

THE WOODLANDS TOWNSHIP

Board of Directors Meeting

REGULAR BOARD MEETING

September 26, 2012

MINUTES

THE STATE OF TEXAS §

COUNTIES OF HARRIS & MONTGOMERY §

The Board of Directors Meeting of The Woodlands Township met in regular session, open to the public, on September 26, 2012, posted to begin at 6:00 PM. The meeting was held in a meeting room at the office of The Woodlands Township, Board Chambers, 2801 Technology Forest Blvd, The Woodlands, Texas, within the boundaries of The Woodlands Township.

Chairman:
Bruce Tough

President:
Don Norrell

Vice Chairman:
Peggy Hausman

Staff/Advisors:

Alan Benson
Kim Cogburn
Karen Dempsey
Taunya Jacques
Miles McKinney
Mike Page
John Powers
Monique Sharp
Bret Strong
Susan Welbes
Renee Williford
Nick Wolda

Secretary:
Ed Robb

Treasurer:
Gordy Bunch

Directors:
Mike Bass
Nelda Luce Blair
Jeff Long

STANDARD ITEMS:

1. Pledge of Allegiance:

Board of Directors
Regular Board Meeting
September 26, 2012

Chairman Tough led the Pledge of Allegiance to the United States flag and Texas State flag.

2. Call meeting to order;

Chairman Tough called the meeting to order at 6:07 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.

The roll was then called of the duly elected members of the Board with all members present. As there was a quorum of members present, the Board proceeded to conduct business regarding the following matters.

3. Receive, consider and act upon adoption of the meeting agenda;

Motion by: Peggy Hausman moved to adopt the agenda as presented.

Second by: Mike Bass

Motion passed unanimously (7-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

4. Recognize public officials;

No Public Officials were recognized.

5. Public Comment;

The following individuals addressed the Board:

Eddie Valverde-42 West Matisse-commented about electric scooters on pathways;

Claude Hunter-2 Townsend Place-waited to comment after presentation of item #14 regarding highway improvement projects;

Anthony Fasone-54 S. Warbler Bend-commented about firefighters' pay;

Helena Johnson-1400 Research Forest Commercial Property-waited to comment after presentation of item #14 regarding highway improvement projects;

Christina Papandrea-1400 Research Forest Commercial Property-waited to comment after presentation of item #14 regarding highway improvement projects

6. Receive and consider the Law Enforcement Report;

Marian Leck, Director of Law Enforcement for The Woodlands Township, provided the following report:

- All MCSO positions have been filled;
- National Night Out Kick-Off-great event and good crowd;
- Burglary of Habitation during the day notification sent out; seven (7) arrests have been made related to burglary of motor vehicles and burglary of habitation'
- Tuesday, October 2 –National Night Out neighborhood parties; 143 parties representing 600 blocks in The Woodlands with all villages participating will be held on this evening;
- Watch Talk Wednesday on 9/26 featured CISD Sgt. Chris Sutton; about 50 attendees;
- Noted that community policing initiatives are going very well;
- Information on changes to the Community Liaison Program: Sgt. Cassidy was reassigned; liaison program is now made up of: District 6 Crime Prevention Unit made up of Sgt. Richard Lafont, Deputy David Borchardt and Deputy Brad Curtis; better able to spread the duties of going to Good Neighbor Days, making presentations at Village Association meetings, participating in Watch Talk Wednesdays, etc.

6.a. Community Policing;

See above report.

7. Receive and consider reports from Village Association Representatives;

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

Alden Bridge VA-President Steve Leakey gave a report at the September 16 Board Workshop meeting ;

Cochran's Crossing VA-President Stuart Schroeder reported that Cochran's Crossing VA participated in the National Night Out Kick-Off; did not have a quorum at last meeting, but received a presentation from Robert Heineman regarding mobility improvement projects; new Crime Prevention Task Force introduced by Deputy Brad Curtis; several National Night Out block parties planned for October 2; gearing up for Fall Festival on October 21, 2012 from 1-4 p.m. at Shadowbend Park; voted to change October meeting date to October 16, 2012;

Indian Springs VA-President Amy Lecocq reported that Alden Bridge VA and Indian Springs VA met together last month to hear a presentation from Barbara Cargill, Chair of the Texas State Board of Education; pleased to welcome back Deputy Brad Curtis; Chad Jolley gave a CERT presentation; participated at the National Night Out Kick-off event; Taste of the Village will take place on October 20, 2012; read a prepared joint statement on behalf of all the village associations regarding Township Governance Resolution No. 011-12 related to deferring an incorporation election indefinitely;

