



## MEETING NOTICE

TO: North East Texas Regional Mobility Authority Members  
FROM: Linda Thomas, Chair  
DATE: March 26, 2013  
SUBJECT: **NET RMA REGULAR BOARD MEETING**

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

**DATE: Tuesday, March 26, 2013**  
**TIME: 1:30 pm**  
**PLACE: Farm Bureau Insurance Agency**  
**281 HWY 243**  
**Canton, TX 75103**

Enclosed are the agenda and other pertinent information for your review prior to the meeting. Should you have any questions, please call me at 903.509.1552.

**NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY (NET RMA)**  
**BOARD OF DIRECTORS REGULAR MEETING**  
1:30 PM Tuesday, March 26, 2013  
Farm Bureau Insurance Agency  
281 HWY 243  
Canton, TX 75103  
**PRESIDING: Linda Thomas, CHAIR**

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**1. CALL TO ORDER AND DECLARATION OF QUORUM**

Notice of this meeting was posted with the Secretary of State's Office, with the County Clerk in Van Zandt and Smith Counties, on the NET RMA website, and in the offices of Atkins on March 22, 2013.

A quorum was declared. There were 10 Board Members present. The meeting was called to order by Chair Thomas at 1:31 PM.

**2. INVOCATION**

Chair Thomas asked Van Zandt County Board member Mr. Jim Stephens to give the invocation.

**3. WELCOME & INTRODUCTION OF BOARD MEMBERS**

Board Members

The NET RMA board members that were present introduced themselves and some gave brief welcoming remarks. Board members present at the meeting included: Linda Thomas, James Harris, Barham Fulmer, Dave Spurrier, Tim Vaughn, Jim Stephens, Hudson Old, Jack Traylor, Keith Honey and Gary Halbrooks.

Absent board members included: Walta Cooke, Celia Boswell, Jeff Sandford, Robert Murray, Andy Vinson, Mike Thomas and Gaylon White.

**4. SWEARING-IN OF NEW BOARD MEMBERS AND REAPPOINTED BOARD MEMBERS**

Judge Rhita Koches

Van Zandt County Judge Rhita Koches welcomed everyone to Canton and Van Zandt County. Judge Koches then introduced Ms. Mercy Rushing, the Executive Director of the Canton Economic Development Corporation and Ms. Lynn Kitchens, Canton Economic Development Corporation Assistant Director and thanked them for supplying the goodie bags that were given to the Board.

Four current NET RMA Board members including Gary Halbrooks, Hudson Old, Barham Fulmer and Keith Honey were reappointed to continue serving were sworn in at the Board meeting along with Jack Traylor, the new Cherokee County appointee, who replaced Barry Hughes. All were sworn in by Judge Koches.

## 5. OPEN PUBLIC FORUM / COMMENT PERIOD

There were no public comments made during the open forum comment period.

## 6. APPROVAL OF MINUTES

A. Discussion, Consideration and Approval of Minutes for:

**Action Item**

- January 22, 2013 NET RMA Regular Board Meeting

Chair Thomas referred the Board to the minutes dated January 22, 2013 from the regular board meeting. The Chair entertained a motion to approve these minutes if there were no edits by the Board.

Board Member and Vice Chairman Gary Halbrooks moved the approval. Board Member Barham Fulmer seconded the motion. The motion carried and the minutes for the January 22, 2013 meeting were approved.

## 7. CHAIRMAN'S REPORT

Chair Thomas

A. Chair Thomas Elected Chair of Team Texas

Chair Thomas announced that she was Chair of Team Texas and that it is an organization dealing with tolling entities throughout the state and possibly the country in the near future then housing all of the tolling entities under one umbrella. It was the NET RMAs rotation to provide the chair to the committee.

B. Update on March 2, 2013 Toll 49 Celebration

The weather was a little chilly but had a good representation at the Toll 49 Celebration Chair Thomas said. Chair Thomas thanked the committee including Vice Chairman Gary Halbrooks and Barham Fulmer for their work on putting it together as well as all of the contractors and other people that helped with it. "It's a very important time in the lives of citizens of East Texas." Chair Thomas stated.

