



MEETING NOTICE

TO: North East Texas Regional Mobility Authority Board Members
FROM: Linda Thomas, Chair
DATE: Tuesday, February 13, 2018
SUBJECT: **February Board Meeting**

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

DATE: Tuesday, February 13, 2018
TIME: 1:30 PM
PLACE: Henderson Civic Center
1500 Lake Forest Pkwy.
Henderson, TX 75652
Rusk 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, February 13, 2018, 1:30 PM
Henderson Civic Center
1500 Lake Forest Pkwy.
Henderson, TX 75652
Rusk 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, February 9, 2018.

1:39 meeting was called to order.

2. INVOCATION

Gary Halbrooks provided the invocation.

3. WELCOME & INTRODUCTION OF BOARD MEMBERS

Linda Thomas welcomed Nate Priefert to the NET RMA.

In attendance: Bob Moore, Mike Thomas, Andrea Williams-McCoy, Dan Droege, Barham Fulmer, Chris Miller, Linda Thomas, Gary Halbrooks, John Cloutier, Dave Spurrier, Nate Priefert. Remote: Larry Morse, Cory Floyd.

4. SWEARING IN OF NEW AND REAPPOINTED BOARD MEMBERS

Judge Hale swore in Mike Thomas, John Cloutier, and Nate Priefert

5. OPEN PUBLIC FORUM/COMMENT PERIOD

Judge Hale welcomed the NET RMA to Rusk County and thanked them for their service. He stated that the NET RMA is doing excellent work and that they should continue to advocate for transportation. He stated that East Texas has the resources to flourish, they just need the infrastructure.

6. DISCUSSION, CONSIDERATION AND APPROVAL OF THE MINUTES FOR THE JANUARY 9, 2018 BOARD MEETING **Action Item**

Motion: Gary Halbrooks, 2nd: John Cloutier. Unanimously approved.

7. CHAIR'S REPORT

Linda Thomas

Linda Thomas again welcomed all to the meeting. She stated that she and her husband Charles will be flying to Washington next meeting for the I69. They are anxiously awaiting the completion of I69.

8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON HONORARY RESOLUTIONS FOR FORMER BOARD MEMBERS

Linda Thomas stated that the NET RMA has had several wonderful previous board members that did a lot of great work and showed a set of plaques that will be sent to them in order to celebrate their service.

- A. Jim Bunch**
- B. Pat McGill**
- C. Bob Murray**
- D. Hudson Old**
- E. Jack Traylor**

Motion: Barham Fulmer; 2nd Mike Thomas; unanimously approved.

9. REVIEW AND ACCEPTANCE OF NET RMA FINANCIAL STATEMENTS

Michelle Colburn

Michelle Colburn provided the presentation and stated that electronic toll tags and video revenue is down about 100,000 compared to year over year. In operating expenses, the accounting fees are down due to no longer having an outside

