



MEETING NOTICE

TO: North East Texas Regional Mobility Authority Members

FROM: Linda Thomas, Chair

DATE: December 8, 2015

SUBJECT: December Board Meeting

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

DATE: Tuesday, December 8, 2015
TIME: 1:30 PM
PLACE: Texas State Technical College
Room 208
2650 East End Blvd. South
Marshall, TX 75672

Enclosed please find the agenda and other pertinent information for your review prior to the meeting. Should you have any questions, please call K'Lin Noble at 903.594.4834.

NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY (NET RMA)
BOARD OF DIRECTORS REGULAR MEETING
Texas State Technical College Marshall
2650 East End Blvd. South
Marshall, TX 75672
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 4, 2015.

Chair Thomas called the meeting to order at 1:31pm

2. INVOCATION

Hudson Old offered the invocation.

3. WELCOME & INTRODUCTION OF BOARD MEMBERS

Board Members

The Honorable Judge Hugh Taylor was introduced, and he welcomed the board and expressed his interest and support of the ETHG and the NET RMA.

4. OPEN PUBLIC FORUM/COMMENT PERIOD

There were no public forum comments.

5. DISCUSSION, CONSIDERATION AND APPROVAL FOR MINUTES FOR NOVEMBER 10, 2015 NET RMA REGULAR BOARD MEETING.

Action Item

Motion to approve: Gary Halbrooks
2nd: Pat McGill
Minutes were approved.

6. CHAIR'S REPORT

Linda Thomas

Chair Thomas spoke of the trip to Austin with Everett Owen, Brian Cassidy to meet with the new Transportation Commission Chair and Commissioner Austin and the I-69 Corridor meeting. The Corridor meeting was very productive. She asked John Cloutier for a report/update on the Loop 571 in Rusk County for the next board meeting.

7. TREASURER'S REPORT

Tom Fitzgerald

Motion to approve: Barham Fulmer
2nd: Bob Moore
Report was approved

**8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE 2015 NET RMA ANNUAL REPORT.
(RESOLUTION 15-55)**

Action Item

This resolution was tabled in order to have the Audit information included.

- 9. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING THE PROCEDURE FOR SELECTING AND RETAINING AN EMPLOYMENT CONSULTING FIRM TO IDENTIFY CANDIDATES FOR THE POSITION OF NET RMA EXECUTIVE DIRECTOR.
(RESOLUTION 15-56)**

Action Item

Vice Chair Gary Halbrooks left the meeting prior to the presentation of this resolution. The quorum was maintained.
Discussion: Position this important requires a more serious search. Firms cost around \$24k, might be up to \$50k.
Motion to approve amended resolution: Barham Fulmer 2nd: Walta Cooke
Amended resolution passed unanimously.

- 10. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON APPROVAL OF OFFERS TO LANDOWNERS IN CONNECTION WITH THE ACQUISITION OF OPTIONS TO PURCHASE INTERESTS IN PROPERTY FOR SEGMENT 4 OF TOLL 49.
(RESOLUTION 15-57)**

Action Item

Everett Owen said that 7-8 offers are set to go out after the meeting. The process: GEC submits offers based on appraisal. GEC accepts and the bids are brought to the board for approval. OR the GEC negotiates and then the bids are brought to the board for approval. Options are based on 5% -10% of appraised value.
Asking for blanket authority to move forward on options.
Resolution was amended from 9 to 12 months. Motion to amend: Barham Fulmer 2nd: Dr. Jim Harris
Resolution passed unanimously.

- 11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE A SETTLEMENT AGREEMENT WITH CH2M HILL FOR COMPENSATION FOR EROSION DAMAGE TO CERTAIN PORTIONS OF SEGMENT 3B OF TOLL 49.
(RESOLUTION 15-58)**

Action Item

Everett Owen said that this is needed because erosion was a design problem, not a construction problem. We have agreed to share costs (almost 50%). \$275k released for this specific design issue only.
Motion to approve: Jack Traylor
2nd: Bob Moore
Resolution passed unanimously.

- 12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE CHANGE ORDER NO. 3 WITH SCHNEIDER ELECTRIC FOR REPLACEMENT OF CAMERAS ON SEGMENTS 1, 2, AND 3A OF TOLL 49.
(RESOLUTION 15-59)**

Action Item

Everett Owen said that this to replace original Ratheon cameras. Question was asked "Wasn't this money being held by TxDOT?" Everett said that the monies they have can only be used on construction of Segment 4 only, so it doesn't apply to this.
Motion to approve: Keith Honey
2nd: Dr. Jim Harris
Resolution was passed unanimously.

- 13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING ASSESSMENT OF THE ANNUAL MEMBERSHIP FEE FOR MEMBER COUNTIES OF THE NET RMA.
(RESOLUTION 15-60)**

Action Item

Motion to approve: Dr. Jim Harris
2nd: Jack Traylor
Resolution was passed unanimously.

14. EXECUTIVE DIRECTOR'S REPORT

Everett Owen

- a) Toll 49 update
 - i) Report on Tolling Transactions and Revenue
 - ii) Traffic and Revenue Report Update
- b) Update on Right-of-Way Acquisition Progress
- c) Update on Status of Toll 49, Segment 4 Financing – Robert Ramirez stated that the plan is:
 - Advertise the project in early January
 - Pre-Bid Conference in Mid-January
 - Open bids in February
 - Open bond sale April 11
 - Close bond sale end of April
 - Construction is variable, but plan to begin May, 2016
 - 18 month project, open road Mid-Fall 2017.

During this time, the question was raised about the Member county yearly membership fee. There was no change to invoicing for these this year, but an consensus was reached that this should be revisited each year.

15. ADJOURNMENT

The meeting adjourned at 2:59pm.

BOARD BOOK APPENDIX - COMPLIANCE AND OVERSIGHT

- A. OPEN RECORDS SPREADSHEET
- B. SURETY BOND SPREADSHEET
- C. CONFLICT OF INTEREST SPREADSHEET
- D. TERM EXPIRATION SPREADSHEET
- E. TEC FILING SPREADSHEET

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.

FY 2015 Tentatively Scheduled Board Meetings:

Tuesday, January 12, 2016 – Carthage TX (Panola County)

Tuesday, February 9, 2016 – Gilmer, TX (Upshur County)

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

Team Texas, (dates pending), Austin, Texas.

Texas Transportation Commission Meeting:

Thursday, December 17th at 9AM at 125 E. 11th St. Austin, TX

Texas Transportation Forum - Wednesday, January 14 – Friday, January 16, 2015, Austin, TX

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 NETRMA at 903.630.7447 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 NETRMA at 903.630.7447 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 NETRMA at 903.630.7447 at least two working days prior to the meeting so that appropriate arrangements can be made