



MEETING NOTICE

TO: North East Texas Regional Mobility Authority Board Members
FROM: Linda Thomas, Chair
DATE: Tuesday, August 13, 2019
SUBJECT: **August Board Meeting**

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

DATE: Tuesday, August 13, 2019
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 Felux at 903.630.7894.

NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY (NET RMA)
BOARD OF DIRECTORS REGULAR MEETING
Tuesday, August 13, 2019, 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, August 9, 2019.

1:30 PM

2. INVOCATION

Robert Messer provided the invocation.

3. WELCOME & INTRODUCTION OF BOARD MEMBERS

Linda Thomas welcomed all to the NET RMA board meeting. In attendance: Jason Ray, Robbie Shoults, Dave Spurrier, Gary Halbrooks, Linda Thomas, Chris Miller, Barham Fulmer, Nate Priefert, Robert Messer, Dan Droege, John Cloutier, Chet Clayton

Judge Hale welcomed all to Henderson and Rusk County. He stated that he appreciates the service the NET RMA provides. It is an organization that helps Rusk and all of East Texas move forward. He reminded all to not forget the little counties.

4. OPEN PUBLIC FORUM/COMMENT PERIOD

Brian Cassidy reminded all that there is not an agenda item on Segment 6 and therefore the board cannot respond to questions or be open to a dialogue. The board cannot respond to inquiries or discuss questions due to the open meetings act as they are only allowed to speak on items that are on the agenda.

Ronnie Warren: Stated he lives in Smith County. He has only been in Smith county for a short time. He is happy to live in Smith County. A decision that made them live in Smith County was that the turnpike was a few miles away from them. He is a career law enforcement officer. He retired in 2008. He responds to disasters all over the country. He wanted to discuss the importance of losing the wetlands. FEMA flood zones in every county and city are in jeopardy. The lack of mitigation of flood zones, tributaries are very dangerous. FEMA responds to flooding more than any other disaster. He wanted to speak to the public based on the dangers that he sees due to flooding areas as a disaster responder. He stated that it costs several thousand dollars a year for flood insurance. So, as a citizen of Smith County, he feels it's incredibly important to look at the orange and blue routes because they go directly through the FEMA flood zones. The threats and dangers are huge and it's important to stay as far as possible from the wetland ecosystems. The ecosystems are a huge issue with the animals. He thanked all for listening and welcomed any questions.

Riley Harris: Mayor of New Chapel Hill. He stated his family has been there since 1851. He is in the working group for Segment 6 routes. They are down to 6 routes. It's his understanding that this fall they will narrow it down to 3. Based on the working group, he is surprised that the orange and blue routes are still on the map. There is a growing consensus that they should be eliminated. The impact it would have on Lake Tyler would be potentially problematic. He is not opposed to the Segment as he uses Toll 49 weekly. It's wonderful, he stated. He just believes those routes are wrong. It would better serve East Texas and Tyler if it was closer to Tyler. He stated that if it was West of Chapel Hill rather than East, everyone in that area would use it more. There are a lot of big businesses out at 271 where it would pass by. At the other end of 110, the closer it comes to university drive, it would serve that area well. If it is not used, it will take longer to pay for it. In using it himself, he sees a lot of passenger vehicles and he sees fewer commercial vehicles. He stated that he is not an expert of wetlands, but he knows that when they have a spring like they did this year, it all ends up in Lake Tyler. He believes it would be disruptive to build a highway there. The potential long-term issue could be big.

Dr. Michael Tidwell: He thanked all for giving him the opportunity. He is the president of the UT Tyler. The faculty and staff created a very aggressive strategic plan to be the economic and educational driver of East Texas. They discovered

that they need to accomplish 3 goals: ensure the success of students, connect research to the region of East Texas, and ensure that they are connected to the 2 million residents of East Texas. They are the only undergraduate UT institution within the East Texas area so their responsibility is vast. They will need a strong transportation infrastructure to make it happen. They have about 10k students on campus. A 3rd of freshman come from the Dallas and Houston areas. They service students from all over the state and even surrounding states. In order to be successful, they need a strong transportation infrastructure close to campus. The number 2 reason why students do not achieve further education is transportation. With their new scholarship model, they are addressing financial issues and encourage the board to ensure the next phase of Toll 49 is as close to UT Tyler as possible. It is also needed for research apparatus specifically for research in the wetlands. It's better that they are closer to transportation to ensure vitality of the region. As the faculty and staff work to connect research to region, it is important that they are close to transportation. The university is growing at 4% per year. They must ensure that transportation is accessible.

