

**THE WOODLANDS TOWNSHIP  
BOARD OF DIRECTORS  
REGULAR BOARD MEETING  
FEBRUARY 23, 2012  
MINUTES**

**THE STATE OF TEXAS   §  
COUNTIES OF HARRIS & MONTGOMERY   §**

The Board of Directors of The Woodlands Township met in regular session, open to the public, on February 23, 2012, posted to begin at 6:00 p.m. The meeting was held at the office of The Woodlands Township, Town Hall, 2801 Technology Forest Boulevard, The Woodlands, Texas, within the boundaries of The Woodlands Township.

**DIRECTORS PRESENT:** Chairman Bruce Tough, Vice Chairman Lloyd Matthews, Secretary Claude Hunter, Treasurer Ed Robb, Director Nelda Blair, Director Tom Campbell and Director Peggy Hausman

**DIRECTORS ABSENT:** None

**STAFF/ADVISORS:** Don Norrell, President/General Manager; John Powers, Assistant General Manager of Community Services; Monique Sharp, Assistant General Manager of Finance & Administration; Fire Chief Alan Benson; Susan Welbes, Director of Human Resources; Miles McKinney, Legislative Affairs & Transportation Manager, Mike Page, Legal Counsel

**ITEM #1 PLEDGE OF ALLEGIANCE:**

Director Campbell led the Pledge of Allegiance to the United States flag and Texas State flag.

**ITEM #2 CALL MEETING TO ORDER:**

Chairman Tough called the meeting to order at 6:00 p.m. and declared that notice of this meeting was posted 72 hours in advance at the Courthouse of Montgomery and Harris Counties and inside the boundaries of The Woodlands Township at the office building located at 2801 Technology Forest Boulevard, The Woodlands, Texas. As there was a quorum of members present, the Board proceeded to conduct business regarding the following matters.

**ITEM #3 CONSIDER AND ACT UPON ADOPTION OF MEETING AGENDA:**

**MOTION:** Motion by Treasurer Robb to adopt the agenda as presented; second by Secretary Hunter

**VOTE:**           **Ayes:** Chairman Tough

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Vice Chairman Matthews  
Secretary Hunter  
Treasurer Robb  
Director Blair  
Director Campbell  
Director Hausman

**Nays:** None

**Abstentions:** None

**Absent:** None

**ACTION:** Motion passed unanimously.

**ITEM #4 RECOGNIZE PUBLIC OFFICIALS:**

Chairman Tough recognized the following individuals in attendance:

- **Dan Norris**-candidate for Montgomery County Constable, Precinct 3
- **Phyllis Rainey**-candidate for Montgomery County Attorney
- **Gil Staley**-CEO, The Woodlands Economic Development Partnership

**Note:** Item #6 below was moved up on the agenda.

**ITEM #6 RECOGNIZE THE EFFORTS OF THE WOODLANDS BOYS SOCCER CLUB TO ASSIST WITH BEAUTIFICATION OF TWO UNITED STATES POST OFFICE BRANCHES IN THE WOODLANDS:**

The Board presented a Certificate of Appreciation to The Woodlands High School Highlander Soccer Teams for their efforts in performing grounds maintenance work at the Panther Creek Post Office and Lake Front Post Office on Saturday, February 11, 2012. Senior Team Captain, Andres Velasco accepted the Certificate of Appreciation on behalf of the members.

Chairman Tough also recognized parents of the team members and other adult volunteers. A special thank-you was given to Keith Weaver, Revitalization Specialist for The Woodlands Township, for coordinating this service project.

