



MEETING NOTICE

TO: North East Texas Regional Mobility Authority Members
FROM: Linda Thomas, Chair
DATE: January 18, 2012
SUBJECT: **NET RMA REGULAR BOARD MEETING**

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

DATE: January 18, 2012
TIME: 1:30 PM
PLACE: Kilgore Economic Development Council at Synergy Park

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 P.M. Wednesday, January 18, 2012
Kilgore Economic Development Council
1001 Synergy Blvd. Suite 100
Kilgore, TEXAS 75662
PRESIDING: LINDA THOMAS, CHAIR

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 Gregg and Smith Counties, on the NET RMA website, and in the offices of Atkins on January 13, 2012.

The meeting was called to order at 1:30 PM by Chair Linda Thomas and declared a quorum present.

2. INVOCATION

Chair Thomas asked if Panola County Board Member, Walta Cooke, would give the invocation.

3. WELCOME & INTRODUCTION OF BOARD MEMBERS

Board Members

The NET RMA Board Members that were present introduced themselves and some gave a brief thank you for having the meeting at the great facility of the Kilgore Economic Development Council. Present board members included: Linda Thomas, Dave Spurrier, Barry Hughes, Bill Rowton, Walta Cooke, Gaylon White, Gary Halbrooks, Hudson Old, Jeff Sandford, Bob Murray, Mike Thomas, Barham Fulmer and Andy Vinson.

Absent Board Members were Keith Honey and Celia Boswell.

4. SWEARING IN OF LINDA THOMAS AS NEWLY APPOINTED CHAIR OF THE NET RMA

Gregg County Judge Bill Stoudt

Newly appointed NET RMA Board Member, Gaylon White, was sworn in at the meeting by Gregg County Judge Bill Stoudt. Mr. White was appointed by Harrison County Judge Hugh Taylor to replace Mr. Ed Smith's vacancy from when he resigned from the board. Mr. White has served previously on the NET RMA board from 2006-2008.

Newly appointed by Governor Rick Perry, Mrs. Linda Thomas, was also sworn in by Gregg County Judge Bill Stoudt at the meeting. Mrs. Thomas precedes former Chairman Jeff Austin III who served the NET RMA Board from its inception in 2004 until he resigned in October 2011.

5. REMARKS BY PUBLIC OFFICIALS

Judge Stoudt commented that, "I was here many years ago in the beginning and the NET RMA has grown into a vehicle to where we are going to be able to do some great things." Judge Stoudt thanked the current board members for their service, Chair Thomas for taking on the role of Chair and he thanked former Chairman Jeff Austin III for his years of service to the NET RMA board.

Public official, Texas State Representative David Simpson, was in attendance as well. He stated to the

Board, "It's a pleasure to be here today. Thank you for your service and the State needs your input on transportation issues so we can get it in the right direction."

Public official, former Bowie County Judge James Carlow was at the meeting as well and commented to the board, "Thanks for being here and I'm glad to be here. This is a great industrial park."

6. OPEN PUBLIC FORUM / COMMENT PERIOD

There was not a public forum at this meeting.

7. APPROVAL OF MINUTES

- A. Discussion, Consideration and Approval of Minutes for
- October 19, 2011 NET RMA Regular Board Meeting

Action Item

Chair Thomas referred the board to the minutes dated October 19, 2011 from the regular board meeting. The Chair entertained a motion to approve these minutes.

Board Member Gary Halbrooks moved the approval. Board Member Barry Hughes seconded the motion. The motion carried and the minutes for the October 19, 2011 meeting were approved.