CPA. Legal fees have been raised due to several unforeseen events, for instance-the archeological site. Andrea Williams-McCoy asked if the amount on the financials reflected monthly website maintenance and wanted clarification if the web maintenance was about \$800/month. Michelle confirmed. She then continued to say that project director and general engineering consultants are down compared to the budget. Roadway maintenance is up. Barham Fulmer asked if what was being shown was for the month of November or if it was for year-to-date. Michelle responded it is year-to-date. Mr. Fulmer then asked if the financials were covering 2 months. Michelle Colburn confirmed. She then compared budget year-to-date to actual year-to-date. Overall, revenue transactions are down which could be due to construction, lowered speed limits, alternate roadways, weather, etc. Dave Spurrier asked if the NET RMA would continue to budget 0 for income on investments for the rest of the year. Chris Miller stated that they did not add that in the budget this year because they did not have factor in an accurate idea of what it should be. He stated that they could make an amendment to the budget if the board deemed it necessary. Everett Owen responded that the interest income is placed in the bond account and not into the general account, so it is not disposable money. It's revenue from an accounting standpoint, but from a practical standpoint, it's not there to use. Dave Spurrier also asked to have the legal expenses broken down in order to have a better idea of the cost. Chris Miller stated that they would be able to provide that for him either at the next meeting or in between. Michelle Colburn continued and moved onto expenses year-to-date vs. budget year-to-date. She stated that the legal fees are up largely due to the archeological site and regulatory action with TCEQ. Interest expense is also up but is not accurate due to the budget needing to be revised. Barham Fulmer asked how this was missed. Michelle Colburn responded that she had put in a number that did not reflect the amortization schedule number. Chris Miller stated that it was likely due to the transition from Mr. Fitzgerald to Michelle. Andrea Williams-McCoy stated that she would like a readjustment. John Cloutier asked if there was any reason not to do it? Michelle Colburn responded no. Everett Owen stated that the issue is that the budget is used by the trustees to allocate funds. He stated if they were to put in interest expense, it would increase the interest placed into the account. Dave Spurrier responded that he believes if there was a mistake, it needs to be corrected. Mike Thomas responded in agreement. Michelle Colburn continued and said that expenses were up and revenues were down which led to negative cashflow. Additionally, depreciation expense is down. She also noted that they had added two new lines to the Net Assets section which now depicts both the 2016 and 2017 restricted priority project funds. John Cloutier asked if there was still an issue with video tolling. Ron Fagan responded that they are currently up to date. Everett Owen responded that they are caught up on invoices but may or may not be caught up on collections. Chris Miller responded there will be a presentation at the next meeting regarding when the funds are reflected in the budget. Dan Droege stated that they still needed to speak with Judge Stoudt to receive the funds for their priority project. Dave Spurrier asked where they were on their other projects. Chris Miller stated that they were going to have a meeting with Upshur County in early April to start the process on their loop. They have yet to hear back from Kaufman County on their project.

Motion: Mike Thomas, 2nd: Bob Moore; unanimously approved

10. REPORT ON TOLL 49 TOLLING TRANSACTIONS AND REVENUE

Michelle Colburn

Chris Miller stated that the middle of January was not a great month and that there was a significant drop due to the snow and ice during the MLK day snow storms. He commended TxDOT and Mark McClanahan for their hard work during that event. He also stated 2018 is about 8000 transactions lower than the start of 2016 and about 3000 lower compared to 2017. He reminded all that January tends to generally be a lower transaction month. He also stated that they do believe active construction on the road has greatly contributed to the lower numbers. The weather, especially with the 4 days in the middle of January also contributed to that. The bridge out on 829 also has an impact and continues to have an impact with the lower transactions. The first solution that they believe will help bring transactions back up is the completion of Segment 3B. They are working with the contractor to get the speed limits raised back up in the areas that are complete. Things are in motion to help improve transaction amounts. Andrea Williams-McCoy asked what actions can be taken. Chris Miller stated that some of the things they discussed in the Marketing committee would likely help. He also stated that the gravel on the road has also possibly impacted the roads. Linda Thomas asked if there was any liability for the contractor. Brian Cassidy responded possibly but mostly it would be reputational damage. It would be hard to quantify that number. But they certainly have an obligation to deal with owners of damaged vehicles.

11. COMMITTEE REPORTS

A. Executive Committee/Audit Committee

Linda Thomas

There is an audit committee meeting for Feb. 21 which will be held in the NET RMA office.

B. Personnel Committee

Jason Ray

Not present

C. Project Development & Implementation Committee

Barham Fulmer

Barham Fulmer stated that there was a committee meeting in January. Good news was that there were agreements on all the tracks of land which will be further discussed later in the agenda. They also discussed the improvement project. They also discussed change orders that Chris Miller has the authority to sign. Linda Thomas thanked them for a job well done.

D. Long-Range Planning Committee

John Cloutier

John Cloutier stated that last week they met with NET RMA staff. They have set dates for priority projects which are due April 16th. They will meet the following week to make decisions and pick the projects to recommend to the board. Dave Spurrier asked if they had been sent out. Colleen Colby responded that they will be sent out either this week or the following week. Dave Spurrier asked if the meeting has been set. Linda Thomas asked if there have been any changes to the process. John Cloutier answered no. Dave Spurrier asked if there would be a meeting to create a set of criteria for each board member involved with the NET RMA. John Cloutier stated that he wasn't sure if there is a way to write up an "expectation" so instead they wrote what they can expect is a seat at the table as well as an idea of what their avenues they can pursue. Linda Thomas stated that more information could be found within the bylaws, which are broad, but the expectations are broad. Dave Spurrier stated that there has not been a meeting within the committee to discuss it. John Cloutier responded that they would schedule a meeting in March. Andrea Williams-McCoy asked for clarification. John Cloutier responded that it was requested that they build a board member/county guidebook outlining expectations and capabilities. Chris Miller responded that this is meant to be a useful tool for new county members.

