

THE WOODLANDS TOWNSHIP

BOARD OF DIRECTORS

REGULAR BOARD MEETING

MARCH 28, 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 March 28, 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 6:02 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 Secretary Hunter to adopt the agenda as presented; second by Vice Chairman Matthews

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

Board of Directors
Regular Board Meeting
March 28, 2012

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:

- **George Van Horn**-Vice President of Government Relations, Grogan's Mill Village Association

ITEM #5 PUBLIC COMMENT:

- **Daniel Wallace**-DSC candidate;
- **Ryan Gable**-Precinct 3 Constable candidate;
- **Stuart Schroeder**-commented about demolition of Grogan's Mill pedestrian bridge;
- **Anthony Fasone**-commented about Firefighters Fight for Air Walk;
- **Mary Kerschbaum**-commented about The Woodlands Marathon and children involvement

ITEM #6 RECEIVE AND CONSIDER THE LAW ENFORCEMENT REPORT:

Marian Leck presented the following law enforcement report:

- **Montgomery County Sheriff's Office Staffing:**
2012 Staffing-three additional personnel to start in 2012 (1 Sr. Sgt, 1 Sgt, and 1 Deputy);
- **Harris County Constable's Office-Precinct 4:**
Lt. Ronnie Glaze reported arrests in relation to over 400 pounds of copper stolen from new construction sites;
- **Crime Status and Trends:**
K-9 Deputy Marshall and "Hap" spent three weeks in training returning in late February and had the following deployments: four vehicle searches, two Class "C" and citations issued;
Notable Arrests: 13 narcotics arrests, 22 DWI arrests and one Burglary of Motor Vehicle arrest;
K-9 "Bowie" and Deputy Mike Uber continue to patrol The Woodlands area;
- **Police-Community Partnership:**
MCSO and Harris County Constable's Office continue to share crime statistics and other crime prevention information with Village Associations and Neighborhood Services and provide input and presentation for *Watch Talk Wednesdays*

ITEM #7 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 at the March meeting five candidates for elective office spoke, along with Sergeant Cassidy, who gave a law enforcement update; the group participated in the Flea Market, The Woodlands Marathon Cheer Challenge and Water Focus Group and three \$1,000 scholarship applications are under consideration; Spring Fest is April 7 at Lakeside Park from 10-1 pm; 2012-2013 business planning is underway;

Board of Directors
Regular Board Meeting
March 28, 2012

- **Cochran's Crossing VA**-President Stuart Schroeder reported that at the most recent meeting candidates spoke as well as a resident who had been a burglar victim; Sergeant Cassidy provided a law enforcement update; 2012 officers were elected; the group participated in the Flea Market, The Woodlands Marathon Cheer Challenge and Earth Day GreenUp; annual meeting is April 24 and Summer Ice Cream Social is June 3;
- **Indian Springs VA**-President Amy Lecocq reported that at the most recent meeting officers were elected; work is ongoing with the group's website and Facebook site; the service agreement has been submitted to the Township; participation in The Woodlands Marathon cheer Challenge, Flea Market, Water Focus Group and Earth Day GreenUp, scholarship committee is considering five \$1,000 scholarships;
- **Grogan's Mill VA**-Vice President of Governmental Relations George Van Horn reported that the group had taken third in The woodlands Marathon Cheer Challenge and reminded all about the ongoing Farmers Market on Saturdays from 8-noon; Mr. Van Horn thanked Directors Campbell and Matthews for their service on the Board and to the community;
- **College Park VA**-President Ted Stanley reported that the group had its annual meeting in February; Chris Nunes spoke regarding drought and tree removal; officers were elected; *Sunday in the Park* will be held April 25 at Tapestry Park; participation in the Flea Market and election planning are underway;
- **Creekside Park VA**-President Nancy Decker Lent reported about officer elections, Township funding had been received; participation in The Woodlands Marathon Cheer Challenge and Earth Day GreenUp; scholarship fund is growing;
- **Panther Creek VA**-no report;
- **Sterling Ridge VA**-Anthony Fasone reported that at the most recent meeting candidates spoke; participation in The Woodlands Marathon Cheer Challenge, at which the group took first place, and Earth Day GreenUp; association events help fun PTOs of village elementary schools; barbeque will be September 15 followed by Haunted House in October; website is undergoing revamping

ITEM #8 RECEIVE, CONSIDER AND ACT UPON A PROCLAMATION IN SUPPORT OF EARTH DAY:

Vice Chairman Matthews read a proclamation proclaiming Saturday, March 31, 2012 as "The Woodlands Earth Day Community Stewardship Project and Celebration" and April 2012 as "Earth Month."

MOTION: Motion by Secretary Hunter to adopt the proclamation as presented; second by Vice Chairman Matthews

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.

Board of Directors
Regular Board Meeting
March 28, 2012

The proclamation is attached hereto as Exhibit "A."

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 February 16, 2012 Board Workshop and the February 23, 2012 Regular Meeting of the Board of Directors of The Woodlands Township;
- (b) Accept conveyance of Spincaster Park;
- (c) Accept conveyance of Common Open Areas in Section 3 in the Village of Grogan's Mill;
- (d) Approve various temporary and permanent easement related to the Anadarko expansion project;
- (e) Renew the Reciprocal Parking Easement Agreement with Interfaith of The woodlands;
- (f) Award bid for pool equipment to Progressive Commercial Aquatics;
- (g) Approve an Interlocal Agreement with Texas Department of Transportation regarding the traffic signal preemption system;
- (h) Approve agreement with Harris County to add two full time deputies for provision of law enforcement services in the Village of Creekside Park;
- (i) Approve membership changes to the Employee Retirement Plan Committee;
- (j) Approve Tax Abatement Agreement between The Woodlands Township and J.D. Warmack, Woodlands Limited Partnership, owner and Repsol Services Company, tenant;
- (k) Approve annual compensation adjustments;
- (l) Accept request from the City of Houston to concur with selected projects to be funded under the Regional Participation Agreement between The Woodlands Township and the City of Houston;

Note: Director Campbell pointed out items 9(c), (f), (g), (h), (j), and (k) as of particular interest to residents.