Brian Allen: From Whitehouse, TX. He passed out a document. It is in support of routes that are close to UT Tyler. He is representing the Keep Loop Off Lake grass roots group. Their mission is to preserve county homesteads, taxpayer dollars, public safety, provide access to UT Tyler and health center, and to preserve Lake Tyler. They believe that the green route is the superior route. This green route was developed as a possible alternative to meet NET RMA's criteria. The green route displaces the least amount of homes, is a line to UT health science center, doesn't cut through Chapel Hill, and avoids Lake Tyler's wetlands and prairies. He then asked if there are any members of the board that believe there is a better route than the green route. He also provided a letter from keeploop49offlake.com.

Mark Flynn: He provided a sign. He thanked the board to allow him to speak today and thanked Dr. Tidwell for the updates on UT Tyler. The mayor of Tyler has stated that the Tyler infrastructure does not have the necessary infrastructure for the influx of students. He is a resident of Smith County. Lived in Austin for 20 years before moving back here. He stated that the president of the US has stated that we live in a climate of fake news. The stories about Toll 49 have not been correct. The story isn't about who's a winner and who's a loser. It is about the appointed board members making the right decisions. The biggest question is where to put the newest segment. He stated that they need to look at the objectives of NET RMA and the objectives of Keep Loop Off Lake. It is to make transportation accessible. The green route achieves that objective. The orange and blue do not. For preserving federal tax dollars, the shorter route is the best option. A report was created that can be found at keeploopofflake.com. It shows that there is a 20 mill. difference compared to 45 mill. cost. He prefers to not have a 4-lane expressway going over the wetlands. Nobody wants to lose their homestead and the green route only displaces 12. The blue and the orange routes displace 40 or more. He is here as a concerned citizen and hopes the media will get this right.

5. DISCUSSION, CONSIDERATION AND APPROVAL OF THE MINUTES FOR THE JUNE 11, 2019 BOARD MEETING.

Action Item

Motion to approve: Gary Halbrooks. 2nd: John Cloutier. Unanimously approved.

6. CHAIR'S REPORT

Linda Thomas

Linda Thomas stated that she is thrilled to host the meeting in Rusk County. Scout is amazon's autonomous road delivery service. It will be rolling out in California. The scout devices will transport packages during daylight hours. It is a small, cooler sized drone. In Washington lawmakers are going to vote on the next highway bill. It is supposed to improve safety and guidelines of technologies. There is a robust agenda today and she wanted to get started.

7. COMMITTEE REPORTS

A. Executive Committee

Linda Thomas

No report.

B. Personnel Committee

Jason Ray

Jason Ray stated that it is time for executive director evaluations. He hopes to have the documents out soon and would like them returned by the September meeting.

C. Construction and Maintenance Committee

Barham Fulmer

No report.

- D. Member Outreach Committee** John Cloutier
No report.
- E. East Texas Hourglass Committee** Dave Spurrier
No report.
- F. Investment Committee** Robert Messer
No report.
- 8. PARTNERSHIP UPDATES**
- A. East Texas Corridor Council** Linda Thomas
No report.
- B. I-69 Alliance Committee** Linda Thomas
A trip in September to Washington is planned. There will be a lot to consider with the new highway bill.
- C. East Texas Council of Governments** Linda Thomas
Their group meets this week. The ETCOG has been charged with the grant decision once TxDOT runs through. Chris and Linda are a part of that committee. It is Thursday at 11:30
- D. Metropolitan Planning Organization/Texas Department of Transportation Updates** Chris Miller
Chris Miller stated that there is no report.