E. East Texas Hourglass Committee

Dave Spurrier

Dave Spurrier stated that they have not had an additional meeting since last month. However, President Trump had an infrastructure meeting and they had discussed expediting the environmental process down to 6 months. They are still waiting on TxDOT for the \$10 million lending request which will likely happen after the elections. Brian Cassidy responded that things will likely change quite a bit. The project development points that could hold however, are the environmental approvals being expedited. Chris Miller asked if there was a possibility that they may allow states to reinvest into tolling. Brian Cassidy responded it's a possibility if a state is willing to toll. It is likely something that has broader appeal and may survive the legislation process.

F. Investment Committee

Robert Messer

No report.

G. Facilities Committee

Gary Halbrooks

No report.

H. Marketing/Community Relations Committee

Andrea Williams-McCoy

Andrea Williams-McCoy stated that they had their first meeting. She felt it was a very productive meeting where they created some specific goals with measurable metrics. The general consensus was that the NET RMA needs to build a better web and media presence. They have a limited budget starting off but should be able to make some impactful moves.

12. PARTNERSHIP UPDATES

A. East Texas Corridor Council

Bob Moore

Bob Moore provided a video for the board to watch. It was of a model train. In Mineola, a 100 car railroad was placed. 4000-7000 new jobs are projected to be created on the north and south ends of the toll road. The Sanderson Farms project will also bring in thousands of jobs. The toll road had a lot to do with the decision to put it here. He stated that

great infrastructure is coming. He called for less talk and more action.

B. I-69 Alliance Committee

Linda Thomas

No report.

C. East Texas Council of Governments

Linda Thomas

No report.

13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE PARTICIPATION IN AN EMPLOYEE WELLNESS PROGRAM.

(RESOLUTION 18-07)

Action Item

Chris Miller stated that NET RMA has a great health insurance benefit with TML. It is a resolution that allows the executive director to make various decisions related to employee wellness programs.

Motion: Barham Fulmer; 2nd: Bob Moore; unanimously approved.

14. REPORT ON TOLL 49 IMPROVEMENT PROJECT.

Kate Wilder

Kate Wilder provided the presentation. She stated that out of the total \$8.33 million, 5.2 million has been paid to the contractor so far. It is a unit bid contract, not lump sum like Segment 4. Major activities that remain are the overlay on Segment 3B, permanent signage placement, striping and pavement markings. Overlay activities were suspended in January 2018. They anticipate resuming overlay activities in Spring 2018. They have decided to winterize the project during the colder months and allow the contractor to resume pavement activities in the spring. Pavement activities will be completed at night in the spring (April). Chris Miller wanted to know if they are impacting anything legally with the contractor with this suspension. Brian Cassidy stated that he assumed there was a suspension provision in the contract. Barham Fulmer responded that project is currently in liquidated damages because they have gone beyond their completion time. The contractor also stated that if they were to lay asphalt during weather that is not conducive towards asphalt laying, it would produce an inferior product. The contractor is out of South Texas, so the unpredictable weather has contributed to them not being finished in time. They are currently paying the price for that but if NET RMA had forced them to continue to work, the NET RMA would be paying the price in inferior product. John Cloutier asked if they would be charged for the remobilization. Barham answered no. Dave Spurrier asked when they expected to be complete, roughly. Kate Wilder responded they are currently working with the contractor to provide an updated schedule. Dave Spurrier asked when the best case would be? Everett Owen responded May or June. Dave Spurrier asked if they were going to be able to raise the speed limit soon and how would they let the public know. Kate Wilder responded that they are currently taking steps to raise the speed limit. Striping is nearly complete. Chris Miller stated that once they have confirmation that the speed limits can be raised, they would get the message out to the public. Barham Fulmer responded that the winterization is pushing the contractor to work on projects that needed to be completed that are not related to asphalt laying. Dave Spurrier asked how far behind in the project they were. It seemed to be by several months since they were set to finish in October. Kate Wilder stated that the substantial completion was set for December, so yes, they are behind but not by that much. John Cloutier asked what time the night work would take place. Kate Wilder stated that she would need to consult the contract to be sure, but she believed it was 9PM to 5AM. Dave Spurrier asked if there were concerns for the paving that was done in December. Everett Owen responded that there was no real concern regarding the pavement that was laid in December because it was not laid if the weather was too cold. They are generally comfortable with the product that is out there now. Chris Miller stated that what it boiled down to was problems with their leadership and weather issues. They have continued to have uncooperative weather. He stated that Mark McClanahan and the others have been on top of this issue and worked diligently to get what needed to be done completed. Nate Priefert asked what the ideal temperature for asphalt laying is. Mark McClanahan stated 40 degrees and rising. Dave Spurrier asked if they do not expect it to be 40 and rising in March. Everett Owen responded that the safest option was March. Chris Miller stated that the frustration on the road comes from the drivers having to wade through construction traffic. Andrea Williams-McCoy responded that she appreciates the caution if it creates a better product. Her question was that when pavement resumes in April, are they going to be able to pick up where they left off? Kate Wilder stated yes. They feel very comfortable with the product that is already there. John Cloutier asked if the liquidated damages will