C. Meetings of Interest

- Texas Transportation Commission Meeting: March 28, April 25 and May 30, 2013 [www.dot.state.tx.us](http://www.dot.state.tx.us)
- TeamTX: Dates pending [www.team-tx.org](http://www.team-tx.org)
- Update on Texas Transportation Forum: February 17-19, 2013 [www.txdot.gov/ttf](http://www.txdot.gov/ttf)

Chair Thomas attended the forum and reported that it went well. Senator Kevin Eltife has taken the position to raise the gas tax in hopes of generating additional revenue for statewide transportation needs and that everyone seemed to be in agreement on all of the needs across the state. Chair Thomas mentioned the Google "driver-less" car that was on display at the forum being a hit with attendees.

## 8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON APPROVAL FOR KAUFMAN COUNTY TO JOIN THE NET RMA (RESOLUTION 13-08)

**Action Item**

Chair Thomas introduced Kaufman County Judge Bruce Wood and Kaufman County Commissioner Ray Clark to the Board. Kaufman County requested joining the NET RMA and was approved at the Board meeting.

Chair Thomas commented that Kaufman County is an important player with DART and the NET RMA's MOU with DART so the county joining is going to be a good fit. Vice Chair Gary Halbrooks stated that it is a crucial link to have the partnership with Kaufman County coming into the NET RMA.

Judge Bruce Wood briefly spoke to the Board stating, "Thank you for considering us and we are part of a growing area so it is a win, win for everyone." Kaufman County Commissioner Ray Clark added that, "Traffic doesn't stop at the county borders, if we can help, we will."

Board Member Jack Traylor moved the approval. Board Member James Harris seconded the motion. The motion carried.

**9. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION CONCERNING USE OF BICYCLES ON TOLL 49 (Resolution 13-09)**

**Action Item**

Chair Linda Thomas introduced Item 9 – "Discussion, Consideration and Possible Action concerning use of Bicycles on Toll 49" and noted that there were three speakers signed up to address this item: Tyler Simpson and Mike Butler who had requested to make a PowerPoint presentation on behalf of the Tyler Bicycle Club, and Andy Dunklin. Chair Thomas also noted that the NET RMA's Interim Executive Director, Mr. Everett Owen, had a PowerPoint presentation to make.

Mr. Simpson began by saying "thank you" to the NET RMA for getting Toll 49 constructed and for allowing the bicycle community additional time to address the issue of allowing bicycles on Toll 49. He noted that people in the Tyler area have become leaders in the fields of medicine, education, retail and recreation, and leaders in "quality of life". He further stated that, at the 29th Ray Perryman Economic Outlook Conference, Mr. Perryman said in order to create a growing economy an area had to attract active, educated individuals. Mr. Simpson stipulated that, by allowing persons to ride bicycles on Toll 49, the NET RMA could help the Tyler area attract those active, educated individuals. In addition, Mr. Simpson pointed out that bicyclists are already allowed to ride on Hwy 183A, Hwy 290, and Toll 130 in Austin.

Mr. Simpson and Mr. Mike Butler then went through a PowerPoint presentation that contained research papers indicating "bike - friendly" cities are safer for all road users, and containing support letters from the Presidents / CEOs of top medical facilities (including Trinity Mother Francis Hospital, East Texas Medical Center, and the Texas Spine and Joint Hospital) supporting the concept of allowing bicyclists on Toll 49. The presentation also included information stressing the key points of: (1) quality of life and diversity in a community; (2) increased regional connectivity for both minor arterials (roads) and marked bicycle routes in the Tyler region; (3) coordination with the Tyler "Fit City Challenge" campaign to promote health and fitness for the region; and (4) implementation of "bicyclists safety" through proper signage, community training and education, school bike rodeos and general bicycling awareness. At the end of his talk, Mr. Simpson presented the NET RMA with a petition containing over 300 signatures of individuals interested in allowing bicyclists to ride on Toll 49.

