Everett Owen stated that he did not recall transaction projections based on road improvements. They were fearful of the dip and tried to take specific steps to minimize that by working at night but because the contract work started slipping, it ended up having to work in the day, thus the transactions dipped more than they anticipated. Chris Miller responded that they anticipate a deep analysis of the various gantries to see what the trends arise. They will continue to monitor the situation and hope to have that information by the next meeting. Barham Fulmer stated that it was worth noting December 11th and seeing how it affected the transactions. Everett Owen responded that there were 30k transactions which did not affect overall transactions that much.

10. COMMITTEE REPORTS

A. Executive Committee/Audit Committee

Linda Thomas

Executive session.

B. Personnel Committee

Jason Ray

No report.

C. Project Development & Implementation Committee

Barham Fulmer

Barham Fulmer stated that they had met last Thursday to discuss a few issues. One of those subjects was the archeological study. He stated that they did get the archeological site released from the contractor to TxDOt which

means it is now fully accessible for work. One of the items they discussed that they will bring to the January board meeting revolved around negotiations on the extension of time and the cost due to the archeological delays. He hopes to come to the board next month with a plan to set up an incentive for contractor to finish the project earlier than projected. He also stated that they would like to let them know what the daily cost is going to be come up with a proposal to incent the contractor for a certain amount per day. The goal is to get the date to July or August, but it is an ongoing in discussion right now. Linda Thomas thanked him and said she was glad to hear the good news.

D. Long-Range Planning Committee

John Cloutier

Hudson Old asked if and when the committee would have input on the board member handbook that is currently being worked on. John Cloutier answered said yes and stated that the meeting would likely happen in January.

E. East Texas Hourglass Committee

Dave Spurrier

No report.

F. Investment Committee

Robert Messer

No report.

G. Facilities Committee

Gary Halbrooks

No report.

11. PARTNERSHIP UPDATES

A. East Texas Corridor Council

Bob Moore

No report.

B. I-69 Alliance Committee

Linda Thomas

No report.

C. East Texas Council of Governments

Linda Thomas

12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE SUPPLEMENTAL WORK AUTHORIZATION NO. 3.1 WITH CDM SMITH FOR CONTINUED TRAFFIC AND TOLL REVENUE TECHNICAL SUPPORT ON TOLL 49.

(RESOLUTION 17-62)

Action Item

Kate Wilder provided the presentation. This supplemental agreement was with CDM Smith and presented to the committee last week. It involves traffic and revenue monitoring. There are no funds associated with the extension as it is purely a 11-month extension. It is just an extension to November 2018.

Motion: Barham Fulmer. John Cloutier 2nd. Unanimously approved.

13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN AGREED JUDGMENT FOR THE ACQUISITION OF THE FOLLOWING PARCELS OF PROPERTY IN SMITH COUNTY FOR SEGMENT 4 OF TOLL 49:

A. Parcel 240, a 13.388 acre parcel of real estate in two parts owned by James E. Etheridge, situated in the Stephen Coleman Survey, Abstract No. 217, Smith County, Texas.

B. Parcel 247, a 0.073 acre parcel of real estate owned by James E. Etheridge, situated in the Stephen Coleman Survey, Abstract No. 217, Smith County, Texas.

(RESOLUTION 17-63)

Action Item

Will be deferred to exec. Session.

Motion: Barham Fulmer, 2nd: Robert Messer. Unanimously approved.

14. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE SUPPLEMENTAL WORK AUTHORIZATION NO. 12.5 WITH RS&H FOR CONTINUED ARCHEOLOGICAL SERVICES ON SEGMENT 4 OF TOLL 49.

(RESOLUTION 17-64)

Action Item

Kate Wilder presented. This was another resolution that was presented to the project development committee. TxDOT requested we did more investigation. It is regarding the cost for additional excavation work. The total for this work is roughly \$46,000 which brings the total up to \$8.2 million. Andrea McCoy asked if it was largely related to archeological issues. Kate responded yes.

Motion Barham. 2nd Dr. Harris. Unanimously approved.

15. REPORT ON THE TOLL 49 IMPROVEMENT PROJECT.

Kate Wilder

Kate Wilder provided the report. She stated that the total contract price is roughly \$8 million. There is a contingency of \$191,000. Thus far, the contractor has been paid 49% of the total amount and ¾ of contingency has been paid so far. Many categories are almost paid out completely. The remaining activities are segment 2B overlay, pavement striping, and metal beam guard fencing. They anticipate the overlay will be completed in January with final acceptance occurring in March. Recent activities include the addition of rumble strips and temporary restriping. Upcoming activities include continued placement of overlay. Once that's complete, they'll fog seal the permanent striping. Barham Fulmer asked if the job will be finished on schedule. Kate Wilder answered yes.

16. REPORT ON CONSTRUCTION OF SEGMENT 4 OF TOLL 49.

Kate Wilder

Kate Wilder provided the report and stated that, as stated previously, they had completed the archeological studies on the job site. TxDOT and the Historical Commission said that work can begin again. She also stated that the project schedule has not changed since last presentation. It is expected that substantial completion and final acceptance will occur in June 2019. There are a lot of major activities are nearing completion. Earthwork is nearly 96 % complete. Structures are 88% complete. The contracts remaining are focused on the road itself. The total construction expenditures to date are \$46.5 million and reflects work performed through November 1, 2017. The total contract amount is \$75.6 million which includes approved change orders 1-13. The total project budget is \$126.2 million. Recent construction activities include cement treatment of the subgrade and placement of prime coat and hot mix asphalt, installation of concrete bridge rail, and installation of lighting service polls. Ongoing activities: earthwork mainly focused on archeological sites and superstructure work on the IH20. Upcoming activities include further earthwork on the archeological site, and construction of bridge deck on the final spans of the IH20 main lane overpass.