8. CHAIR'S REPORT

Chair Thomas

Chair Thomas presented her "Chair's Report" to the Board. Items that the Chair discussed included the following:

- Chair Thomas, "I am honored to be appointed by Governor Perry to serve as Chair of the NET RMA." Chair Thomas read from a speech she had prepared that she read aloud to the Board. Chair Thomas congratulated former Chairman Jeff Austin III in his servitude to the NET RMA. She also thanked Gregg County Commissioners Court and Judge Stoudt for their support in her appointment as Chair and that of the RMA. Chair Thomas also thanked the "staff" of the RMA stating, "I couldn't have done it without you and you've made this transition easier and I look forward to the future."
- On December 15, 2011, the Texas Transportation Commission (TTC) approved the amendments to the State Infrastructure Bank Loan and the Toll Equity Loan documents. In attendance at the TTC meeting were: Chair Thomas, Keith Honey, Gary Halbrooks, Judge Stoudt of Gregg County and Judge Taylor of Harrison County made up the delegation that showed their support of the NET RMA. Chair Thomas stated that, "With the approval of the amendments by the TTC and with the acceptance by the Board, we can move forward on the Toll 49 ETHG project."
- Chair Thomas covered the other upcoming meetings being held across the state. The next TTC meetings are being held on January 26, February 23 and March 29 in Austin. Chair Thomas asked if any of the Board was planning on attending the Texas Transportation Forum in San Antonio and Board Member Gary Halbrooks said he was thinking about attending. Chair Thomas made the comment that attending this Transportation Forum is the opportunity to meet with others from all over the state and discuss the issues in transportation. The communication between the different RMA's is extremely valuable she stated.
- Team Texas was discussed briefly in that they are still a functioning body but only set up yearly informal meetings and the next one has yet to be determined. Former Board Member Tab Beall used to head this up for the board.

- Chair Thomas told the board that there was an honorary resolution for former Chairman Jeff Austin III and a plaque to be presented to him but that she didn't find out until late that he wasn't going to be able to attend the meeting. She suggested that either the board wait until the next meeting to present it to him if he is able to attend or that they would meet up with him at some point and present it to him then.
- Chair Thomas introduced Mr. Jerry Sparks of Texarkana. Mr. Sparks heads up the Segment 1 of the I-69 Corridor project and he gave the Board an update on the status of the project. Mr. Sparks stated that committees were now looking at routes to be placed along existing roads that would relieve traffic caused by high car counts and commercial traffic on some of the busiest ones along the proposed corridor that would help out cities such as Texarkana and Marshall. The project would be broken up into five segments totaling an estimated \$16.5 billion to complete. A draft of this proposal is supposed to be available around the first of April. Mr. Sparks also mentioned that there could be a possibility of multimodal centers along the corridor as well.

9. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON APPROVAL OF AMENDMENT TO STATE INFRASTRUCTURE LOAN AGREEMENT (TOLL 49) (RESOLUTION 12-01)

Action Item

Chair Linda Thomas asked NET RMA Project Director Everett Owen to introduce Agenda Item 9 and Resolution 12-01.

Everett Owen explained to the Board that the Texas Transportation Commission had agreed in December to amend the State Infrastructure Bank (SIB) loan and the Toll Equity Loan Agreement (TELA) to include \$1.5 million in funding for the Toll 49 East Texas Hour Glass Feasibility Studies. A portion of the required funding was added to the SIB Loan, and the remainder of the required funds was added to the TELA Loan. Everett further explained that Agenda Item 9 and the accompanying Resolution 12-01 related to the additional funds added to the SIB Loan. He said this action simply involved the NET RMA agreeing to accept the revised SIB Loan, thereby making a portion of the required additional \$1.5M in funding available to conduct the ETHG Feasibility Studies.

Mr. Owen also took the time to update the Board on the status of the ETHG studies. He reminded the Board that they had already issued a Work Authorization to Atkins, the NET RMA General Engineering Consultant (GEC) in the amount of \$1.5M for conducting the ETHG Feasibility Studies. Everett said that the GEC had completed subcontracts with Rodriguez Transportation Group (RTG), a well-known and highly respected transportation engineering firm in Texas and a qualified Disadvantaged Business Enterprise (DBE), for the conduct of corridor studies and environmental constraints evaluations at a cost of approximately \$386,000. He further stated that the GEC was in final negotiations with CDM Smith (formerly Wilbur Smith and Associates), a national traffic and revenue (T&R) assessment firm, for assisting with defining the purpose and need for the proposed ETHG roads and for preparing T&R projections for the proposed roads. The CDM Smith contract is expected to cost about \$70,000. Mr. Owen stated that all required contracts should be complete and the ETHG studies should start by February 1, 2012.