Mr. Mike Butler presented some additional information on the subjects of: (1) economic development (large corporations such as Boeing relocate to cities that have an educated workforce and multiple recreational activities for their employees and families); health and fitness (bike riding is not stressful to joints like running or tennis, but is one of the top aerobic exercises); and safety (including an example of bicycle / ramp crossing striping and signage used in other cities). Mr. Butler stressed the need for training and education within the bicycle community, and suggested that the Tyler Bicycle Club would be more than willing to continue to work with a NET RMA bicycle committee to formulate safe policies and practices for the shared use of Toll 49.

Mr. Andy Dunklin commented briefly that he is a constable with the Smith County Sheriff's office and he allows bicyclists to park at his office and unload bicycles for riding on Toll 49. He encouraged the NET RMA to continue to work with local law enforcement, DPS officers and the bicycle community to find ways to promote safe bicycling on Toll 49 and other area roads.

Mr. Everett Owen, NET RMA Interim Executive Director, gave a PowerPoint presentation regarding alternatives to be considered regarding bicycles on Toll 49. Mr. Owen explained that Toll 49 has two 12-foot wide lanes and two 8 to 10-foot wide shoulders on the section between SH 110 and SH 155. On portions of Toll 49 west of SH 155, there are sections with passing lanes that only have 4-foot wide shoulders. Currently, bicyclists ride anywhere within the 10-foot shoulders, often coming very close to or riding on the shoulder stripe next to the active lane with vehicles traveling 70 mph. He stated that groups of bicyclists also often ride two or three abreast, and not in a single file formation, that also causes them to crowd close to the roadway travel lanes. He explained that traffic records show that traffic on Toll 49 has increased from 1,127 transactions per day in 2006 to 11,701 in February of 2013, and traffic is projected to increase to over 26,050 transactions per day by 2020. Mr. Owen suggested that there are three alternatives available to the NET RMA Board: (1) do nothing; (2) prohibit bicycles on Toll 49; or (3) allow bicycles on Toll 49 by limiting where they can ride; requiring bicycles to exit at ramp locations; and providing proper bike lane striping and signage through donations from the bicycle community. He further suggested that bicycles could be limited to the Toll 49 section between SH 110 and SH 155, and that a 4-foot wide bicycle lane could be provided on the outside of the roadway shoulder, approximately 6 feet from the travel lanes. He estimated the cost of providing proper bike lane striping, pavement markings and signage at \$60,000.

At the end of his presentation, Board Member Hudson Old asked Mr. Owen what the "do nothing" alternative would entail? Mr. Owen reiterated that "do nothing" would be just that, do nothing at all; "prohibit bicycles" would entail installing signs; and "allowing bicycles" would entail installing signs, pavement stripes and pavement markers at a cost of approximately \$60,000. Chair Thomas asked Mr. Owen if the \$60,000 estimate includes any funds for maintenance? Mr. Owen said "no", the maintenance of the striping and signs would be covered by the normal roadway maintenance operations through the contract with TxDOT. Mr. Jack Traylor asked if there was any liability associated with allowing bicycles. Lori Winland of Locke Lord replied that the NET RMA does have some sovereignty as a state agency, and that since bicycles are approved traffic vehicles subject to all traffic laws, the liability is no different than allowing cars on the road. Mr. Owen also noted that the alternative of "doing nothing" might carry more liability on the part of the NET RMA, since the topic of bicycles on Toll 49 had been discussed in open public meetings.