Sterling Ridge VA-Anthony Fasone reported that Deputy David Borchardt made a brief presentation on the Crime Prevention Unit and also Drug Prevention; BBQ was held September 15—thanked Interact Club members, Township Parks and Recreation Department, firefighters, sheriff's office and all the sponsors for everything they did to help with the cook-off; Haunting at May Valley Manor will take place on Saturday, October 27, 2012 form 6:30-10:00 p.m. \$5 entry donation;

Panther Creek VA-no report

College Park VA-no report

Creekside Park VA-no report

Grogan's Mill VA-no report

CONSENT AGENDA:

8. Receive, consider and act upon the Consent Agenda:

(This agenda consists of non-controversial or "housekeeping" items required by law. One motion with modifications, if applicable, approves for action, all items contained within the Consent Agenda. Items may be moved from the Consent Agenda to the Regular Agenda by any Board Member making such request prior to a motion and vote.)

Recap of Consent Agenda Items:

- (a) Approve minutes of the August 2, 2012 Special Board Meeting, August 16, 2012 Board Workshop, and August 22, 2012 Regular Board Meeting for the Board of Directors of The Woodlands Township;
- (b) Approve proclamation in support of "National Night Out;"
- (c) Approve proclamation in support of "International Walk to School Month;"
- (d) Approve proclamation in support of "World Alzheimer's Month and Alzheimer's Action Day;"

- (e) Authorize preparation and filing of a submission to the United States Department of Justice under the Voting Rights Act of 1965 for pre-clearance of voting procedure changes in connection with change in directors election date;
- (f) Accept conveyance of the Village of Creekside Park West Section 3 Restricted Open Space Reserves G, also known as Camellia Pond Park;
- (g) Approve an interlocal agreement with Montgomery County regarding maintenance of lighted street signs;
- (h) Approve the Second Amendment to the Facilities Use Agreement between Lone Star College System and The Woodlands Township;
- (i) Approve a tax abatement agreement between The Woodlands Township and Clariant Corporation;

Motion by: Jeff Long moved to approve the Consent Agenda.

Second by: Nelda Luce Blair

Motion passed unanimously (7-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

BRIEFINGS:

There were no briefing items.

9. REGULAR AGENDA:

10. Receive, consider and act upon the financial report;

Monique Sharp, Assistant General Manager of Finance and Administration for The Woodlands Township, presented The Woodlands Financial Report. The Board was referred to handout material

containing the General Purpose Statements as of and for the eight months ended August 31, 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.

Ms. Sharp also informed the Board that an Expanded Fund Balance Report was added to the Board’s Financial Packet. This report contains information on the Township’s General Fund, Debt Service, Capital Projects, Economic Development Zone and Convention and Visitors Bureau.

Board discussion followed.

Motion by: Gordy Bunch moved to accept the financial report as presented.

Second by: Ed Robb

Motion passed unanimously (7-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

The financial report is attached hereto as Exhibit “A.”

11. Receive, consider and act upon approval of property and liability insurance from October 1, 2012 To September 30, 2013;

Monique Sharp was called on to present this item. Ms. Sharp expressed to the Board her sincere apology and disappointment in not being able to provide background information on this item in advance of the meeting.

Ms. Sharp then reviewed historical information and informed the Board that the Township received twenty-six quotes from different carriers. The Board was also provided a summary of changes in insurance carriers and/or coverage that was used to compare the Township’s current insurance program.

Next, Ms. Sharp presented the following recommendations:

1. Change insurance carriers for General Liability and Automobile coverage from Chartis to OneBeacon;

2. Change insurance carriers for Public Officials Errors & Omission coverage from Chartis to OneBeacon;
3. Change insurance carriers for Commercial Umbrella Liability from Crum & Forster to OneBeacon.
4. Change insurance carriers for Property coverage from Philadelphia to a multi-carrier approach that includes four insurance companies.

Following Ms. Sharp's presentation, discussion from the Board centered around not having enough time to fully digest all the information before taking action on this item. Chairman Tough remarked that the Board could either make the decision to move forward by taking action today on this item or defer taking action. The Board's concern was that the Township's insurance coverage expires on September 30, 2012 so some action from the Board seemed necessary. Ms. Sharp commented that she had asked about binding coverage for October 1, 2012 and what penalties would be incurred. This information was reviewed with the Board.