17. EXECUTIVE DIRECTOR'S REPORT

Chris Miller

Chris Miller stated that they had failed to put the strategic plan on the agenda but will send the board a draft agenda. Jan. 9th is the next scheduled meeting and is currently set for the Willow Brook Country Club. He then suggested having a mini board meeting before the strategic plan meeting. He stated that he is open to suggestions and comments.

A. Update on the NET RMA Economic Development Impact Map

Chris Miller stated that his recommendation would be to create another committee to deal with the mapping project. He stated that the board seems interested in the direction it is going so it may be a good idea to get the committee. Discussions with Tammy Sims revealed that they want the map to have a focus on infrastructure. It is meant to show the vital areas and allow the public and others to see the NET RMA as facilitators and a tool for helping economic developers. The real focus should be infrastructure, traffic patterns, airports, and other assets. They want to get these out to the counties in order to receive feedback on what items they would like to see on the map as well as to get the most accurate data available. Linda Thomas responded that she would be willing to appoint the committee and stated that if anyone was interested, they should get in touch with Chris Miller. Andrea Williams McCoy asked if the focus was to work on the MAP. Chris Miller responded that he recommends having it be a marketing/community relations committee. Linda Thomas agreed. Andrea Williams McCoy responded that she agreed and emphasized that it is important that the data on the MAP be accurate and complete. John Cloutier agreed and said it may be useful to add industrial parks. Bob Moore responded that it was an excellent start.

B. Submission of the NET RMA Annual Project Report

Will be submitting that via the timeline provided by the state. Will be done by the end of this month and has input of all GECs.

C. Department Reports

1. Maintenance Department
2. Finance Department
3. Marketing/Public Relations/Human Resources Department
4. Toll Operations/Customer Service Department

2:45 PM, went into closed executive session for the purpose of consulting with legal counsel. Reconvene open meeting. Will have a 10-minute break before the executive session.

3:53 – came out of executive session to reconvene open meeting.

18. ADJOURNMENT 3:58 PM.

EXECUTIVE SESSION - PURSUANT TO CHAPTER 551, SUBCHAPTER D, TEXAS GOVERNMENT CODE, IF ANY

- At any time during the meeting of the NET RMA Board of Directors, the Board may meet in executive session for consultation concerning attorney-client matters (real estate, litigation, contracts, personnel, and security) under Chapter 551 of the Texas Government Code:
 - A. Section 551.071. Consultation with Attorney—Consultation with and advice from legal counsel concerning pending/contemplated litigation, settlement offers and negotiations, ongoing disputes and potential disputes, and other legal issues.
 - B. Section 551.072. Deliberation Regarding Real Property—Discussion of real property purchase, exchange, lease, license, gift, donation, and/or negotiated settlement, including property to be acquired for right-of-way.
 - C. Section 551.074. Personnel Matters—Deliberation concerning the appointment, employment, reassignment, evaluation, duties, discipline, and/or dismissal of personnel and update on grievance action initiated by employee.

Tentatively Scheduled NET RMA Board Meetings:

January 9, 2018 – Tyler, TX
February 13, 2018 – Mount Pleasant, TX
March 20, 2018 – Longview, TX
April 10, 2018 – Carthage, TX
May 8, 2018 – Henderson, TX
June 12, 2018 – Terrell, TX
July 10, 2018 – Jacksonville, TX

Non-Scheduled Meetings / Functions - Where a Quorum could be Present, but No RMA Business would be conducted:

December 14, 2017 – Texas Transportation Commission

COURTESY RULES

Thank you for your presence. The NET RMA appreciates your interest. If you wish to address the RMA on any agenda item, Public Participation Forms will be available before the meeting. These forms must be filled out and turned in to the RMA Chair or Secretary *prior* to the time the agenda item in question is addressed by the RMA.

You must be recognized by the Chair. (NOTE: Items will not necessarily be presented in the order they are posted.)

OPEN COMMENT PERIOD

At the conclusion of all other agenda items, the Board will allow an open comment period, **not to exceed one hour**, to receive public comment on any other matter

that is under the jurisdiction of the Board. Public comment that does not relate to a specific agenda item must be made during the open comment period.

Each speaker will be allowed a **maximum of three (3) minutes**. Speakers must be signed up prior to the beginning of the open comment period. For subjects that are not otherwise part of the agenda for the meeting, Board members may neither comment nor question speakers during the open comment period, but may request the Chair, or a recognized committee, to investigate the subject further. No action will be taken on matters that are not part of the agenda for the meeting.

NOTE

Enumerated agenda items are assigned for ease of reference only, and will not necessarily be considered by the Board in that particular order. The Chair may rearrange the order in which agenda items are considered.

Presenters with audiovisual needs are requested to contact NET RMA at 903.630.7894 at least two working days prior to the meeting.

ACCESSIBILITY STATEMENT FOR DISABLED PERSONS

This meeting site is accessible to disabled persons as follows: wheelchair ramp at the main entrance. If any special assistance or accommodations are needed in order to attend this RMA meeting, please contact NET RMA at 903.630.7894 at least two working days prior to the meeting so that appropriate arrangements can be made.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, such as interpreters for person who are deaf or hearing impaired, and readers of large print or Braille, are requested to contact NET RMA at 903.630.7894 at least two working days prior to the meeting so that appropriate arrangements can be made.