Following the presentations, the NET RMA Board Members entered into a period of lengthy discussions regarding allowing bicycles on Toll 49. Board Member Dave Spurrier asked who would "police" bicyclists crossing the ramp entrances and exits illegally? Mr. Owen responded "no one", it would not be cost effective and one would expect most bicyclists to be good citizens and obey state traffic laws. Mr. Owen would expect the bicycle community to enforce their own personnel. Board Member Jack Traylor asked about charging tolls for the bicycles? Mr. Owen stated that the toll tags only work on glass surfaces and would not work on bicycles, and that a "user fee" would likely cost more to administrate than it would be worth. Mr. Traylor provided some general comments regarding the role of gasoline taxes in highway funding, new funding efforts by State Senators Kevin Eltife and Robert Nichols, and provisions for engineers and legislators to make roads safe for all transportation types, including bicycles. Mr. Traylor also expressed the opinion that, if this issue of bicycles on toll roads was taken to the State Legislature and TxDOT Administration in Austin, then a safe solution applicable to all Texas toll roads could likely be developed. Board Members Keith Honey and Gary Halbrooks discussed planning for bicycles on future roadways, such as the ETHG and others. Mr. Owen commented that the roads in Austin that allow bicycles are four to six-lane facilities with a separate 12-foot wide "multi-use lane" that is provided for pedestrians, bicycles, emergency vehicles and others. He said such a facility would not be financially feasible for a two-lane road. Mr. Owen reminded the board that Toll 49 as originally planned was to be four-lane divided roadway with a separate bicycle facility, but that the toll revenue from a two-lane road could not support a bicycle lane.

Board Member Hudson Old asked about accident statistics in Smith County involving bicycles? Mr. Tyler Simpson replied that he knew of no accidents on Toll 49, three deaths on other Smith County roads in about the last 10 years, with most accidents actually involving packs of dogs and not vehicles. Board Member Tim Vaughn asked about bicycles being allowed on Toll 130 in Austin? Mr. Owen said bicycles are allowed, but the roadway is remote, does not provide connectivity to other bicycle routes, and the speed limit is 80 mph, so he doubted that many bicycles would actually use Toll 130. Board Member Dave Spurrier asked if TxDOT officials had any comment, to which Mr. Randy Hopmann, TxDOT –Tyler District Engineer replied that he agreed with Mr. Owen that Toll 49 could be prepared for safe bicycle use. Chair Thomas asked how many miles of bicycle lanes are available in Tyler currently? Mr. Mike Butler replied that it was less than 20 miles, thus explaining why an additional 20-miles of bike lanes (10 miles each side) along Toll 49 would be significant to the bicycling community. Chair Thomas reminded the Board that it is the NET RMA's fiduciary responsibility to pay back the TxDOT loans used to design and build Segment 3B, and that operating Toll 49 is not a "community service" but now has to be run as a well-operating business.

Following these discussions, Board Vice-Chair Gary Halbrooks made some closing statements. He said that he is now seeing UPS trucks and large tractor trailer rigs on Toll 49. He also reminded everyone that the "job" of the NET RMA is to put as many vehicles as possible on Toll 49 and to collect revenue from those vehicle operators in order to pay for the road. Mr. Halbrooks said he just does not think tractor trailers and bicycles mix well ... it is a significant life-safety issue. He also noted that, at all bridge locations, the presence of a vertical concrete parapet wall at the edge of the bridge causes both vehicles and bicycles to move away two or more feet from the wall. His opinion was that there is just not enough room to guarantee life safety when a tractor trailer and a bicycle are crossing a bridge at the same time in the same direction. Because of life-safety, he stated he could not vote to allow bicycles on Toll 49.

Chair Thomas asked if there were any other comments to be made. Board Member Hudson Old commented that he thought this was a very admirable, organized Board holding some excellent discussions that would eventually lead to some good decisions, but he felt that at this time the Board was almost "creating a problem" that does not exist. Therefore, Board Member Old made a motion that the NET RMA Board "do nothing". Board Member Dr. James Harris seconded the motion. Board Member Dave Spurrier stated it was a "poor decision to do nothing" and he felt like the Board should make a decision regarding what they will allow or not allow regarding bicycles on Toll 49, because they told the bicycle community in January that they would make a decision. Board Member Barham Fulmer stated that he did not think the Board should allow bicycles on Segments 3A and 3B. Following additional brief discussion a vote was taken, and the motion failed 7 – 2, with Board Members Old and Harris being the only ones to vote for the motion.

