



MEETING NOTICE

TO: North East Texas Regional Mobility Authority Board Members
FROM: Gary Halbrooks
DATE: Tuesday, September 10, 2024
SUBJECT: **September Board Meeting**

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

DATE: Tuesday, September 10, 2024
TIME: 1:30 PM
PLACE: NET RMA Offices
1011 Pruitt Place
Tyler, Texas 75703

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

NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY (NET RMA)
BOARD OF DIRECTORS REGULAR MEETING
Tuesday, September, 10 2024, 1:30 PM
NET RMA Offices
1011 Pruitt Place
Tyler, Texas 75703

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, September 6, 2024.

Andrea Williams McCoy – 1:30 pm and we started the board meeting

2. OPEN PUBLIC FORUM/COMMENT PERIOD.

Larry Tarry – My name is Larry Terry. I think most of you know me, been here several times before. I'm not really prepared as I wanted to be this morning. You all may recall that events on the southern or mutual boundary, it's been down for a number of years. As a consequence, the past 60 days I've had three trespass instances that I know of, felt it in the death of three of my dogs. I read it for the first time this morning. I'm not going to waste time enumerating all the inaccuracies. I'll do that later, but just say the logic and the contents is lame beyond even your standards and we'll get to that later. Also refurbishing y'all so I can figure out how to do what. I'm not real tech savvy but I had a text show up on my phone with an audio file attached to it your number of weeks ago

I think y'all will be interested in listening to it and see what reports there. You'll be able to recognize the voices and see if what's there imports with what you're being told by your staff. As to our situation.

If it's not, I think y'all ought to ask, excuse me, some hard questions and if you are familiar with the contents of it, then explain to me if that's the way y'all run your operation and maybe explain it to the pub as well and I'll see y'all on a future date. Oh, and still no access off our property. Thank you for your time.

3. WELCOME AND INTRODUCTION OF BOARD MEMBERS.

In Person – Andrea Williams McCoy, John Cloutier, Matthew Nelson, Howard Patterson, Chet Clayton, Matthew Watts, Marcia Daughtrey

Zoom – Robert Messer, Mac Abney, Ben Hamilton, John Ray, Larry Morse, Keith Honey, Jason Ray, Dave Spurrier, Nathan Tafoya

4. CHAIR'S REPORT.

Gary Halbrooks

N/A

5. DISCUSSION, CONSIDERATION AND APPROVAL OF THE MINUTES FOR THE JULY 16, 2024, REGULAR BOARD MEETING.

1st – John Cloutier; 2nd – Marcia Daughtrey; Motion Approved

6. COMMITTEE REPORTS.

N/A

7. REVIEW AND ACCEPTANCE OF NET RMA FINANCIAL STATEMENTS.

Dianne Johnston – Today we're going to look at our financial results for the 10-month period ended July 2024.

Starting out with our electronic toll revenue, our actual is the \$13,921,285. It is over budget by \$302,761.00 or 2%. Next is our net video revenue or our pay by mail revenue. Our actual is \$4,582,386. It is under budget by \$201,081.00 or 4%.

And you'll notice that the tag revenue does offset our shortage in our video revenue brings us to our total operating revenue

\$18,537,671, which is over budget by the \$102,346. We have our total operating expenses actual \$2,179,329. We are under budget by \$274,373 or 11%. Next is the total 49 operating expenses, actual \$2,999,538. We are under budget \$101,615 or 3%. Our other income expense category we have a net expense of \$14,003,838, which is under budget by \$711,776 and 12%. That brings us down to our total net income. We have a net deficit of \$645,034, which is under budget by where we thought we would be by the \$1,190,070 for 65%. Questions? Transactions – 2023 compared to 2024 we are flat. August is trending up.

1st – Chet Clayton, 2nd – Robert Messer; Motion Approved

8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE WORK AUTHORIZATION NO. 7 WITH H.W. LOCHNER, INC. FOR PREPARATION OF THE PLANS, SPECIFICATIONS, AND ESTIMATES (PS&E) FOR THE OVERLAY PROJECT ON SEGMENT 3B. (RESOLUTION 24-15)

Action Item

Glenn Green – This is something I have been mentioning in my Executive Director's reports. This will be on the Northern have of Segment 3B. We have solid data that shows we need to do the work. This will allow Lochner to get to work.

John Cloutier – This will allow us to get bids?

Glenn Green – Yes

Discussion Ensued

Glenn Green – To be clear, there is a website service that advertises this to the normal highway contractors.

1st – Mac Abney, 2nd – Marcia Daughtrey; Motion approved

9. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE WORK AUTHORIZATION NO. 12 WITH SICE, INC. FOR PREPARATION OF A SOC AUDIT 2 TYPE 2. (RESOLUTION 24-16)

Action Item

Glenn Green – SOC audit is required by our external auditor and this will allow them to do it.

John Cloutier – Were these not required previously?

Glenn Green – No, this is ensued.

Chet Clayton – Why are we the only people required to do this if they have multiple customers?

Discussion Ensued

Gleen Green – I can't explain this adequately, but it is a requirement for the audit. I can check with our auditor and have him explain it.

Chet Clayton – I feel like we are paying them to do something they should be required to do.

Discussion ensued between board members.

Matt Watts – Is this an annual or biannual?

Dianne Johnston – It is annual. If we do not do this, we do not get a clean opinion.

Glenn Green – We also pay NTTA for a SOC Audit. We pay half.

Discussion Ensued

John Cloutier – Do we need to have SICE come up here so we can ask them all these questions?