Following Mr. Owen's presentation, Board Member Walta Cooke made a motion to approve Resolution 12-01 and Board Member Bob Murray seconded the motion. A vote was taken and the motion passed.

10. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON APPROVAL OF AMENDMENT TO TOLL EQUITY LOAN AGREEMENT (TOLL 49) (RESOLUTION 12-02)

Action Item

Chair Linda Thomas asked NET RMA Project Director Everett Owen to introduce Agenda Item 10 and Resolution 12-02.

Everett Owen explained to the Board that this item was basically the same as Agenda Item 9, except that this resolution was to accept the amended TELA loan which included the remainder of the \$1.5M in funds needed for the ETHG Feasibility Studies. Everett further explained that Agenda Item 10 and the accompanying Resolution 12-02 related specifically to the TELA Loan. Since Resolution 12-01 had just been approved by the Board, he said this action simply involved the NET RMA agreeing to accept the revised TELA Loan, thereby making the additional full \$1.5M in funding available to conduct the ETHG Feasibility Studies.

Board Member Barham Fulmer made a motion to approve Resolution 12-02 and Board Member Mike Thomas seconded the motion. A vote was taken and the motion passed.

**11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON CHANGE ORDER NO. 2
UNDER THE DESIGN/BUILD CDA WITH CH2M HILL FOR THE DEVELOPMENT OF TOLL 49
(RESOLUTION 12-03)**

Action Item

Chair Linda Thomas asked NET RMA Project Director Everett Owen to introduce agenda item 11 and resolution 12-03.

Everett Owen explained to the board that this item was a change order to the design-build contract with ch2m hill for an additional \$49,462.88. Mr. Owen further explained that several large and significant archeological sites had been discovered within the prairie creek basin, adjacent to creeks where bridge construction was proposed. The toll 49 segment 3b contractor, ch2m hill, had intended to drive equipment across bluffs and high ground adjacent to the creeks in order to conduct the geotechnical drilling and testing needed to design the bridges. Unfortunately, due to the presence of large archeological sites which could not be disturbed, the contractor was unable to gain access to their proposed drilling sites using conventional geotechnical testing equipment. Therefore they had to acquire and utilize a "swamp buggy", which is a track-mounted drilling rig capable of traversing directly down the creek bottoms, in order to reach the proposed drilling sites and actually conduct the required drilling and testing. The "swamp buggy" equipment cost ch2m hill an additional \$49,462.88 in unanticipated additional fees. There was no change in the allotted time for completion of the contract.

Following Mr. Owen's explanation, board member Bob Murray made a motion to approve resolution 12-03, and board member Barry Hughes seconded the motion. A vote was taken and the motion passed.

**12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON CHANGE ORDER NO. 3
UNDER THE DESIGN/BUILD CDA WITH CH2M HILL FOR THE DEVELOPMENT OF TOLL 49
(RESOLUTION 12-04)**

Action Item

Chair Linda Thomas asked NET RMA Project Director Everett Owen to introduce Agenda Item 12 and Resolution 12-04.

Everett Owen explained to the Board that this item was a Change Order to the Design-Build Contract with CH2M Hill for an additional \$12,737.87. Mr. Owen further explained that the project limits of TxDOT's Toll 49 Segment 3A project, being constructed by Longview Road and Bridge, extend approximately 600 feet north of SH 31. The NET RMA's contract with CH2M Hill extends to the edge of pavement on SH 31 because CH2M Hill is constructing north-bound entrance ramps and south-bound exit ramps from SH 31. This means that the two contractors have a 600-foot zone where they have a common work area.