Next, Board Member Jack Traylor made a motion that the NET RMA Board implement "Alternative 3", which would allow bicycles on Toll 49 between SH 110 and SH 155; would require roadway striping and markings and appropriate signs be installed to designate a 4-foot wide bicycle lane at the outside edge of each shoulder and with the condition that the bicycling community provide \$60,000 in funds at the July 2013 Board Meeting (date TBD) to pay for the signs and markings; and would require placing "no bicycles allowed" signs on Toll 49 Segments 3A and 3B. It was further clarified that no bicycles would be allowed on Toll 49 until the required safety striping, markings and signs are in place. Following some brief discussion, the motion failed for lack of a second.

Board Member Barham Fulmer then made a motion that the NET RMA Board implement "Alternative 3", which would allow bicycles on Toll 49 between SH 110 and SH 155; would require roadway striping and markings and appropriate signs be installed to designate a 4-foot wide bicycle lane at the outside edge of each shoulder with the condition that the bicycling community pay for the total cost of the signs and markings up to a maximum limit of \$60,000 by the NETRMA's July Board meeting; and that would require the word "bicycles" to be added

to the list of all prohibited vehicles on all other segments of Toll 49. It was further clarified that the “no action” policy would continue for Toll 49 between SH 110 and SH 155 until the bicycle safety striping, markings and signs are in place, and that the “success or failure” of this action would be evaluated at least once before July, 2016.

Board Member Tim Vaughn seconded the motion. The motion passed 7 – 2, with Board Members Gary Halbrooks and Jack Traylor voting against the motion.

#### **10. TREASURER’S REPORT**

**Action Item**  
Andy Vinson

Chair Thomas asked Everett Owen, Interim Executive Director, to discuss the Treasurer’s Report in lieu Treasurer Andy Vinson being absent from the board meeting.

Mr. Owen briefly went over the financial highlights summary sheet that Tom Fitzgerald, CPA, had prepared for the Board meeting.

As of February 28, cash in the Operating Account for NET RMA funds and Rusk County funds totaled \$438,825. The funds at Amegy Bank for the Toll 49 construction project were \$6,634,496. There were a few unpaid invoices at the time of the meeting; those being accounts payable for Toll 49 \$570,645, accounts payable for other at \$75,588 and retainage payable for Toll 49 at \$2,081,069 totaling \$2,727,302. Lastly, a total of \$27,000 was collected from various vendors and donors to help pay for the Toll 49 Celebration.

Board Member Hudson Old moved the approval. Board Member Keith Honey seconded the motion. The motion carried.

#### **11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON APPROVAL OF REVISED NET RMA BUDGET FOR FY 2012-2013 (RESOLUTION 13-10)**

**Action Item**

Chair Thomas asked Everett Owen, Interim Executive Director, to discuss the resolution.

The revised NET RMA budget for FY 2012-2013 consisted of four different components. Two being the operating revenues and expenses, one for the final construction phase of Toll 49 and the second being the initial operation phase of Toll 49. The other two are the revised construction budget for Toll 49 Segment 3B and the budget for the Toll 49 ETHG feasibility study.

Mr. Owen went over the different pieces of the overall budget, their revenues, expenses, funds and expenditures and noted that since there was such a magnitude of change within the budget that a revised one was in order.

Board member Barham Fulmer asked Mr. Owen if the \$32,000 in contributions collected for the Toll 49 Celebration was included to which Mr. Owen said yes it was.

Board Member James Harris moved the approval. Board Member Keith Honey seconded the motion. The motion carried.

## **12. UPDATE ON TOLL 49 TRANSFER TO NET RMA AND ASSUMPTION OF OPERATIONS**

Chair Thomas asked Everett Owen, Interim Executive Director, to give the update.