**ITEM #5 PUBLIC COMMENT:**

- **Michael Tower**-2 Hawthorne Hollow; commented about a sign variance denial;
- **Kyle Watson**-19 Wistful Vista Place; commented about a sign variance denial;
- **Mark Ramsey**-54 Mason Pond; commented about a sign variance denial;
- **Deborah Sargeant**-10913 Fawnlily; commented about the Development Standard Committee's (DSC) decision to deny Mr. Tower's sign variance request;
- **Mike Bass**-11 E. Double Green Circle; commented about his resignation from the DSC;
- **Randy Scott**-14 Winter Wheat; commented about the drought response and management of trees;
- **Terri Cassio**-commented about construction of a proposed Hindu Temple in her neighborhood;
- **Greg Brothers**-commented about future governance and taxes in The Woodlands;
- **Tina Araujo**-commented about yard signs

**Note:** Director Hausman requested that the Board review the DSC at the Board's March meeting and if need be call a special meeting to discuss the matter regarding yard signs in The Woodlands.

**ITEM #7 RECEIVE AND CONSIDER THE LAW ENFORCEMENT REPORT:**

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Marian Leck presented the following law enforcement report:

- **Montgomery County Sheriff's Office Staffing:**  
New Sr. Sgt., Jimmy Malmay; New Sgt., David Hernandez; New Canine Officer and dog;
- **Harris County Constable's Office-Precinct 4:**  
Lt. Ronnie Glaze reported that 400 lbs. of stolen copper was retrieved and the thief was apprehended.
- **Crime Status and Trends:**  
A suspect involved in a purse snatching at The Woodlands Mall was arrested;  
A&O alerted the Montgomery County Sheriff's Office about a suspicious person looking into vehicles and pulling on vehicle handles; suspicious person was arrested.
- **Police-Community Partnership:**  
Law Enforcement Advisory Council met and discussed trends in law enforcement efforts;  
Montgomery County District Attorney, Brett Ligon, made a presentation on "Driving While Intoxicated" at the February "Watch Talk Wednesday" meeting

**ITEM #8 RECEIVE AND CONSIDER REPORTS FROM VILLAGE ASSOCIATION REPRESENTATIVES:**

Reports were provided by the following Village Association (VA) representatives:

- **Alden Bridge**-President, Steve Leakey reported that Sgt. Paul Cassidy presented a brief law enforcement report; reviewed recent election results; thanked the Board for its efforts regarding FM 2978 noise issue and intervention with TxDOT; Board is in the process of reviewing scholarship applications and will award three \$1,000 scholarships; village is participating in The Woodlands Marathon and has chosen a western theme; Annual Spring Festival will be held April 7, 2012 from 10:00 a.m.-1:00 p.m. at Lakeside Park; 8 Board members will participate on The Woodlands Joint Powers Water Focus Group Project;
- **Cochran's Crossing VA**-President, Stuart Schroeder reported that the village will be participating in The Woodlands Marathon Cheer Challenge; volunteers needed for March 24 Spring Flea Market; village will participate in The Woodlands Joint Powers Water Focus Group Project;
- **Indian Springs VA**-President, Amy Lecocq reported that the village's law enforcement liaison has been reassigned; Sgt. Cassidy provided a law enforcement report; web site renovation is 90% completed; working on setting up a Facebook page; planning for the Village Cheer Challenge; working on scholarship application submissions; participating on Woodlands Joint Powers Water Focus Group Project and Governance Forums; March meeting moved to the 3<sup>rd</sup> Tuesday of the month due to Spring Break;
- **Grogan's Mill VA**-President, Deborah Sargeant reported that County Commissioner candidates spoke at the last village meeting; Annual Planning meeting scheduled for March 9; Woodlands Marathon Cheer Challenge theme-St. Patrick's Day; Farmers' Market is doing well and is now held year round; Grogan's Mill VA will not participate in the Spring Flea Market due to a lack of volunteers for this event;

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- College Park VA-no report;
- Creekside Park VA-no report;
- Panther Creek VA-no report;
- Sterling Ridge VA-no report

**CONSENT AGENDA:**

*(This agenda consists of non-controversial or "housekeeping" items required by law that will be placed on the Consent Agenda at the next Board Meeting and may be voted on with one motion. Items may be moved from the Consent Agenda to the Regular Agenda by any Board Member making such request.)*