Following further discussion, the Board took the following action:

Motion by: Mike Bass moved to authorize the President/General Manager to execute property and liability insurance contracts with Willis HRH and the specified carriers in the total amount of \$973,464.

Second by: Ed Robb

Note: The Board would like to review deductibles versus premium costs at its October meeting.

Motion passed unanimously (6-0) with one abstention.

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)			x
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

12. Receive, consider and act upon award of actuarial services for proposed Texas Local Firefighters Retirement Act (TLFFRA) pension plan;

Susan Welbes, Director of Human Resources for The Woodlands Township, was called on to present this item. Ms. Welbes reminded the Board that staff was asked to release a Request for Proposal in August. Bids were received September 7, 2012 from three firms and then the proposals were reviewed by a committee. After the review, staff recommended that Retirement Horizons, Inc. be selected to provide actuarial services for the proposed TLFFRA pension plan.

Board discussion followed.

Motion by: Nelda Luce Blair moved to approve staff's recommendation to select Retirement Horizons, Inc. to perform actuarial services for the proposed TLFRA pension plan and authorize the President/General Manager to execute the Payroll Service agreement in connection therewith.

Second by: Peggy Hausman

Motion passed unanimously (6-0) with one abstention.

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)			x
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

13. Receive, consider, and act upon additional sportsfields amenities:

John Powers provided a brief review of this item and then addressed several questions that were posed at The Board's workshop session. Mr. Powers provided information regarding a standard amenities package for Parks and the associated costs. The Board was also provided information about jogging trails, in particular costs for a 1.5 km, 12' wide crushed granite jogging trail at Bear Branch Park versus an 8' wide crushed granite jogging trail.

Board discussion followed Mr. Powers' presentation.

Note: Two separate motions were made on this item as follows:

Motion #1 by: Mike Bass moved to approve Option "A" amenities (water fountains, benches and bleachers) in the amount of \$141,236.44 with appropriate consultation with users of the park regarding location of amenities.

Second by: Nelda Luce Blair

Note: Director Bunch proposed an amendment to the motion to include having conversations with user groups regarding where to locate the various amenities in the parks. Director Bass and Director Blair accepted the proposed amendment.

Motion passed unanimously (7-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (ViceChairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

Motion #2 by: Mike Bass moved to direct staff to look at a 12' wide, 1.5 km jogging track at Bear Branch Park and bring back designs, costs and feasibility studies in order to put a bid out prior to Board consideration.

Second by: Nelda Luce Blair

Motion passed unanimously (7-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

14. Receive, consider and act upon adoption of a resolution in support of highway improvement projects sponsored by The Woodlands Road Utility District No. 1 (WRUD) as follows:

- (a) Northbound to westbound direct connector at IH-45 and Research Forest Drive;
- (b) Grade separated overpass at Research Forest Drive and Grogan's Mill Road; and
- (c) Northbound braided ramp at IH-45 and State Highway 242

Chairman Tough called on Don Norrell, President/General Manager of The Woodlands Township, to present this item. Mr. Norrell commented that staff was directed to look at amending resolutions for projects "a" and "b" to include discussion of some type of alternative transportation design which would include collaboration between The Woodlands Township and the cities of Shenandoah and Oak Ridge North in determining the best traffic solutions and mitigation of traffic issues. Mr. Norrell informed the Board that he believed the changes to the resolutions did address the Board's directives. There were no changes to the resolution tied to project "c."

Mr. Norrell then informed the Board that Mr. Robert Heineman with The Woodlands Development Company was present and available to answer questions from the Board. Mr. Norrell then recognized

Ashby Johnson, Deputy Director of Transportation and Air Quality with the Houston-Galveston Area Council (H-GAC) and David Wurdlow, Transportation Program Manager with H-GAC. Mr. Norrell thanked these gentlemen for their interest and attendance.

Next, Chairman Tough called on individuals in the audience who wished to offer Public Comment on this item. The following individuals addressed the Board: Claude Hunter, Helena Johnson and Christina Papandrea. Mr. Hunter spoke in support of the proposed highway improvement projects and Ms. Johnson and Ms. Papandrea spoke in opposition of the proposed highway improvement projects.

Board discussion followed. Mike Page, legal counsel for The Woodlands Township, provided clarification that the Board was adopting revisions to the resolutions connected to projects "a" and "b" rather than amendments to the resolutions.

Note: This item was broken into three separate motions as stated below:

Motion #1 by: Ed Robb moved to approve project "a" and adopt a revised resolution in connection therewith.

Second by: Mike Bass

Motion passed unanimously (7-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

Motion #2 by: Mike Bass moved to approve project "b" and adopt a revised resolution in connection therewith.