9. REVIEW AND ACCEPTANCE OF NET RMA FINANCIAL STATEMENTS. Dianne Johnston

Dianne Johnston provided the presentation. She stated that the financials for May are available, but she will not spend time on those as June's financials are cumulative. Total liabilities are at 211k. There are no activities to note on the balance sheet. Revenue and expenses: total operating revenue is higher than where they were last year by 29.48%. Total operating expenses are over last year by 8.56%. The only new variance is under bond counsel services. Bracewell was paid with regards to the regions loan in May. Otherwise nothing has changed. Total Toll 49 operating expenses: they are over with no new variances to note. YTD 2019 Net expenses are over last year by 900k. Largest variance is in depreciation. She stated she was able to get all she needed on Segment 4. The increase is due to the Segment 4 depreciation. Budget to actual: the actual revenue is under budget by 1mill. It's important to note that percentage variance in electronic has gone from -11% to -7%. Toll video revenue has gone from -17% in April to -14%. So, headway has been made. Total operating expenses show the actual is over the budget by 1%. That variance is due to bond counsel services. Toll 49 operating expenses are over budgeted amount by 11%. Not anything new or unexpected. Other income and expense: net to actual is higher than budget by 848k or 8% largely due to the recording of Segment 4 depreciation. The Segment 4 depreciation was budgeted. Total net income is at a deficit of 3mill compared to budget. Over budget by 3mill.

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

10. REPORT ON TOLL 49 TOLLING TRANSACTIONS AND REVENUE.

Chris Miller provided the report. For June, it looks like transactions decreased slightly at the end of the month; however there were a few dates where they nearly reached 50k. The average for June is slightly above 40k. The transactions are overall trending upward. Things are moving in a positive direction. In July, they closed in on 50k transactions again however on average it was slightly lower than June. They assume the lower count was a blip.

11. PRESENTATION ON COGENSIA MARKETING AND ANALYSIS.

Chris Miller stated that Craig Betman with Cogensia is here to speak on transponder numbers. Mr. Betman stated that the focus will be understanding who is using the NET RMA roadway in terms of pay by mail or transponder. He showed a chart showing revenue over the last 5 years. Transponder activity has an upward trend while pay by mail is flattening out. The historical data will be focused on June 2018 through May 2019. TxDOT provided the zip code associated with the TxTag IDs used on NET RMA roadway. Robert Messer asked if NTTA was included. Mr. Betman stated that they have transponder information from all transponders in Texas including Kansas Turnpike. Looking at assessed toll revenue over

time, there was a flattening in 2017 and 2018. 2019 has been very strong which correlates with the Lindale Bypass opening as well as advertising. A very strong pickup by both transponders and pay by mail. Andrea Williams McCoy asked when those numbers began. He stated it started in October. Looking at 2 axel activity the big things to note are: for the number of trips 67% are transponder with 33% pay by mail. Number of pay by mail active customers is slowly declining and the transponders are increasing. Revenue is substantially higher because the transponder customers tend to take more trips. There are still more pay by mail customers over transponders though. Dave Spurrier asked if this is per year or cumulative. Mr. Betman stated they are independent of each other. There are about 675k active per year as a sum. The 3-axel ratio shows 63% transponders. Similarly, the pay by mail is decreasing with transponder increasing. The distribution of trips by day of the week: transponders vs pay-by-mail for 2-axel vehicles- there's not a huge amount of difference. Both tend to use the roadway around the same time. Transponder customers use it more, but the time of day is the same. Dave Spurrier stated that they had previously discussed that there are certain days where people use the road more often, but that pie chart doesn't seem like there is a very significant difference. So, for road maintenance, it seems that it doesn't matter when it happens. Chris Miller stated that historically Sundays tend to be the least traveled days. Mr. Betman stated that commercial vehicles has more variance. Commercial tends to be light on the weekends which better matches what Chris Miller and Everett Owen stated. Transponder customers during a year through May 2019: 71% of active transponder users tend to use the road only 1 to 6 times a year so they are mostly just passing through. The people that have over 200 trips contribute about 20% of overall trips. These are the folks that are on the road twice a day. 5.5% of transponder customers account for 56% of overall trips. Pay-by-mail customers are a little more evenly distributed. 83% have 5 or fewer trips. They account for about 25%. There are customers that have over 200 trips, but no transponder and they make up about 9% transactions. They are the ones that are prime for conversion to transponder. Dave Spurrier stated that in total, it looks like the busiest days are weekdays. He then asked if there is a combination of the days and hours that they could use to see what times are the busiest by days and hours? Mike Thomas confirmed that this data is trips rather than actual paid and wanted to know if they could see if the ones that use it the most are actually paying. Mr. Betman stated that this is just user data, not payment. For 3-axel pay-by-mail: 92% only have 5 or fewer trips. Now looking at just transponders for 2-axel-TxTag accounts for 59%. NTTA 32%, EZ Tag: 9%, KTA/OTA<1%. The trend for TxTag is lowering. NTTA tag is steadily rising and so is EZTag. There are more NTTA users that use the toll road compared to TxTag. TxTag average user though is ~\$46 while NTTA is about ~\$16. For commercial, all tags are picking up. Only about 45% of trips are TxTag. NTTA is 35%. More active TxTag transponders customers tend to live around Tyler area. There is a decent amount in the Austin area. There is not a large amount of TxTag users in Dallas or Houston area since they have their own local tags to use. Within Tyler, TxTag users are generally near the Lindale Bypass. Toll customers live near a roadway and it's a logical route for them to choose. Proximity dictates use more than anything else. Based on number of trips, the South Tyler area tends to be the highest density. Out of state, is very sparse. Pay-by-mail folks tend to reside near the Tyler area but there is a little more diffusion and it's spread out a little more. People who live near the roadway tend to use it more. Trends are pretty similar to transponder trends as well. Based on the 12 counties within the last 12 months, there are 79k active PBM customers and just below 50k transponder customers in the 12 counties. Smith county is the largest for both categories. Dave Spurrier asked if they could get the other data for the other users since TxTag is only about 60% of transponder user base. Mr. Betman stated that they can however they need to make a similar request to the other transponders, but he doesn't believe it will be a problem. In summary: TxTag customers – 80% of activity comes from customers within 50 miles. Andrea Williams McCoy thanked him for the presentation and stated it has great information. She then asked if he has an immediate takeaway in terms of who are the users that would most likely convert pay-by-mail users to transponders. He stated that the folks that are PBM and have a lot of trip activity are the most willing to convert to transponders as they have a lot of heavy usage. That would be a good focus. Advertising should be spent heavily in the Tyler area. Direct marketing can be used too. In Tyler, it seems to be South Tyler. The stress is convenience and logical use of the roadway. Andrea Williams McCoy stated that it would be most efficient to zero in on a select group of users rather than spread out. Barham Fulmer stated that as a board it is important to stress that transponders get a discount.