**ITEM #9 RECEIVE, CONSIDER AND ACT UPON THE CONSENT AGENDA:**

- (a) Approve minutes of the January 10, 2012 Special Meeting, January 19, 2012 Board Workshop, January 25, 2012 Regular Meeting, January 25, 2012 Volunteer Recognition and Town Hall Meeting, and January 27, 2012 Emergency Special Meeting of the Board of Directors of The Woodlands Township;
- (b) Adopt RESOLUTION ADOPTING INVESTMENT POLICIES AND GUIDELINES FOR THE WOODLANDS TOWNSHIP;
- (c) Adopt RESOLUTION ADOPTING LIST OF QUALIFIED BROKERS AUTHORIZED TO ENGAGE IN INVESTMENT TRANSACTIONS WITH THE WOODLANDS TOWNSHIP;
- (d) Accept recommendation from the Audit Committee to accept the Hotel Occupancy Tax Agreed-Upon Procedures Report for the year ended December 31, 2010;
- (e) Accept recommendation from the Audit Committee to accept the Convention Center Booking and Blocking Agreed-Upon Procedures Report for 2010;
- (f) Approve The Woodlands Township's participation in Purchasing Solutions Alliance (PSA) and authorize the President/General Manager to execute the Interlocal Purchasing agreement in connection therewith;
- (g) Approve an amended 2012 meeting calendar for The Woodlands Township Board of Directors;
- (h) Approve proposed dates for budget meetings in connection with the development of the 2013 Operating Budget of The Woodlands Township;
- (i) Reappoint Mr. Boyd Burdett as the Business Representative to serve on the Law Enforcement Advisory Council for a two year term ending on December 31, 2013;
- (j) Adopt RESOLUTION NO. 006-12 AMENDING RESOLUTION NO. 003-10 ESTABLISHING AUTHORIZATION LIMITS FOR COMMITMENTS AND AGREEMENTS, CHECKS AND DISBURSEMENTS, AND OTHER DOCUMENTS AND MATERIALS BY THE BOARD OF DIRECTORS, BOARD OFFICERS, PRESIDENT/GENERAL MANAGER AND ASSISTANT GENERAL MANAGER-FINANCE AND ADMINISTRATION OF THE WOODLANDS TOWNSHIP; AND CONTAINING OTHER MATTERS RELATING TO THE SUBJECT;

**MOTION:** Motion by Secretary Hunter to approve the Consent Agenda; second by Director Blair

**VOTE:**           **Ayes:** Chairman Tough  
                           Vice Chairman Matthews  
                           Secretary Hunter  
                           Treasurer Robb  
                           Director Blair  
                           Director Campbell

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Director Hausman

**Nays:** None

**Abstentions:** None

**Absent:** None

**ACTION:** Motion passed unanimously.

**A RESOLUTION ADOPTING INVESTMENT POLICIES AND GUIDELINES FOR THE WOODLANDS TOWNSHIP IS ATTACHED HERETO AS EXHIBIT "A."**

**A RESOLUTION ADOPTING A LIST OF QUALIFIED BROKERS AUTHORIZED TO ENGAGE IN INVESTMENT TRANSACTIONS WITH THE WOODLANDS TOWNSHIP IS ATTACHED HERETO AS EXHIBIT "B."**

**A RESOLUTION ESTABLISHING AUTHORIZATION LIMITS FOR COMMITMENTS AND AGREEMENTS, CHECKS AND DISBURSEMENTS, AND OTHER DOCUMENTS AND MATERIAL BY THE BOARD OF DIRECTORS, BOARD OFFICERS, PRESIDENT/GENERAL MANAGER AND ASSISTANT GENERAL MANAGE-FIINANCE & ADMINISTRATION OF THE WOODLANDS TOWNSHIP; AND CONTAINING OTHER MATTERS RELATING TO THE SUBJECT IS ATTACHED HERETO AS EXHIBIT "C."**

**BRIEFINGS:**

**ITEM #10 RECEIVE AN UPDATE REGARDING MONTGOMERY COUNTY POLLING LOCATIONS FOR THE BOARD OF DIRECTOR'S ELECTION ON MAY 12, 2012;**

Miles McKinney was called on to present this item. Mr. McKinney provided the Board with a list of proposed consolidated precincts and polling locations for the May 12, 2012 Joint Elections. Board discussion followed. This item was for information sharing only.

