



MEETING NOTICE

TO: North East Texas Regional Mobility Authority Board Members
FROM: Gary Halbrooks
DATE: Tuesday, November 9, 2021
SUBJECT: **November Board Meeting**

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

DATE: Tuesday, November 9, 2021
TIME: 1:30 PM
PLACE: Willowbrook Country Club
East Room
3205 W. Erwin
Tyler, TX 75702
Smith County

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

NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY (NET RMA)
BOARD OF DIRECTORS REGULAR MEETING
Tuesday, November 9, 2021
Willowbrook Country Club
East Room
3205 W. Erwin
Tyler, TX 75702
Smith County

Notice of this meeting was posted with the Secretary of State's Office and on the NET RMA website and office on Friday, November 5, 2021.

Meeting called to order by Gary at 1:30 PM Quorum confirmed

2. SWEARING IN OF CHAIRMAN GARY HALBROOKS

Smith County Judge Nathaniel Moran

1:32 pm Gary Halbrooks sworn in by Judge Nathaniel Moran

Gary: Thank you all for being here. I am very privileged and honored to be sworn in as Chairman. It has been such an honor to sit on this board and one of my interests for serving on the board originally was the infrastructure, transportation is the vein of our existence. Without it our communities aren't going to grow. That has always been in my mind while serving on the RMA board.

3. WELCOME & INTRODUCTION OF BOARD MEMBERS

Gary, Derrick, Chet, Marcia, Dan, Ben, James, Keith, Andrea, Robert, Larry, Nate, Jason, Dave

4. OPEN PUBLIC FORUM/COMMENT PERIOD

Gary: Mr. O'Reilly give us the ground rules for the public comments. Brian: 3 minutes to speak on items that are not part of the agenda. I will be keeping time here with a timer.

Gary: 1st speaker is Robert Wilson. Mr. Wilson thank you for being here. Robert Wilson: Board reconsider the name of Teal. During the feasibility study you removed a route and now use this name for another route. You combined names and color code the map to signify this is teal. Makes public think the reconsideration of the teal route but it has been eliminated. This is deceptive. Why was the name changed? NET RMA or its proxy want to confuse people. Mixing colors, with millions and a new color should have been chosen and not confusing customers. Future public scoping meeting will not be aware it is not the original teal route. Which was eliminated earlier. Why not center the remaining routes. Update map. Since July not a single board member has spoke on this.

Why are all these other areas in the map and teal outside of town. NET RMA has never responded to our questions or why maroon route was not presented. Will present a 4-year request. Update map to center on all 3. Gary: Mr. Wilson I believe your 3 minutes are up we need you to wrap up.

Tammy Humes: Parent, community member and on Chapel Hill School Board. But not here on the representation of the school board. Recovering from concussion. I am here representing my community. The negativity that one of the routes has on one of our schools, KISSAM. The 5-year-old could be impacted. Has some questions of the environmental impact of the campus. Delays because of covid- if and when can they see this and when will it be presented to the public? Is there an economic study and human impact study? Over 70 percent of social economically social people. Are there advantages and disadvantages. Is there anyone other than Elizabeth Story to contact? Has had numerous conversations. Want to be sure if she is the only person that she can speak with. When will the calendar be added and who is the contact? Curious if there will be a calendar for 2022 that comes out so the community can come out and have a sit down with you folks and have a discussion. Thank you very much Happy Thanksgiving and Merry Christmas. I appreciate your time. Gary: Thank you Mrs. Humes.

5. DISCUSSION, CONSIDERATION AND APPROVAL OF THE MINUTES FOR THE OCTOBER 14, 2021 REGULAR BOARD MEETING.

Gary: Any modifications, corrections, or comments? Motion to approve minutes. Motion to approve 1st Marcia Daughtery,

2nd Larry Morse. Motion is unanimously approved.