12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE NET RMA FY 2019-2020 BUDGET. (RESOLUTION 19-19)

Action Item

Chris Miller stated the staff presented to the Executive Committee earlier today and there were a few changes that were requested. So, the next board meeting will have a budget based on the suggestions of the Executive Committee. There are

a number of things the Executive Committee wanted more info on. Robert Messer stated they vetted it thoroughly.

Action item has been tabled until the next board meeting.

**13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE SELECTION OF A PROVIDER FOR PAY BY MAIL RECEIVABLES MANAGEMENT SERVICES.
(RESOLUTION 19-20)**

Action Item

Chris Miller stated this is an item to get the outstanding debt that MSB was unable to get. Everett Owen stated that a procurement process happened. CTRMA decided to not engage and wanted to continue with MSB. The NET RMA received two responses. One from SWC and one from Purdue Brandon. Purdue is a law firm and SWC is a collection firm. They have both been active in the toll business and worked for NTTA and TXDOT. The team consisted of Jeff Saurenman, Everett Owen, Teresa Phifer, Dianne Johnston, and Ron Fagan. They scored each proposal based on qualifications and looked at cost proposals. Everett Owen stated that Cofiroute has their own process for pursuing credit. Dave Spurrier asked why Cofiroute didn't submit a proposal. Everett Owen stated that Cofiroute subs to a credit company. The total debt owed to the NET RMA is about 32M with a significant portion of that being fees. 5 million is in tolls and the rest is fines and fees. Technical proposal was 60% technical and 40% cost. SWC had the best cost but Perdue Brandon was very close. The technical score for SWC was a bit higher. Mike Thomas asked if SWC has a local presence? Everett Owen stated they are located in Dallas. SWC is the recommendation to the board after evaluation. The next step is to finalize the contract and get it underway as soon as possible to start collecting as early as September. Dave Spurrier asked what percentage the NET RMA would receive from that. Everett Owen stated that NET RMA gets all of the tolls. They are currently negotiating the percentage of the fees. They believe it is about 40% of the fees. Barham Fulmer asked if there are any other costs other than the percent that SWC would get paid by? Everett stated no. They just get what they collect. Dave Spurrier asked how much they project to collect? Everett Owen stated it is 10-12% within a year however, if given another year, they expect around 14%. Barham Fulmer asked how much flexibility does SWC get to negotiate how much they get? Everett Owen stated it is flexible. Dave Spurrier asked what would happen to those that did not get collected? Everett Owen stated they would not be able to fall within the habitual violator status. Dave Spurrier and Barham Fulmer stated that this was the first time they received the \$5 million number on collection. Everett Owen stated that in the past they have only spoken of the 32 million. Everett Owen stated going forward, he believes the habitual violator agreement and Cofiroute's aggressive collectors will allow for more debt collection. Barham Fulmer stated that with habitual violators coming into effect, it is important for all to remember that it is only for customers that have had 100 or more ignored tolls within the last year.