Mr. Owen stated that the road would actually be opening on Thursday March 28<sup>th</sup> at 6 PM just in time for the Easter weekend and travelers. No problems were anticipated for the opening. Board member Dave Spurrier commented that on one of the local radio stations had the opening of Toll 49 to I-20 Thursday was one of their top stories that morning.

The switchover from the Raytheon equipment to the Telvent equipment has not been as smooth as it could have been but is going well despite a few snags including the T-1 lines with AT&T affecting the toll gantries.

## **13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON DISPUTE RESOLUTION BOARD RECOMMENDATION CONCERNING STREAM CREDIT MITIGATION DISPUTE UNDER THE TOLL 49 DESIGN/BUILD CDA WITH CH2M HILL (RESOLUTION 13-11)**

**Action Item**

Chair Thomas asked Everett Owen, Interim Executive Director, to discuss the resolution.

At the time of the issuance of the CDA between CH2M Hill and the NET RMA it was not anticipated that there would be an additional cost related to the need for stream credit mitigation by either party so when the issue arose of how to share the costs of the stream credit mitigation it meant that a Dispute Resolution Board (DRB) was brought into action as a mediator to determine who's liability it was. The DRB determined that the NET RMA was overall responsible but that the developer, CH2M Hill, would be responsible for \$769,659 out of the nearly \$1.8 million.

Board Member Keith Honey asked Mr. Owen why the Board was passing this resolution now without a firm cost owed in the resolution. Mr. Owen replied that per the contract the Board had to pass this particular resolution proving that the Board just agrees with the decision of the DRB then when another one can be written that will contain the actual numbers.

Board Member and Vice Chairman Gary Halbrooks moved the approval. Board Member Jim Stephens seconded the motion. The motion carried.

## **14. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON THE SELECTION OF A FINANCIAL ADVISOR (RESOLUTION 13-12)**

**Action Item**

Chair Thomas asked Everett Owen, Interim Executive Director, to discuss the resolution.

Mr. Owen initiated the process of procuring financial advisory services by issuing a RFQ to solicit responses from firms interested. There was only one responder, First Southwest Company. Mr. Owen noted that they were selected again as the financial advisor but that there will be a new contact for the account. It will no longer be Wayne Placide.

Board Member Barham Fulmer moved the approval. Board Member and Vice Chairman Gary Halbrooks seconded the motion. The motion carried.



**15. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON THE SELECTION OF A GENERAL ENGINEERING CONSULTANT  
(RESOLUTION 13-13)**

**Action Item**

Chair Thomas asked Everett Owen, Interim Executive Director, to discuss the resolution.

Mr. Owen initiated the process of procuring general engineering consulting services by issuing a RFQ to solicit responses from firms interested. There were three responders, Lochner, RS&H and Atkins. An evaluation committee and an outside consultant evaluated the responses from the three firms. RS&H and Atkins were asked to proceed to the presentation and interview process. After that process was completed it was the recommendation of Mr. Owen to select two GEC firms to serve the NET RMA, RS&H and Atkins.

Dave Spurrier asked Mr. Owen if this was a five year deal with the two firms.

Board Member James Harris moved the approval. Board Member Jack Traylor seconded the motion. The motion carried.

**16. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON THE SELECTION OF LEGAL COUNSEL  
(RESOLUTION 13-14)**

**Action Item**

Chair Thomas asked Everett Owen, Interim Executive Director, to discuss the resolution.

Mr. Owen initiated the process of procuring general counsel services by issuing a RFQ to solicit responses from firms interested. There were two responders, Locke Lord and Tatum. Locke Lord was chosen to continue representing the NET RMA due to their extensive experience in RMA law.

Board Member Barham Fulmer moved the approval. Board Member and Secretary Dave Spurrier seconded the motion. The motion carried.

**17. UPDATE ON THE 83RD LEGISLATIVE SESSION**

Lori Winland

Chair Thomas asked Lori Winland with Locke Lord to update the Board on the 83<sup>rd</sup> legislative session.