be applied to the draws. Kate Wilder responded yes. Kate Wilder continued her presentation and stated that upcoming activities included: the resetting of existing guardrail on Segment 3B, continued installation of small roadside signs, and fog sealing the top layer of OCST on the Segments south of 3B.

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

Kate Wilder

Kate Wilder provided the presentation. She stated that in December 2017, the archaeological site study was completed. Due to the delays that resulted from this study, they revised the contract with the contractor for completion to be on Feb. 2019. Final acceptance would be June 2019. They are 98% complete with earthwork, and 70% complete with drainage. Remaining activities are related to paving. The contractor has been paid \$52.8 M out of a total budget of \$126.2M which leaves a remaining contingency of \$13.7M. Ongoing activities include continued earth work, placement of rip rap for ditches and culvert outfalls, subbase and pavement work, and erosion control including the installation of silt fence, rock filter dams, hay mulch and slope seeding. Cement placement is nearly complete across the project. Upcoming activities include the completion of all project bridge rail, completion of the FM 849 detour pavement, and the continuation of subbase, asphalt, environmental controls, rip rap, etc. John Cloutier asked Mark McClanahan if he felt confident about the progress that is being made after the archeological delays. Mark McClanahan responded that they're doing a better job now; however, the rain is still an issue. John asked if they can hold the contractor accountable if they get another TCEQ response. Mark McClanahan responded yes. Chris Miller agreed. Mark McClanahan stated that they are staying on top of it and they feel a lot better about the project. Barham Fulmer stated that whenever the rain was, they received over 3 inches of rain which will eat up a road. And they were working on the silt fences through that challenge.

16. SUMMARY OF CHANGE ORDERS WITH WEBBER APPROVED BY THE EXECUTIVE DIRECTOR SINCE PREVIOUS BOARD MEETING.

Chris Miller

Chris Miller stated that CO 15 was in the amount of 24k regarding the waterline conflict with FM 849. Because this was less than 50,000, he has the authority to approve it which he then presented to the project development committee. CO16 was related to insufficient clearance under electric line beam placement at mainline bridge. Kate Wilder responded that after speaking with Webber, they decided that moving the beam was the best option. John Cloutier asked why this was costing the NET RMA when the electric company should be picking up the cost. Brian Cassidy stated that because NET RMA does not have a contract with the electric company, they cannot be held liable. Chris Miller stated that if it wasn't for the toll road, they wouldn't be moving it anyway. Chris Miller stated that CO17 was related to additional RIP RAP to protect against excessive erosion.