**REGULAR AGENDA:**

**ITEM #11 RECEIVE, CONSIDER AND ACT UPON THE FINANCIAL REPORT;**

Monique Sharp informed the Board that notification was received from the Government Finance Officers Association that The Woodlands Township had been awarded a Certificate of Achievement in Financial Reporting for the year ended December 2010. This recognition is awarded to governmental entities for achieving the highest standards in governmental accounting and financial reporting.

Ms. Sharp then presented The Woodlands Township Financial Report. The Board was referred to handout material containing the General Purpose Statements as of and for the year ended December 31, 2011. After a review of the combined Financial Statements and Monthly Investment Report, a report on the General Fund vs. Actual was presented. Ms. Sharp then reported on sales tax collections, hotel occupancy tax collections, and property tax collections.

Next, Ms. Sharp presented The Woodlands Fire Department Financial Report. Following this report, Ms. Sharp presented the Financial Statements for The Woodlands Waterway Cruisers and then gave an update on trolley expenditures.

**MOTION:** Motion by Director Campbell to accept the Financial Reports as presented; second by Vice Chairman Matthews

**VOTE:** Ayes: Chairman Tough

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Vice Chairman Matthews  
Secretary Hunter  
Treasurer Robb  
Director Blair  
Director Campbell  
Director Hausman

**Nays:** None

**Abstentions:** None

**Absent:** None

**ACTION:** Motion passed unanimously.

The Financial Reports for The Woodlands Township and Woodlands Fire Department are attached hereto respectively as Exhibit "D."

**ITEM #12 RECEIVE, CONSIDER AND ACT UPON AN AMENDMENT TO THE AGREEMENT BETWEEN MONTGOMERY COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 (WC&ID #1) AND THE WOODLANDS TOWNSHIP REGARDING RECYCLING SERVICES TO HILLOCK WOODS;**

**MOTION:** Motion by Secretary Hunter to approve a First Amendment to the Memorandum of Understanding between Montgomery County Water Control and Improvement District No. 1 (WC&ID #1) and The Woodlands Township regarding recycling services to Hillock Woods; second by Director Blair

**VOTE:** **Ayes:** Chairman Tough  
Vice Chairman Matthews  
Secretary Hunter  
Treasurer Robb  
Director Blair  
Director Campbell

**Nays:** Director Hausman

**Abstentions:** None

**Absent:** None

**ACTION:** Motion passed (6-1).

**ITEM #13 RECEIVE, CONSIDER AND ACT UPON A PRESENTATION FROM PARTNERS FOR STRATEGIC ACTION REGARDING THE RESULTS OF THE FINANCIAL MODEL, ACCEPT THE RESULTS OF THE FINANCIAL MODEL AND AUTHORIZE THE CONSULTANTS TO PROCEED WITH THE COMMUNITY OUTREACH PROGRAM;**

**MOTION:** Motion by Vice Chairman Matthews to accept the results of the financial model and authorize the consultants to proceed with the community outreach program; second by Secretary Hunter

**VOTE:** **Ayes:** Chairman Tough  
Vice Chairman Matthews  
Secretary Hunter  
Treasurer Robb  
Director Blair  
Director Campbell  
Director Hausman

**Nays:** None

**Abstentions:** None

**Absent:** None

**ACTION:** Motion passed unanimously.

**ITEM #14 RECEIVE, CONSIDER AND ACT UPON SELECTION OF A CONSULTANT FOR THE 2012 RESIDENT SURVEY;**

**MOTION:** Motion by Secretary Hunter to approve selection of Creative Consumer Research (CCR) of Houston as the resident survey consultant and the use of the developed questionnaire; second by Director Hausman