She noted that the House Transportation Committee was meeting that day to consider several bills of interest to the NET RMA, including bills related to RMA operations, toll collection and enforcement, and toll road conversion. Brian Cassidy is representing the NET RMA at the committee hearing. Mrs. Winland also reported that there were many transportation-related bills filed during the final days before the bill filing deadline. The legislation filed includes bills addressing each of the five legislative priorities identified by the NET RMA Board last November—toll enforcement remedies, establishment of a revolving fund, transportation reinvestment zones, increased transportation funding, and project-specific CDA authority.

Toll enforcement bills have been filed and Senator Watson and Representative Phillips and would provide toll project entities like the NET RMA with enhanced toll enforcement remedies to use against habitual toll violators, including vehicle registration block and possibly impoundment. Revolving fund legislation filed by Senator Hinojosa and Representative Darby would establish a revolving fund within the state infrastructure bank. Legislation concerning transportation reinvestment zones has already been voted out of the Senate

Transportation Committee and will likely be voted out of the House Transportation Committee soon. Many bills aimed at providing increased transportation funding have been filed, including legislation to increase the gas tax, end diversions, and increase various transportation-related fees. It remains to be seen which, if any, of those bills will progress. Finally, Senator Watson filed legislation that would provide project-specific CDA authority for the remaining segments of Toll 49.

Locke Lord will continue to monitor legislative activities and ensure that the interests of the NET RMA are represented.

**18. INTERIM EXECUTIVE DIRECTOR'S REPORT (Toll 49)**

Everett Owen

Chair Thomas asked if Mr. Owen had anything else to report. Mr. Owen only stated that Segment 3B of Toll 49 would be opening on Thursday March 28th by 6 PM completing the 26 miles of Toll 49 from SH 110 to I-20. There was no other official report given by Interim Director, Everett Owen.

The NET RMA's Quarterly Report #8 was included in the board books for the Board's review.

**19. REPORT CONCERNING STATUS OF GEC WORK AUTHORIZATIONS**

Mike Battles

Chair Thomas asked Mr. Mike Battles, Project Director, to give the GEC report.

Mr. Battles mentioned that there were only two remaining marketing items from the Toll 49 Celebration; the radio ads and the billboards related to the marketing of Toll 49 being completed and open to traffic.

**20. ADJOURNMENT**


Chair Thomas adjourned the NET RMA regular board meeting at 3:50 pm.

**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

  
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Linda Thomas, Chair

  
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Dave Spurrier, Secretary

  
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Erin Lavender

**EXECUTIVE SESSION PURSUANT TO GOVERNMENT CODE,  
CHAPTER 551, IF ANY**

- A. **Section 551.071. Consultation with Attorney—**Consultation with, and advice from legal counsel concerning pending/contemplated litigation, settlement offers and negotiations, and other legal issues.
- B. **Section 551.074. Personnel Matters—**Deliberation concerning the designation, reassignment, evaluation, compensation, and duties of personnel.
- C. **Section 551.072. Deliberation Regarding Real Property—**Discussion of real property purchase, exchange, lease, donation, including property to be acquired for right-of-way.

**FY 2013 Scheduled Board Meetings / Functions**

May 2013  
NET RMA Board Meeting  
TBA

Budget Workshop  
TBD

**Non-Scheduled Meetings / Functions - Where a Quorum Could be Present, but No RMA Business Would be Conducted**

Date Pending  
TeamTX  
Austin, Texas

March 28, April 25, and May 30, 2013  
Texas Transportation Commission Meeting  
Austin, Texas

**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 Chairman 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 direct the Chairman, 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 Chairman may rearrange the order in which agenda items are considered.

Presenters with audiovisual needs are requested to contact Erin Lavender at (903) 509-1552 ext. 448-1229, 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 Erin Lavender at (903) 509-1552 ext. 448-1229, in advance so accommodations 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 Erin Lavender at (903) 509-1552 ext. 448-1229, at least two working days prior to the meeting so that appropriate arrangements can be made.