While clearing the ROW near SH 31, Longview Bridge piled up a lot of brush and timber in the common area that they intended to burn. Unfortunately, due to the Smith County Burn Ban that was imposed for months and months, Longview Bridge was not able to burn the brush when they had hoped. Subsequently, CH2M Hill moved their equipment in to begin construction on the SH 31 entrance and exit ramps, and found their work area covered with brush. Because CH2M Hill could also not burn the brush due to the Burn Ban, CH2M Hill had to physically remove the brush and haul it to locations on their project area outside of their immediate work area. Moving the brush cost CH2M Hill an additional \$12,737.87 in additional unanticipated fees.

Following Mr. Owen's explanation, Board Member Bob Murray made a motion to approve Resolution 12-04, and Board Member Walta Cooke seconded the motion. A vote was taken and the motion passed.

**13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON DONATION OF PARCEL 164
BY THE FAIR CORPORATION
(RESOLUTION 12-05)**

Action Item

Chair Linda Thomas asked NET RMA Project Director Everett Owen to introduce Agenda Item 13 and Resolution 12-05.

Everett Owen explained to the Board that this item involved the donation of Parcel 164, containing approximately 1.924 acres of Right-of-Way (ROW), to the NET RMA by the Fair Corporation (specifically Fairway Ranches Ltd. and Fair Investments Ltd.). This ROW, located on the northwest corner of the intersection of proposed Toll 49 and Interstate 20, was required in order to be able to build the west entrance ramp from Toll 49 to I-20.

Mr. Owen noted that both TxDOT and the NET RMA had spent millions of dollars purchasing ROW for Toll 49, and that this particular parcel would also have been very expensive due to its location near I-20. So it was Mr. Owen's opinion that the NET RMA, in accepting the donation of Parcel 164, would be saving a considerable amount of money. Mr. Owen therefore encouraged the NET RMA Board to accept the proposed donation.

Following Mr. Owen's explanation, Board Member Walta Cooke made a motion to approve Resolution 12-05, and Board Member Jeff Sanford seconded the motion. A vote was taken and the motion passed.

**14. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON ADOPTION OF AMENDMENTS
TO NET RMA BYLAWS
(RESOLUTION 12-06)**

Action Item

Chair Linda Thomas asked NET RMA Legal Counsel Brian Cassidy to introduce Agenda Item 14 and Resolution 12-06.

Mr. Cassidy explained that this item involved making minor changes to the NET RMA Bylaws, in order to stay current with recent changes in state law and other legislative actions. The changes to the By-Laws primarily involved:

- changes to how members of the Board of Directors are appointed;
- changes to the qualifications a person must meet to be elected to the Board of Directors;
- changes to the powers of the Executive Committee regarding the expenditure of funds;
- changes to the makeup of Committees and the Chair's appointment to committees;
- changes to the duties of the Board Secretary; and,
- changes to the procedures for the dissolution of the Authority.

Following Mr. Cassidy's presentation, Board Member Hudson Old asked several questions regarding how the NET RMA Chair is appointed, the notice that is provided when a new Board position opens up, and how Board Member terms are monitored. Mr. Cassidy provided detailed explanations and answers to Board Member Old's questions to the satisfaction of the Board.

Following Mr. Cassidy's explanation, Board Member Bob Murray made a motion to approve Resolution 12-06, and Board Member Barry Hughes seconded the motion. A vote was taken and the motion passed.

15. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON ADOPTION OF AMENDMENTS TO NET RMA PROCUREMENT POLICIES (RESOLUTION 12-07)

Action Item

Chair Linda Thomas asked NET RMA Legal Counsel Brian Cassidy to introduce Agenda Item 15 and Resolution 12-07.

Mr. Cassidy explained that this item involved making minor changes to the NET RMA Procurement Policy, in order to stay current with recent changes in state law and other legislative actions. The changes to the Procurement Policy primarily involved:

- changes related to Conflict of Interest;
- changes to definitions related to Comprehensive Development Agreements (CDAs);
- changes to the method and period for posting Notices of Contract Lettings;
- changes to procedures for procuring Professional Services;
- changes to the threshold amount for expenditures requiring full Board Approval;
- changes to the required contents of Request for Proposals issued by the Board;
- changes to the procedures for issuing and evaluating CDA Proposals;
- changes to the procedures for issuing Design-Build-Finance Agreements;
- changes to procedures for solicitation of employee applicants (i.e., hiring NET RMA staff); and,
- changes to Dispute Resolution procedures.