**VOTE:**           **Ayes:** Chairman Tough  
                          Vice Chairman Matthews  
                          Secretary Hunter  
                          Treasurer Robb  
                          Director Blair  
                          Director Campbell  
                          Director Hausman

**Nays:** None  
**Abstentions:** None  
**Absent:** None

**ACTION:** Motion passed unanimously.

**ITEM #15 RECEIVE, CONSIDER AND ACT UPON A REQUEST FROM DIRECTOR CAMPBELL REGARDING THE AUDIT COMMITTEE'S REVIEW OF ALL PROFESSIONAL CONTRACTS RELATED TO SERVICE DELIVERY;**

Monique Sharp gave a PowerPoint presentation and reviewed with the Board a Six-Step Accounts Payable Accountability Process. Ms. Sharp noted that expenditures must be within the annual budget adopted by the Board of Directors and that the Board adopted Resolution 002-10 Establishing Purchasing Authorities.

Board discussion followed and then a motion and second on the item was offered as stated below:

**MOTION:** Motion by Director Campbell to allow the Audit Committee to review professional agreements and recommend action to the Board including utilizing staff time; second by Director Hausman

**VOTE:**           **Ayes:** Director Campbell  
                          Director Hausman  
**Nays:** Chairman Tough  
                          Vice Chairman Matthews  
                          Secretary Hunter  
                          Treasurer Robb  
                          Director Blair

**Abstentions:** None  
**Absent:** None

**ACTION:** Motion failed (2-5)

**ITEM #16 RECEIVE, CONSIDER AND ACT UPON A TAX ABATEMENT AGREEMENT BETWEEN THE WOODLANDS TOWNSHIP AND ANADARKO REALTY, LLC;**

**MOTION:** Motion by Director Blair to approve the tax abatement with Anadarko Petroleum, LLC and authorize the Board Chairman to sign the tax abatement agreement in connection therewith; second by Vice Chairman

**VOTE:**           **Ayes:** Chairman Tough  
                          Vice Chairman Matthews  
                          Secretary Hunter

Treasurer Robb  
Director Blair  
Director Campbell  
Director Hausman

**Nays:** None

**Abstentions:** None

**Absent:** None

**ACTION:** Motion passed unanimously.

**ITEM #17 RECEIVE, CONSIDER AND ACT UPON A CONTRACT WITH THE GOODMAN CORPORATION FOR TRANSPORTATION CONSULTING SERVICES FOR THE 2012 CALENDAR YEAR;**

**MOTION:** Motion by Vice Chairman Matthews to approve the Goodman Corporation calendar year 2012 consulting recommendations and authorize the President/General Manager to execute an agreement on behalf of The Woodlands Township, for The Goodman Corporation proposed Scope of Services; second by Treasurer Robb. Board discussion followed.

**VOTE:**

**Ayes:** Chairman Tough  
Vice Chairman Matthews  
Secretary Hunter  
Treasurer Robb  
Director Blair

**Nays:** Director Campbell  
Director Hausman

**Abstentions:** None

**Absent:** None

**ACTION:** Motion passed (5-2).

**ITEM #18 RECEIVE, CONSIDER AND ACT UPON THE DROUGHT RESPONSE AND A BUDGET AMENDMENT IN CONNECTION THEREWITH;**

**MOTION:** Motion by Secretary Hunter; second by Vice Chairman Matthews to approve a 2012 budget amendment of \$1,886,100 resulting from favorable revenue and expenditure budget variances realized during the 2011 budget year to fund the following:

- \$818,600 in additional contracted tree removal services;
- \$10,000 for an independent forest audit to determine tree mortality rates and recommendations for reforestation;
- \$189,500 in additional expenses for the streetscape tree removal budget;
- \$868,000 for equipment, irrigation system expansion and additional reforestation efforts in 2012 which includes the purchase of two water trucks and funding for all or a portion of their potential 2012 operating costs (\$132,000); initiate the planning and design for the expansion of existing irrigation systems in neighborhood entries (\$102,000) and additional reforestation efforts, provided weather conditions are favorable (\$634,000);
- Authorize the President/General Manager to enter into tree removal contracts using unit prices based upon established competitive bid prices and specifications approved previously by the Board without regard to the purchasing authorization limits set forth in Resolution 002-10