Matthew Watts – This just seems out of wack from a cost standpoint.

Discussion Ensued

John Cloutier – What is our time frame?

Chet Clayton – I say we approve it and we can ask questions after?

Brian O’Rielly – This is similar to GEC. This is based on the rates that are in the contract.

John Cloutier – I just don’t understand why this was not included in the base contract, and this is an outside project. I am just concerned.

Glenn Green – SICE has done a fantastic job. They have done the best out of all our prior partners.

Discussion Ensued

Glenn Green – We are happy to talk to Walter on this.

1st – Robert Messer, 2nd – Andrea William McCoy; Motion Approved

**10. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE ISSUANCE OF A REQUEST FOR PROPOSALS FOR RAIL CONSULTING SERVICES.
(RESOLUTION 24-17)** **Action Item**

Glenn Green – This is a request for a proposal on general work with an expertise on rail. This does not cost any money.

Matthew Nelson – We have some that are under evaluation or assessment.

John Cloutier – We are currently assessing the region and what ones will entail work for the NET RMA. This would be beneficial so we have someone we can call on. Right now, we do not have that. Rail is not like any other type of project.

Matthew Nelson – Does this include high speed rail?

John Cloutier – I doubt it. It would be more freight rail.

1st – Matthew Watts, 2nd – John Ray, Motion Approved

**11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE NET RMA 2024-2025 BUDGET.
(RESOLUTION 24-18)** **Action Item**

Glenn Green – I am going to have Dianne present the budget. I also want to let board members know we are still working on our 5-year projections.

Matthew Watts – Is 6.5 million for that overlay?

Glenn Green – Yes

John Cloutier – How old is the road?

Glenn Green – About 3.5 years old.

Dianne Johnston – The finance committee has gone over the budget in great detail. This is just the budget overview. (proceeds to go over the budget that is on the website) Questions?

John Cloutier – This is a very busy year of money movement?

Dianne Johnston – I am going to monitor this revenue every month. I will let Glenn know that we have excess this month, etc. The general fund is cash, but it is not everything.

Glenn Green – We are projecting 16.6 million in the general fund.

Dianne – We are going to spend 1.2 million out of the general fund.

John Cloutier – This is great. I am very comfortable with this presentation, and it has come a million miles in the past few years.

Robert Messer – You did a wonderful job. A couple of comments is that as the finance committee thinks this is a great budget. We just need to realize that we are going to have to set some things aside to make Segment 6 a priority. We may need to pause our priority projects budget.

Dave Spurrier – I don't think we are in any place to pause spending on priority projects. Glenn has also assured me that we will have a 5-year budget projection next month.

Discussion Ended

Robert Messer – Let me clarify, I just think we need to not do any priority projects next year.

Glenn Green – We are just not going out to the counties to present this.

Andrea Williams McCoy – Staff y'all have done a fantastic job, and I appreciate it very much.

1st – Robert Messer, 2nd – John Cloutier, Motion Approved

12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE WORK AUTHORIZATION NO. 8 WITH CDM SMITH FOR TRAFFIC AND TOLL REVENUE TECHNICAL SUPPORT SERVICES FOR FY 2025. (RESOLUTION 24-19) **Action Item**

Glenn Green – This is our routine work authorization that provides funding under the contract. We try to have them report to the board quarterly the details that they are working on.

1st – Mac Abney, 2nd – Marcia Daughtrey; Motion approved

13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE WORK AUTHORIZATION NO. 8 WITH H.W. LOCHNER, INC. FOR GEC SUPPORT SERVICES FOR FY 2025. (RESOLUTION 24-20) **Action Item**

Glenn Green – This is our broad engineering work authorization. We spent about \$600,000, but for this next year, I am going to try and spend less.

1st - Chet Clayton, 2nd – John Cloutier; Motion Approved

14. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE WORK AUTHORIZATION NO. 11 WITH SICE, INC. FOR TOLL COLLECTION SYSTEM MAINTENANCE SERVICES FOR FY 2025. (RESOLUTION 24-21) **Action Item**

Glenn Green – Sice is our toll integrator and handles all the technical issues. In the executive summary it lists all the different items that they handle under the contract.

Marcia Daughtery – I don't understand Section D. What does that include? It is on page 94.

Brian O'Reilly – I think is just their standard language but should have nothing to do with this year.

Discussion ensued.

1st – Ben Hamilton, 2nd – Matthew Watts, Motion Approved

15. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE WORK AUTHORIZATION NO. 2 WITH FAGAN CONSULTING, LLC FOR TOLL SYSTEMS CONSULTING SERVICES FOR FY 2025. (RESOLUTION 24-22) **Action Item**

Glenn Green – This is a simple work authorization who oversees our tolling equipment and Sice. This is another routine work authorization. Again, please read through the executive summary to understand all that they do.

1st – Marcia Daughtrey, 2nd – Matthew Watts, Motion approved

16. EXECUTIVE DIRECTOR'S REPORT
A. East Texas State Fair Public Outreach

Glenn Green – ETX Fair is coming up. Based on the materials we gave them; you may see some marketing at the fair with out logo on it.

17. ADJOURNMENT.

Motion to Adjourn – Chet Clayton

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.**

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.

OPEN COMMENT PERIOD

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, including an item listed on the agenda. Public comment must be made during the open comment period. You must be recognized by the presiding officer.

Each speaker will be allowed a **maximum of three (3) minutes**. 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 presiding officer, 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 presiding officer 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 to attend this meeting, please contact the 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 the NET RMA at 903.630.7894 at least two working days prior to the meeting so that appropriate arrangements can be made.