Second by: Ed Robb

Motion passed unanimously (7-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		

Long, Jeff (Directors)	x		
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Motion #3 by: Nelda Luce Blair moved to approve project "c" and adopt a resolution in connection therewith.

Second by: Mike Bass

Motion passed unanimously (7-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

The Resolutions regarding highway improvement projects "a," "b," and "c" are attached hereto collectively as Exhibit "B."

15. Receive, consider and act upon award of bid for reforestation;

John Powers was called on to present this item. Mr. Powers provided a review of two options related to the award of bids for reforestation and then answered questions regarding the decision to recommend purchasing 1,350 trees as opposed to purchasing 1,920 trees.

Mr. Powers commented that the above recommendation was based on the following considerations:

- To be within the funding allocated for the project;
- Recognition that the priority reforestation areas would require larger container plant material;
- Desire to use only two vendors versus multiple vendors;
- Knowing that it may not be necessary to plant as many trees because the overall reforestation efforts may take several years to complete

Board discussion followed Mr. Powers' presentation.

Motion by: Peggy Hausman moved to award the bids to Texas Tree Depot in the amount of \$121,500 for the purchase of 1,350 30 gallon mixed variety reforestation trees; Boone's Landscaping in the amount of \$72,183 for the installation of the 1,350 30 gallon reforestation trees; authorize the President/General Manager to execute the related service agreements for the supply and installation of the trees for reforestation; participate in

the Annual Arbor Day event in the amount of \$5,000 to promote the planting of seedlings in the Township open space reserves; and re-allocate the remaining \$181,317 from re-forestation to tree removal.

Second by: Gordy Bunch

Motion passed (5-2).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)		x	
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)		x	

16. Receive, consider and act upon an interlocal agreement between the City of Conroe and The Woodlands Township for the purpose of continuing, facilitating and enhancing public transit programs and services within the newly designated Conroe/Woodlands large urbanized area;

Don Norrell presented this item. Mr. Norrell informed the Board that following the Board’s approval to authorize the President/General and Chairman to sign an interlocal agreement with the City of Conroe, a small change was found in the original “Principles” of the agreement. Mr. Norrell commented that the original “Principles” stated that all 5307 transit funding from the Federal Government and State Government would be based on the Federal Formula. In reality, it was discovered that 5307 transit funding from Federal Government Funds are based on a Federal Formula and State Government Funds are based on a State Formula. Mr. Norrell recommended that the agreement reflect this change.

Board discussion followed.

Motion by: Nelda Luce Blair moved to approve the Interlocal Agreement between the City of Conroe and The Woodlands Township for the purpose of continuing, facilitating and enhancing public transit programs and services within the newly designated Conroe/Woodlands large urbanized area.

Second by: Jeff Long

Motion passed unanimously (7-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		

Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

CLOSED MEETING (if applicable):

17. **Recess 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, Texas Government Code; discuss personnel matters pursuant to §551.074, Texas Government Code; and to consult with The Woodlands Township's attorney pursuant to §551.071, Texas Government Code;**

Chairman Tough informed the Board that there was no need for Executive Session.

18. **Reconvene in Public Session;**

There was no need for the Board to reconvene in Public Session.

DISCUSS FUTURE AGENDA / ANNOUNCEMENTS:

19. **Consideration of items to be placed on the agenda for next month's meeting;**

Director Robb-inquired if governance discussions would be on the agenda for the Board Retreat scheduled for November 8, 2012.

Director Bass-requested that new Board member receive a briefing on the ice rink project.

20. **Board announcements;**

There were no announcements.

21. **Public comment, and;**

The following individual provided Public Comment:

Stuart Schroeder-commented that he has noticed that some newly planted trees have already died.

22. **Adjournment.**

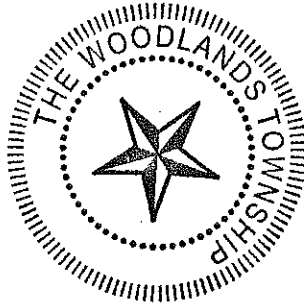
Motion by: Jeff Long moved to adjourn the meeting at 8:27 p.m.

Second by: Nelda Luce Blair

Motion passed unanimously (7-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		

Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		



Ed Robb

Ed Robb
Secretary, Board of Directors

EXHIBIT OMISSIONS*

EXHIBIT "A"

EXHIBIT "B"

***To view Exhibits, please contact the Records Department at 281-210-3974.**