Motion to approve: Barham Fulmer, 2nd: Gary Halbrooks. Unanimously approved.

**14. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN EXTENSION TO THE AGREEMENT WITH KAPSCH TRAFFICOM TRANSPORTATION, NORTH AMERICA AND TO AUTHORIZE THE ISSUANCE OF A SOLICITATION FOR A TOLL SYSTEMS INTEGRATOR.
(RESOLUTION 19-21)**

Action Item

Everett Owen stated that the KAPSCH contract is up in September. Recent events have led the NET RMA to believe that they needed to do their own procurement. It can take up to 18 months for that to occur, so the extension is to provide time to properly procure solicitation for bids and to switch to a new integrator if need be. This is to extend the contract by 18 months and to approve solicitation for a toll system integrator.

Motion to approve: Dan Droege, 2nd: Mike Thomas. Unanimously approved.

**15. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE WORK AUTHORIZATION NO. 5 WITH ATKINS FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM SUPPORT SERVICES DURING FY 2019.
(RESOLUTION 19-22)**

Action Item

Kate Wilder provided the presentation. The MS4 permit is required by TCEQ for discharge of storm water regulated by TCEQ. Toll agencies were previously not required but they are required now. Andrea Williams McCoy asked what triggered that change. Kate Wilder stated it is fairly new and it wasn't on their list previously but re-evaluated and now

consider toll road agencies as operators. The application includes storm water management plan and a notice of intent. The work authorization also includes a number of tests, data collection, implementation support, etc. Total cost is roughly 81k. John Cloutier asked if they anticipate making a change. Kate Wilder stated yes, there are a few additional things like making it available on the NET RMA website, additional public outreach, etc. No additional water features are anticipated.

Motion to approve: Gary Halbrooks, 2nd: Jason Ray. Unanimously approved.

16. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE SOLICITATION OF BIDS FOR THE INSTALLATION OF DELINEATORS ON PORTIONS OF SEGMENTS 3B AND 4 OF TOLL 49.

(RESOLUTION 19-23)

Action Item

Everett Owen provided the presentation. He stated that they have been looking at ways to improve the road and help awareness of drivers and meet their expectations. Delineators are the plastic sticks that help channelize the lanes. It is not a positive barrier, but it is the next step past the rumble strips. They won't stop folks, but they will help them be aware. They want to do a test run to see how well they work. They also want to use them in locations where U-Turns are rampant. Kate Wilder stated that this is proposing a pilot study that includes test strips that includes two areas. One is the north of I20 that are spaced 6ft apart to prevent U-turns on Toll 49. Motorists tend to realize they missed I-20 and then U-turn. The second area is south of I-20 which would be about ¾ mile long. This would be in a two-lane section. The goal is to prevent lane crossing. Total cost is about 40k. John Cloutier asked if this would be a one-day install? Kate Wilder stated she believes it will be quick. John Cloutier asked if the rumble strips would get in the way of the delineators? Kate Wilder stated no. Dave Spurrier asked if the tests are successful, would they come back and add more? Kate Wilder stated yes. Dave Spurrier confirmed that it would hopefully prevent drivers from passing in no passing lanes. Barham Fulmer asked if they would consider another area that has shown U-turns as well? Kate Wilder stated yes. Dave Spurrier stated that one of the most recent accidents was due to a U-turn.

Motion to approve: Robert Messer, 2nd John Cloutier. Unanimously approved.

17. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE WORK AUTHORIZATION NO. 1 WITH HNTB CORPORATION FOR A TOLL 49 WIDENING STUDY.

(RESOLUTION 19-24)

Action Item

Moved to the bottom of the agenda. Dave Spurrier stated that this action item is tabled.

18. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE ISSUANCE OF A REQUEST FOR PROPOSALS FOR ROADWAY MAINTENANCE SERVICES ON TOLL 49.

(RESOLUTION 19-25)

Action Item

Chris Miller stated that currently IIPPL is handling the maintenance and their contract ends in September. This is authorizing that they go forward with procurement. John Cloutier asked if they have any issue with them finishing out their project. Chris Miller stated that there have been some issues they are examining but the maintenance staff are looking into it.

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

19. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN INTERLOCAL AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR INCIDENT RESPONSE FOR MAINTENANCE AND TRAFFIC OPERATIONS.

(RESOLUTION 19-26)

Action Item

Chris Miller stated this is an annual agreement for weather emergencies. This has been budgeted. It is not utilized all the time but it is there as a relationship for hazardous situations as they arise

Motion to approve: John Cloutier, 2nd: Mike Thomas. Unanimously approved.

**20. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE PROCUREMENT OF ROADSIDE MESSAGE BOARDS FOR TOLL 49.
(RESOLUTION 19-27)** **Action Item**

Chris Miller stated that the NET RMA currently rents message boards, but it is more financially beneficial to purchase them outright. These are used to provide information to motorists related to closings, road work, hazards etc. Mike Thomas asked what the cost to operate is? Chris Miller stated it is software program with the vendor and is negligible. John Cloutier stated that there will be a maintenance portion to it as well since bulbs will burn out and so forth. Dave Spurrier asked how many they plan to purchase? Chris Miller stated he believed it was 6. Mark McClanahan stated that they are 17k a piece. Dave Spurrier asked if they can be moved? Chris Miller stated yes. They can be moved as needed. When they are not in use, they will be stored in the NET RMA yard on Toll 49. Mike Thomas asked if they can be used to advertise? Chris Miller stated yes. Mark McClanahan also mentioned that they also have speed radar capabilities. Robert Messer asked if this is to approve for purchase? Chris Miller stated it is to purchase 6 and because it is over 50k, he could not approve on his own and needed to bring it to the board. Barham Fulmer stated it is for about 96k.

Motion to approve: Robert Messer. 2nd: Barham Fulmer. Unanimously approved.

**21. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO TAKE ACTIONS NECESSARY TO PARTICIPATE IN THE SETTLEMENT OF CLAIMS RELATED TO HOWARD D. BEGGS AND THE H. DALE BEGGS TRUST.
(RESOLUTION 19-28)** **Action Item**

Motion to approve: Dave Spurrier, 2nd: John Cloutier. Unanimously approved.

22. EXECUTIVE DIRECTOR'S REPORT. **Chris Miller**

A. Presentation to Harrison County Citizens Advisory Council

Chris Miller stated he met with a great group of people and presented to them to give updates on Toll 49. They are excited about Segment 7 and 8.

B. Presentation to Lindale Hideaway Lake Kiwanis Club

He had another meeting with this group, and it went well.

C. Segment 6 Education

In the near future, Elizabeth Story and CPY folks will give an overview on talking points for Segment 6. It is a matter of public interest.

D. Habitual Violators ILA with Smith County

The ILA has been adopted with Smith County. It is now in place. Teresa Phifer will be working with the revenue department in Smith County and they will hopefully be able to go after habitual violators. Currently the largest habitual violator is about 2k. The average is about \$575.

E. Update On New Member Counties

They are working with TxDOT to get information for Cass and Camp County and provide reasons why they would like to join the organization. It is going on the August 29th meeting for the Texas Transportation Committee Meeting. TxDOT staff is vetting is carefully.

F. Calendar of Future Board Meeting Dates

It is currently only 6 months out. They want to give member counties a chance to have a spot. Chris Miller also announced that Kate Wilder will be leaving Atkins and Elizabeth Story will be taking over her position.

23. ADJOURNMENT

Executive session: 3:25 PM. Adjourned at 4:27PM

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:

September 10, 2019 – Willow Brook Country Club, Smith County

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

August 29, 2019 – Texas Transportation Commission meeting

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.