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
 Director Hausman

Nays: None

Abstentions: None

Absent: None

ACTION: Motion passed unanimously.

ITEM #10 BRIEFINGS:

ITEM #11 RECEIVE AND CONSIDER A REQUEST FROM NANCY DECKER LENT, PRESIDENT OF CREEKSIDE PARK VILLAGE ASSOCIATION REGARDING CONCERNS IN CREEKSIDE PARK;

Ms. Decker Lent gave a PowerPoint presentation outlining road safety concerns in relation to Creekside Forest Elementary School accompanied by possible solutions and next steps. Resident Mike Ramsey also spoke about the issue.

Board of Directors
Regular Board Meeting
March 28, 2012

Board and Staff offered suggestions regarding facilitation of meetings with appropriate entities responsible for traffic concerns in the area with staff directed to brief the Board at a later date.

CenterPoint representative, Tim Sbrusge, discussed ongoing efforts to mitigate frequent power outages in Creekside Park, citing drought-damaged trees and new construction as contributing factors.

ITEM #12 RECEIVE AN UPDATE REGARDING THE WOODLANDS MARATHON EVENT;

John Powers introduced Willie Fowlkes, who gave a video presentation on the recent Woodlands Marathon. Mr. Fowlkes and the Board discussed the community impact, challenges and benefits of the race and considerations for future races.

Residents Melissa Young and Alonso Loyo also discussed the race.

ITEM #13 RECEIVE AND CONSIDER A REPORT REGARDING DEVELOPMENT STANDARDS COMMITTEE IN RELATION TO THE WOODLANDS TOWNSHIP BOARD OF DIRECTORS;

Resident Mike Bass spoke about his concerns regarding the DSC's procedures, transparency and the ability of the Township Board to direct its actions.

Attorney Bret Strong presented an overview of a particular signage review by the DSC which precipitated the most current discussion and then discussed the history of the establishment and foundation of the DSC and its responsibilities and the Township Board's relationship to the DSC and the responsibilities in regards to DSC operations.

ITEM #14 REGULAR AGENDA:

ITEM #15 RECEIVE, CONSIDER AND ACT UPON THE FINANCIAL REPORT;

Ms. Sharp presented The Woodlands Township Financial Report. The Board was referred to handout material containing the General Purpose Statements as of and for the month ended February 29, 2012. 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.

MOTION: Motion by Treasurer Robb to accept the Financial Report as presented; second by Director Blair

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.

The Financial Report is attached hereto as Exhibit "B."

ITEM #16 RECEIVE, CONSIDER AND ACT UPON MATTERS CONCERNING OWNERSHIP AND RENOVATION REGARDING GROGAN'S MILL PEDESTRIAN BRIDGE;

John Powers presented an overview of the documentation of Township ownership process for the Grogan's Mill pedestrian bridge noting that the Elevated Walkway Easement and Agreement has been agreed upon by all parties concerned and requires final legal review and recording with Montgomery County. Mr. Powers also gave a PowerPoint presentation illustrating possible design scenarios for the bridge.

MOTION: Motion by Director Blair to approve the Elevated Walkway Easement and Agreement related to the Grogan's Mill pedestrian bridge and authorize the President/General Manager to execute the Agreement, predicated on adequate description of the easement and easement use, and have it recorded in the public records of Montgomery County; authorize staff to proceed with preparing plans and specifications for the renovation of the bridge based upon the Board input provided, with a return to the Board with the final design concept prior to awarding bids; second by Vice Chairman Matthews

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

ACTION: Motion passed (5-2).

A copy of handout material provided by Secretary Hunter relating to personal comments regarding the above matter is attached hereto as Exhibit "C."

ITEM #17 RECEIVE, CONSIDER AND ACT UPON APPOINTMENT OF NEW MEMBER TO THE DEVELOPMENT STANDARDS COMMITTEE;

Treasurer Robb expressed a preference to not appoint a DSC member at this time until all candidates could be interviewed by the Board.

MOTION: Motion by Treasurer Robb to table appointment of a DSC member at this time and to bring back the three DSC candidate applicants for interview at the next Board Workshop; 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.

CLOSED MEETING (IF APPLICABLE):

ITEM #18 RECESS AT 8:59 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 #19 RECONVENE IN PUBLIC SESSION AT 9:06 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 #20 CONSIDERATION OF ITEMS TO BE PLACED ON THE AGENDA FOR NEXT MONTH'S MEETING;

- None

ITEM #21 BOARD ANNOUNCEMENTS;

- There were no announcements.

ITEM #22 PUBLIC COMMENT; AND

- Resident Mike Bass spoke concerning DSC issues.

ITEM #23 ADJOURNMENT:

MOTION: Motion by Secretary Hunter to adjourn the meeting at 9:10 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.



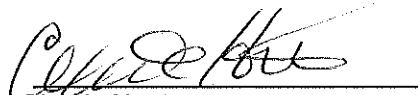

Claude Hunter
Secretary, Board of Directors

EXHIBIT OMISSIONS*

EXHIBIT "A"

EXHIBIT "B"

EXHIBIT "C"

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