17. REPORT ON BACK OFFICE OPERATIONS.

Ron Fagan

Ron Fagan provided the presentation. He stated that this was a presentation that CTRMA provided earlier. CTRMA and consequently, NET RMA, have had a contract with MSB since 2008. At the moment, the billing cycle is every two weeks which some customers do not like. They are moving to monthly. Additionally, in the past, customers did not have an account. They want to offer license plate-based accounts which they hope will enhance customer relationship and management capabilities. The timeline for the change in vendors began in December 2016. An RFQ was issued in December 2016, then in April 2017, an RFP was issued. In December 2017, the final approval was made. The scoring in choosing was based 60% on technical, 40% on pricing. Cofiroute USA had the best value proposal. Cofiroute USA is headquartered in California. TollPlus is the back-office system that they use. Cameron County currently utilizes TollPlus and had positive reviews. The cost to the RMA would be less with the new contractor. Cofiroute USA only collects within the stages that they are in and not an accumulation over time. He then stated that the next steps would be to finalize the contract, seek board approval, begin the transition plans for a new pay by mail program in late February and then to implement it in Fall 2018. Dave Spurrier asked who is representing the NET RMA within the CTRMA. Chris Miller responded that Everett Owen and Ron Fagan are. John Cloutier asked if the fee structure would be the same. Ron Fagan responded no, the fees would be less and be more favorable towards the NET RMA compared to MSB. Dave Spurrier asked that CTRMA has their wants and needs, but what about the NET RMA's needs and interests? Ron Fagan responded that Cofiroute would be able to implement different fees or rules for the NET RMA separate from the CTRMA. Dave Spurrier asked when the board would get to put in their input. Ron Fagan responded it would need to be soon. Dave Spurrier

responded that he is pleased to hear about the customer service improvements for customers that do not want a tag. Everett Owen stated that the CTRMA believes they'll either need to match TxDOT's fee structure with late fees. Dave Spurrier asked if it is possible to use other toll roads across the country to hit a medium. Everett Owen stated that CTRMA feels they will be forced into what TxDOT does. He stated that they will keep the board informed on whether CTRMA will mirror TxDOT. Dave Spurrier asked if the NET RMA will have a contract with Cofiroute. Everett Owen stated no, but they would treat the NET RMA and CTRMA as two separate clients even though the procurement was just for one (similar to what MSB does now). Andrea Williams-McCoy stated that it sounds like the NET RMA is just along for the ride. John Cloutier responded that it is likely that the NET RMA would be able to get a better deal if they worked with CTRMA since they have a much higher transaction rate. Barham Fulmer responded that the CTRMA already had a strong structure in place, so it was beneficial for NET RMA to model themselves after the CTRMA because it was easier and made more sense and was more efficient to jump on CTRMA's "coat tails". Andrea Williams-McCoy stated that she wants to make sure that the NET RMA is not losing too much control. Ron Fagan responded that the question now is, can there be two sets of rules. From a practical system, it can be done. It is something they want to explore quickly. Dave Spurrier asked how much deviation they are talking about. Ron Fagan responded they currently don't know. They used 2016 numbers that from their projections and it was about \$300k to the good meaning they would collect 300k more in revenue. Dave Spurrier asked what the difference in fees would be. Everett Owen responded that they do not know yet. Brian Cassidy responded that they know that TxDOT is restricted on fees. Ron Fagan responded that it is \$6 capped at \$48/year. John Cloutier asked what the fees are now. Ron Fagan responded that it's \$15 at the first violation. An additional \$15 on the second fee. The final fee is an additional \$30. Andrea Williams-McCoy asked if they would receive the contract. Brian Cassidy responded that the contract is currently being worked on. There are actually two contracts. One is an interlocal agreement, that states Cofiroute is obligated to provide NET RMA with the same benefits as CTRMA. The other contract will state that Cofiroute will also maybe provide the same services with all other RMAs that may have an agreement with CTRMA. Andrea Williams-McCoy asked if the NET RMA would have any weight in enforcing their own interests with Cofiroute. Brian Cassidy responded that the NET RMA would need to rely on CTRMA as advocates. Barham Fuller responded that it's almost like subletting from the CTRMA. Ron Fagan responded that the NET RMA is currently in a comparable situation right now with MSB and CTRMA. The resolution has always been to go to CTRMA when there was trouble and to let them know. For the larger majority, it has been a good relationship and communication is key. It has not been difficult to get CTRMA to address a vendor on NET RMA's behalf. Everett Owen continued that explanation and stated that MSB currently treats the NET RMA differently from CTRMA. For example, NET RMA waives disabled veteran plates but CTRMA does not. Cofiroute will treat the NET RMA as if they have a contract with NET RMA. Andrea Williams-McCoy wanted clarification that they have never done business with Cofiroute. Ron Fagan confirmed. Brian Cassidy stated that the biggest question so far is that they don't know yet if Cofiroute will allow different fee schedules. Ron Fagan said that when the fee structure was created, they wanted to make sure that the fee structure wasn't so exorbitant that it would draw media attention. They wanted to make sure the amount was a reasonable amount. Dave Spurrier requested more information; as much as they can provide so they can make an educated decision. John Cloutier asked if there has been any move on the Purple Heart Veterans issue. Chris Miller responded there has not been a discussion yet but that there should be soon.