Following Mr. Cassidy's explanations, Board Member Walta Cooke made a motion to approve Resolution 12-07, and Board Member Bob Murray seconded the motion. A vote was taken and the motion passed.

16. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE APPROVAL OF CHANGE ORDERS UP TO \$50,000 BY THE EXECUTIVE COMMITTEE (Resolution 12-08)

Action Item

Chair Linda Thomas asked NET RMA Legal Counsel Brian Cassidy to introduce Agenda Item 16 and Resolution 12-08.

Mr. Cassidy explained that Resolution 12-08 would allow the NET RMA Board Executive Committee to approve construction Change Orders up to and including amounts of \$50,000. Mr. Cassidy noted that, given the fact that the NET RMA is currently in charge of design and construction of Toll 49 Segment 3B which amounts to over \$89M that Change Orders equal to or less than \$50,000 will occur periodically. Since the full NET RMA Board only meets every two or three months, change orders necessary to keep the Toll 49 Segment 3B Contractor working could be delayed substantially due to the Board's infrequent meeting schedule.

Mr. Everett Owen, NET RMA Project Director, noted that if this resolution had been in place, then the Change Orders included in Resolutions 12-03 and 12-04 that were passed earlier during the current meeting could have been passed by the NET RMA Board's Executive Committee several weeks if not months earlier.

Mr. Cassidy also noted that, due to the several recent additions and resignations of NET RMA Board Members, that it would probably be good for the NET RMA Board to once again designate the six members of the NET RMA Board Executive Committee.

Following Mr. Cassidy's and Mr. Owen's explanations, Board Member Bill Rowton made a motion to approve Resolution 12-08, and Board Member Jeff Sanford seconded the motion. A vote was taken and the motion passed.

17. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON APPROVAL OF AN MOU FOR THE MOBILITY MANAGER GRANT APPLICATION (RESOLUTION 12-09)

Action Item

Chair Linda Thomas asked GEC Project Director Mike Battles to introduce Agenda Item 17 and Resolution 12-09.

Mr. Battles explained that this item involved passage of a Memorandum of Understanding (MOU) with Smith County, the East Texas Council of Governments and Jamal Moharer's Transportation Firm NDMJ Ltd. to further the concept of a Smith County Multi-Modal Facility (MMF). Mr. Battles reminded the Board that they had received a TxDOT Grant for \$120,000 with a matching grant from Smith County for \$10,000, and that they had subsequently issued a \$130,000 Work Authorization to the GEC for conduct of a Multi-Modal Facility Feasibility Study and Site Evaluation.

Mr. Battles further explained that Smith County, ETCOG, NDMJ Ltd. and the NET RMA were forming an organization called the "East Texas Regional Transportation Partners", and the this organization was submitting a grant application to TxDOT for almost \$1.0M to further the concept of the Smith County MMF. The new grant would cover additional studies and designs regarding: (1) a Transit Oriented Capital Project Mobility Manager; (2) a regional Alternative Fuel Initiative; (3) the Smith County MMF; a Passenger Railway; and expanded Rural Transit Services. In addition, the MOU would cover the concept of a new Coordinated Transportation Call Center to be housed in the Smith County MMF.

Mr. Battles then stated that the subject resolution would simply authorize the Board Chair to enter into and sign the proposed MOU between the NET RMA, Smith County, ETCOG and NDMJ Ltd.

Following Mr. Battles' explanations, Board Member Jeff Sanford made a motion to approve Resolution 12-09, and Board Member Andy Vinson seconded the motion. A vote was taken and the motion passed

18. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON THE FY 2011 NET RMA ANNUAL REPORT (RESOLUTION 12-10)

Action Item

Chair Linda Thomas asked Project Director, Everett Owen, to explain Agenda Item 18 and Resolution 12-10.