6. CHAIR'S REPORT

Gary Halbrooks

Gary: As we all know Veterans Day is Thursday, if you are a Veteran serving or have served, thank you for your service. Thank you for what you have done it truly means we have a free Country that we can live in. A couple of interest facts on Veterans Day. November 11th coincided with the anniversary of the end of World War I. Which occurred on the 11th hour of the 11th day of the 11th month. Second-Texas has the 2nd highest Veteran population in the country with 1.46 million. Reminder this is our last Board Meeting of the year. Just want to wish everyone Merry Christmas and Happy New Year

7. COMMITTEE REPORTS

A. Executive Committee

No report

Gary Halbrooks

B. Community Relations Committee

No report

Andrea Williams McCoy

C. East Texas Hourglass Committee

No report

Dave Spurrier

D. Finance Committee

Gary- Mr. Messer is not with us

Robert Messer

E. Member Outreach Committee

Gary- John is not with us

John Cloutier

F. Personnel Committee

Jason- Mr. Green has just finished his first year. Personnel committee will be sending out the Executive Director's review. All board members will need to complete and send back to me. It should be coming out this week from Colleen Colby. I do ask you send those directly to me. Email will be provided as well as a fax number. Would like to have it back by the second Tuesday of December. Target date so I have time to compile that information. All feedback in anonymous.

Jason Ray

G. Project Development & Implementation Committee

No report

Larry Morse

8. PRESENTATION ON BOWIE COUNTY PRIORITY PROJECT.

Andrea Williams McCoy

Andrea- kind of a wrap up item and has been going on for years. Bowie County was a recipient of the Priority Project Grants. Our grant was to conduct study to see if 59-30 would benefit. This project had a lot of local interest, and a lot of ideas should this be. Should they focus local dollars on this. Study commenced a little late because of change in Judge. Study found that at this time it does not make sense to do an additional extension. This is beneficial for our community. Where to invest local dollars and energy. Huge economic drivers. A very small amount of money this connection was not worth investing the money but identified other areas. No one is asking for additional support. Expressed appreciation on behalf of Bowie County Judge. Locals are spending \$100,000 Texamerica and Bowie County, remainder is coming from NET RMA. Invoices have been submitted to NET RMA for reimburse payment. Andrea- So, I make a motion to go ahead and pay reimbursement. Glenn- We have everything we need. Gary: Any questions? Glenn- Brian this doesn't have to be an action item because it is covered in our Priority Project Agreement, correct? Brian- correct. Glenn- This was just a reminder. Andrea- So, we do not need a motion for payment. Glenn- requirement was that a report be made to the board to cover the close out of the study. We have all paperwork from the Judge.

9. REVIEW AND ACCEPTANCE OF NET RMA FINANCIAL STATEMENTS.

Dianne- Take a look at where we are in the year of 2021. Our numbers are not final. Still some adjustments that need to be made for audit scheduled to begin November 29th. Net electronic revenue is \$12,074,835 is over budget or 3%, Video net is \$6,689,688 over budget or 18%, Total operating revenue \$18,804,523 is over budget or 8%, Total operating expenses \$2,114,306 is under budget or 5%, Toll 49 operating expenses \$2,380,733 is under budget or 16%, Other Income expense \$18,493,753 under budget or 4%, Total net income has a deficit \$4,184,269 to the good or 38%. Do you have any specific questions? Thank you

Gary: Motion to approve? 1st Keith Honey, 2nd Ben Hamilton

10. REPORT ON TOLL 49 TOLLING TRANSACTIONS AND REVENUE.

A. COMPREHENSIVE TRANSACTION REPORT BY CDM SMITH

Justin Winn with CDM Smith- Quarterly report for the board. Trends for Toll 49. Covid spike but declining again with vaccination rates continuing to climb. Has seen strong growth. After the spike of unemployment in 2020 Smith County is lower than the rest of US. Dip in transaction in April 2020, after covid recovery has been strong at the state and national levels with exception of the impact of the winter storm. Andrea: Break down of cars vs trucks? Justin: yes, we do. Quarterly total transactions 2020 low Now exceeding where we were in 2019. Growth in corridor. Most traffic is passenger cars. Trucks not as much growth 2020-2021, trucks rebounded very quickly and has continued to grow. Monthly transactions March consistently approve where we were in 2019. Now we see real growth. Truck transactions consistent. Daily level of transactions few exceptions without last 4 months. Revenue higher daily due to growth on facility. Observed transactions through OCT already at the annual quota for 2021. Unemployment continues to decline, covid case continues to decline, Droege- Is there growth or is it because Lindale was opened? Justin: It was already opened to it is growth. It was opened in late 2018. Morse: Forecast vs observed we are below the projections, correct? Justin- Correct. Morse: what is the basis for the forecast? Justin: 2016 with 2018 update. The study was completed prior to segment 4 opening. Andrea: are the truck transactions impacted for the supply train? Justin: there are issues that impact truck traffic but not specific to Toll 49. The impact of the supply chain issue would only be short. Short term will be made up in long term.