Board discussion followed with Secretary Hunter adding that his motion was made with the understanding that many of the items, outside of those dealing with public safety (i.e. hazardous tree removal), should come back to the Board for consideration and action. Director Campbell expressed concern that the



budget amendment was too large. Don Norrell informed the Board that staff's intent is to conduct research before proceeding with reforestation.

**VOTE:**           **Ayes:** Chairman Tough  
                                Vice Chairman Matthews  
                                Secretary Hunter  
                                Treasurer Robb  
                                Director Blair  
                                Director Hausman  
                            **Nays:** Director Campbell  
                            **Abstentions:** None  
                            **Absent:** None

**ACTION:** Motion passed (6-1).

**CLOSED MEETING (IF APPLICABLE):**

**ITEM #19 RECESS AT 7:57 P.M. TO EXECUTIVE SESSION TO DISCUSS MATTERS RELATING TO REAL PROPERTY PURSUANT TO §551.072, TEXAS GOVERNMENT CODE; DELIBERATION OF ECONOMIC DEVELOPMENT NEGOTIATIONS PURSUANT TO §551.087, DISCUSS PERSONNEL MATTERS PURSUANT TO §551.074; TEXAS GOVERNMENT CODE, AND TO CONSULT WITH THE WOODLANDS TOWNSHIP'S ATTORNEY CONCERNING PENDING LITIGATION PURSUANT TO §551.071. TEXAS GOVERNMENT CODE;**

**ITEM #20 RECONVENE IN PUBLIC SESSION AT 8:08 P.M.:**

Chairman Tough announced that it would not be necessary to take action at this item on items discussed during Executive Session.

**DISCUSS FUTURE AGENDA/ANNOUNCEMENTS:**

**ITEM #21 CONSIDERATION OF ITEMS TO BE PLACED ON THE AGENDA FOR NEXT MONTH'S MEETING;**

- Director Hausman requested an update on the DSC and signage issues;
- Director Robb asked that staff take a close look at future Board calendars so that potential conflicts in Directors' schedules do not arise;
- Director Campbell requested that the Board discuss the resignation of Mike Bass from the DSC

**ITEM #22 BOARD ANNOUNCEMENTS:**

- There were no announcements.

**ITEM #23 PUBLIC COMMENT; AND**

- John Powers asked the Board for direction on whether to advertise for the vacant DSC position.
- Deborah Sargeant assured the Board that the DSC did not make the decision to deny Mr. Tower's sign variance based on the content of the message on his sign.

**ITEM #24 ADJOURNMENT:**

**MOTION:** Motion by Treasurer Robb to adjourn the meeting at 8:13 p.m.; second by Director Campbell

**VOTE:**

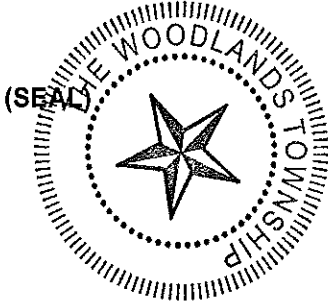
**Ayes:** Chairman Tough  
Vice Chairman Matthews  
Secretary Hunter  
Treasurer Robb  
Director Blair  
Director Campbell  
Director Hausman


**Nays:** None

**Abstentions:** None

**Absent:** None

**ACTION:** Motion passed unanimously.



  
\_\_\_\_\_  
Claude Hunter  
Secretary, Board of Directors

**EXHIBIT OMISSIONS\***

**EXHIBIT "A"**

**EXHIBIT "B"**

**EXHIBIT "C"**

**EXHIBIT "D"**

**\*To view Exhibits, please contact the Records Management Analyst at 281-210-3800.**