Mr. Owen stated to the Board that a DRAFT copy of the FY 2011 NET RMA Annual Report had been sent out prior to the meeting to all of the board members for their review and comments. There was only one board member who commented back on the report and it was Board Member Hudson Old. Mr. Old's problem with the report was that it appeared to be bias towards only a few counties out of the 12 counties in the NET RMA and additionally that some of the financials seemed off. Mr. Owen commented back that the intent of the report is to highlight what is going on and the best projects happening during that time frame. Mr. Owen called it a "sales"

piece for the NET RMA. As far as addressing the financial concerns, specifically the \$27.8M that is stated in the former Chairman's letter, Mr. Owen suggested that that figure could just come out if need be.

The Board Members decided that that sounded like a good solution and agreed to pass the resolution if the report was amended reflecting that change.

Board Member Barry Hughes made a motion to approve Resolution 12-10 and Board Member Jeff Sandford seconded the motion. A vote was taken and the motion passed.

19. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON THE NET RMA STRATEGIC PLAN

(RESOLUTION 12-11)

Action Item

Chair Linda Thomas asked Project Director, Everett Owen, to explain Agenda Item 19 and Resolution 12-11.

Mr. Owen explained to the Board that the NET RMA Strategic Plan is a five year planning document that requires updating annually. The only change that was made was in regards to Goal #5. The old plan referenced that the NET RMA was working with TTA for the use of their technology and services. The NET RMA is no longer using their services except for the toll tags. After Mr. Owen's explanation of the only change, Chair Thomas asked if the Board was ready to approve and adopt the 2011-2015 NET RMA Strategic Plan.

Board Member Barry Hughes made a motion to approve Resolution 12-11 and Board Member Robert Murray seconded the motion. A vote was taken and the motion passed.

20. PROJECT DIRECTOR'S REPORT (Toll 49)

Everett Owen

**A. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON AMENDED
FY 2012 NET RMA BUDGET**

(RESOLUTION 12-12)

Action Item

B. CONSTRUCTION UPDATE

Chair Linda Thomas asked Project Director, Everett Owen, to explain Agenda Item 20 and Resolution 12-12.

Mr. Owen stated that in the board binder there was status updates on all of the segments but he was not going to go over all of them unless there were specific questions. That being said, Mr. Owen moved onto discussing the amended FY 2012 NET RMA budget.

Tom Fitzgerald, the NET RMA's CPA, revised the budget based on the changes proposed in the last board meeting back in October 2011. Mr. Owen said that the biggest item that was amended to the budget was the addition of the \$1.5 million in funding. That money included funds for the unexpected ROW activities that were still lingering including the Fair property acquisition, environmental monitoring of the archeology sites and the separating out of the other project expenses and the administrative costs per TxDOT's recommendations.

Board Member Barry Hughes made a motion to approve Resolution 12-12. Board Member Robert Murray seconded the motion. The motion passed.

21. REPORT CONCERNING STATUS OF GEC WORK AUTHORIZATIONS

Mike Battles

Chair Linda Thomas asked Mr. Mike Battles, Project Director of the GEC, to explain Agenda Item 21.

Mr. Battles touched on several items that the GEC was working on giving the Board an update. Mr. Battles stated that all GEC work was current and those items included:

- The meeting for the East Texas Passenger Rail Coalition was attended in November and January. The Coalition has held four meetings. The next meeting will be held in Longview on the 26th of January. Board Member and Rail Committee Chair, Celia Boswell, was not present at the meeting so the Rail Report was moved to the next board meeting.
- East Texas Regional Transportation Partners meeting was attended to discuss the MOU between parties for grant submission for the Regional Grant Mobility Manager.
- The grant application was submitted for the Regional Grant Mobility Manager on behalf of the NET RMA and the East Texas Regional Transportation Partners.
- Grant agreements, certifications and assurances were completed for Smith County MMF and delivered to TxDOT.
- A project status meeting was held with TxDOT regarding Loop 571 in Rusk County.
- The www.toll49.org web site is functioning. The www.netrma.org web site is in the process of getting reconstructed by Cypress Interactive. Cypress is also in the process of setting up emails for the NET RMA Board Members.