Linda Thomas stated that the meeting would be adjourned and go into executive session. Time 3:45PM. Resumed at 4:30.

18. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE MEDIATED SETTLEMENT FOR THE ACQUISITION OF THE FOLLOWING PARCELS OF PROPERTY IN SMITH COUNTY FOR SEGMENT 4 OF TOLL 49:

- A. Parcel 209, an 11.793 acre parcel of real estate owned by Mea Real Estate, L.P., situated in the William Gatlin Survey, Abstract No. 409, Smith County, Texas.**
- B. Parcel 213, a 39.133 acre parcel of real estate owned by Joseph C. Mea (a/k/a Joseph Clay Mea) and Mea Real Estate, L.P., a Texas Limited Partnership located in the William Gatlin Survey, Abstract 409, the Antonio Walsh Survey, A-1035, and the Robert O. Bean Survey, Abstract No. 136, Smith County, Texas.**

(RESOLUTION 18-08)

Action Item

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

19. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE MEDIATED SETTLEMENT FOR THE ACQUISITION OF THE FOLLOWING PARCEL OF PROPERTY IN SMITH COUNTY FOR SEGMENT 4 OF TOLL 49:

- A. Parcel 216, a 28.308 acre parcel of real estate owned by Kevin Andrew Freudiger and Kelyn Lea Freudiger, situated in the George Null Survey, Abstract No. 741 and the J.H. Sanders Survey, Abstract No. 869, Smith County, Texas.

(RESOLUTION 18-09)

Action Item

Motion: Barham Fulmer, 2nd: Dave Spurrier. Unanimously approved.

20. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE AGREEMENT TO RESOLVE POTENTIAL CLAIMS RELATED TO PROPERTY DAMAGE.

(RESOLUTION 18-10)

Action Item

Motion: John Cloutier, 2nd: Andrea Williams-McCoy. Mike Thomas abstained.

21. EXECUTIVE DIRECTOR'S REPORT

Chris Miller

- A. Report on Request for Qualifications (RFQ) for the NET RMA's General Engineering Consultant (GEC)
- B. Presentation to Tyler Area Chamber of Commerce Surface Transportation and Aviation Committees
- C. Toll 49 Video Presentation
- D. Department Reports
1. Maintenance Department
 2. Finance Department
 3. Marketing/Public Relations/Human Resources Department
 4. Toll Operations/Customer Service Department

22. ADJOURNMENT

Linda Thomas reminded all that the next board meeting would be held on March 20th at the Pinecrest Country Club which would be the third Tuesday.

4:34 adjourned.

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 matters under Chapter 551 of the Texas Government Code, including:
- 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.

Tentatively Scheduled NET RMA Board Meetings:

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:

February 22, 2018 – Texas Transportation Commission

PARTICIPATION BY TELEPHONE CONFERENCE CALL:

One or more members of the Board may participate in this meeting through a telephone conference call, as authorized by Section 370.262, Texas Transportation Code. Under that law, each part of the telephone conference call meeting that by law must be open to the public shall be audible to the public at the meeting location. During the meeting, the identification of each party shall be clearly stated prior to speaking, and the meeting shall be documented by written minutes. On conclusion of the meeting, the written minutes of the meeting will be made available to the public.

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.