**11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE WORK AUTHORIZATION NO. 5 WITH SICE, INC. FOR TOLL SYSTEM EQUIPMENT REPLACEMENT ON TOLL 49, SEGMENT 1.
(RESOLUTION 21-29)**

Action Item

Glenn: Ron, please present to the board. Ron: replace treadles, equipment in the lane that counts the number of axles in the pavement. Making request for the purchase now. Gave the amount \$82,287 dollars and some change. We request the approval to purchase these treadles. Gary: anything additional? Glenn: I believe Ron covered it all. If any other questions we can answer. Glenn: this is minor compared to what we are spending to upgrade our pavement. Something in the progress forward in maintaining our system. Gary: Motion to approve. 1st Larry Morse, 2nd Derrick Choice. Motion unanimously approved.

**12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE SUPPLEMENTAL WORK AUTHORIZATION NO. 1.1 WITH HNTB CORPORATION FOR ADDITIONAL ENGINEERING SERVICES ASSOCIATED WITH THE TOLL 49 WIDENING PROJECT.
(RESOLUTION 21-30)**

Action Item

Glenn- back in early 2020 positioning ourselves to take advantage of any funding opportunities plans for environment between HWY 64 and xx. geo technical work in additional facility is there requires no additional right of ways. 4 lanes environmental reevaluation. this we will cover additional engineering and work required to get this project ready. plan to take advantage of infrastructure funds. any funds from the package approved last week. commend the foresight of the board and Mr. Everett Owen. is the firm doing it. recognize Lesley and her firm. recommends moving forward at our disposal. Jason- old one expired, how long will this one be good for? Glenn- not necessarily expired because of the conditions in the environment. Glenn- Lesley do you have an answer? Lesley- I believe it is 10 years. Glenn: another update would be very easy. Spurrier- approximate listen for his question. O'Reilly gave the \$1.8625 for the total 1st Spurrier 2nd Morris. Motion unanimously approved.

**13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE A CONTRACT FOR ROADWAY MAINTENANCE SERVICES ON TOLL 49.
(RESOLUTION 21-31)**

Action Item

Glenn- take over and replace contract that is coming up to expire. We have been through the selection process. Staff recommends awarding to \$3.6 Million for 2 years. Renewable and extendable. Awarded to Dry Creek Construction. Staff recommends awarding this contract. Honey- only 2 proposals? Gary: Yes. Spurrier: how does this compare to what we

budgeted for? Glenn: Mark, just under
1st Mccoy 2nd Daughtery. Motion unanimously approved

EXECUTIVE DIRECTOR'S REPORT.

A. Update on existing maintenance contract with DBi Services, LLC.

Glenn- shows slide with 2 bids. Dry Creek Construction and Reynolds & Kay LLC. has worked with us a little over 2 years ago. we got a lot of questions, so they understood our proposal and our plan. good with it and recommend we move forward. DBi has been defaulted to make sure we have that to consider if they ever consider to bid with us again. Gary- do they have grievance with us? Glenn- good question, no, this does not have anything to do with us but everything to do with the overall of their company. attorneys have reviewed all items that we are defaulting on

B. Board member terms of office.

Glenn- we have some members coming up the first of next year. Letters have been sent out to Judges or board members. We will have quite a few swearing ins. This will be done first of next year as meetings progress. Any questions on when terms or up. Spurrier- we all serve until replaced or removed. Glenn: Correct, thank you for clarifying that.

14. ADJOURNMENT.

Gary- meeting is now adjourned at 2:23 PM

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 in order 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.

Minutes