22. TxDOT DISTRICT REPORTS

- A. Atlanta District
- B. Tyler District

TxDOT Atlanta Representative
TxDOT Tyler Representative

Neither representative was present at the meeting to comment on the status of projects in their districts. Mr. Mike Battles stated that he had spoken to TxDOT's Tyler District, Vernon Webb earlier and that there was not an update from the last meeting back in October 2011 when he gave his last presentation.

23. METROPOLITAN PLANNING ORGANIZATION REPORTS

- A. Longview
- B. Texarkana
- C. Tyler

Karen Owen
Brad McCaleb
Barbara Holly

Melissa Cure, who works with Karen Owen, was in attendance from the Longview Metropolitan Planning Organization but did not give a report for lack of any updates since the last meeting the Longview MPO attended back in October 2011.

Chair Thomas mentioned the legislation regarding the MPO's and the grassroots movement that is in the works to help save the MPO's that are in a population area less than 200,000. MPO's are very successful for our area and we don't want that to slip by she said.

24. **TREASURER'S REPORT**

Andy Vinson

A. Discussion, Consideration and Possible Action on the Treasurer's Report

Action Item

Chair Thomas called upon Board Member and Treasurer, Andy Vinson, to give the Treasurer's Report. Mr. Vinson then called upon CPA Tom Fitzgerald to give the report.

Tom Fitzgerald gave a summary of the statement of net assets that was in the board books.

Board Member Bill Rowton moved the approval. Board Member Andy Vinson seconded the motion. The motion carried.

25. **FINANCE COMMITTEE REPORT**

Gary Halbrooks

Board member Gary Halbrooks and Chair of the Finance Committee had nothing to report.

26. **PUBLIC OUTREACH AND EDUCATION COMMITTEE REPORT**

Andy Vinson

Board Member and Chair of the Public Outreach and Education Committee, Andy Vinson, gave an update to the Board on the activities that he is beginning. Mr. Vinson wants to start sending out press releases to all member counties regarding what the NET RMA has going on with each specific county's projects. Mr. Vinson also intends to begin making presentations to all of the counties commissioners courts regarding the state of the NET RMA along with any Rotary's or other clubs interested in the NET RMA.

27. **LONG RANGE PLANNING COMMITTEE REPORT**

Barry Hughes

Board member Barry Hughes and Chair of the Long Range Planning Committee had nothing to report.

28. **COMPLIANCE & OVERSIGHT COMMITTEE REPORT**

Keith Honey

A. Open Records Spreadsheet – Board Member from Bowie County, Jeff Sandford, still lacks his.

B. Surety Bond Spreadsheet - all Board Members surety bonds are current

C. Conflict of Interest Spreadsheet – all Board Members are current on their Conflict of Interest

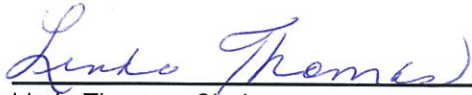
D. Term Expiration Spreadsheet – letters were sent to those Board Members whose term expirations are up in February and their county judges have been copied on those letters

E. TEC Filing Spreadsheet – Board Member from Bowie County, Jeff Sandford, still has not filed with the TEC.

29. **ADJOURNMENT**

Chair Thomas dismissed the meeting at 3:17 PM. The next NET RMA board meeting was not set up or discussed.

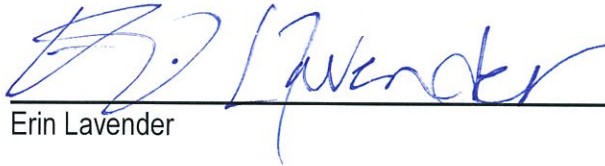
Board Member Robert Murray moved the approval. Board Member Walta Cooke seconded the motion. The motion carried.



Linda Thomas, Chair



Dave Spurrier, Secretary



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 2012 Scheduled Board Meetings / Functions

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

February 15-17, 2012
Seventh Annual Texas Transportation Forum
San Antonio, Texas

Date Pending
TeamTX
Austin, Texas

January 26, February 23 and March 29, 2012 in Austin Texas
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.