

# WESTWOOD MAGNOLIA PARKWAY IMPROVEMENT DISTRICT

## Minutes of Meeting of Board of Directors

September 8, 2023

The Board of Directors (the “Board”) of Westwood Magnolia Parkway Improvement District (the “District” or “WMPID”) met in regular session, open to the public, at Zanti Cucina Italiana at 10000 Research Forest Drive, Magnolia, Texas 77354, a designated meeting place of the District, and the roll was called of the members of the Board as follows:

Brent Everson	Chairman	City of Conroe
James David Wallace	Vice Chairman	City of Conroe
Gary Squyres	Secretary	County Commissioner’s Court
Tom Grayson	Treasurer/Asst. Secretary	County Commissioner Pct. 2
Robert Barnwell	Director	County Commissioner Pct. 2
Pat Robertson	Director	Magnolia I.S.D.
Tim Weems	Director	Magnolia I.S.D.

and all of the above Directors were present, except Director Robertson, thus constituting a quorum.

Also present for the meeting were: Michael Keck of LJA Engineering (“LJA”); Rob Eissler and Kelly Hamann of Special District Management (“SDM”); Frank Mitchell and Daniel Scruggs of Mitchell, Zientek & Scruggs, LLP (“MZS”); Derek Michael of Sales Revenue Inc. (“SRI”); Lieutenant Schmitt and Captain Malmay of Montgomery County Sheriff’s Office (“MSCO”); Chris Horton of Montgomery County Emergency Services District No. 10 (“MCESD10”); Don Dean of Montgomery County Precinct No. 2 Commissioner’s Office (“MCP2”); and Glenn Buckley of Lake Creek Greenway Partnership (“LCGP”).

### PUBLIC COMMENTS

There were no public comments presented at this time.

### CONSENT AGENDA

Director Everson offered Board members the opportunity to remove items from the Consent Agenda for individual discussion. Director Grayson motioned, seconded by Director Wallace, to approve the Consent Agenda containing the following items: (1) approval of the August 11, 2023 regular Board meeting minutes and August 21, 2023 special Board meeting minutes, as presented; (2) Mounted Patrol report; and (3) financial/bookkeeping report, attached as Exhibit A, including payment of bills and review of investments and reimbursements. The motion passed unanimously.

### SHERIFF’S REPORT

Lieutenant Schmitt presented the Sheriff’s Report, attached as Exhibit B, and reviewed incidents within the District. Lieutenant Schmitt introduced Captain Malmay. The Board and Lieutenant Schmitt briefly discussed the Montgomery County District Attorney’s request for funding

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of an additional assistant district attorney position. Lieutenant Schmitt and Captain Malmay exited the meeting at this time. The Board took no action at this time.

#### **FIRE CHIEF REPORT**

Mr. Horton provided an update on firefighting activities in Montgomery County and more specifically the area near the District. Additionally, he provided an update regarding hiring of new personnel.

#### **SALES TAX REPORT**

Mr. Michael presented the Sales Tax Report, a copy of which is attached as **Exhibit C**. He reviewed the businesses of the District related to sales tax and made note of the revenue trends of the District. There was further discussion regarding the additional of new properties from the legislative additions and their corresponding revenue projections. Mr. Michael also provided an update regarding some businesses within the District who were not reporting properly.

#### **COMMISSIONER'S REPORT**

There was no report provided at this time.

#### **EXECUTIVE DIRECTOR'S REPORT**

Mr. Eissler and Ms. Hamann presented the Executive Director's Report on behalf of SDM, a copy of which is attached as **Exhibit D**. Mr. Eissler provided an update regarding the legislative addition of territory and the corresponding possibility of a confirmation election. Mr. Eissler and Ms. Hamann discussed the grant request from LCGP that was previously approved. The Board presented Mr. Buckley with the grant funding check for LCGP. Ms. Hamann then provided an update on the District website, including making note of the 2023 Project Update article. She also noted that the District's website consultant and SDM were working on a website redesign. Mr. Eissler, Mr. Mitchell, and the Board discussed a request from the District Attorney's office relating to funding assistance for an additional prosecutor. The Board took no action.

#### **DISCUSSION REGARDING NAMING OPTIONS FOR TAMINA ROAD**

The Board discussed the possibility of renaming Tamina Road as part of their proposed Tamina Road improvement project. After discussion, Director Wallace moved to authorize MZS to prepare a letter agreement with Montgomery County for the naming of a building at Fish Creek Park at Woodforest in late Chairman Carl Gerhardt's name. Director Grayson seconded said motion, which passed unanimously.

#### **ENGINEER'S REPORT**

Mr. Keck presented the Engineer's Report, a copy of which is attached as **Exhibit E**. Mr.

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Keck provided an update on the Tamina Road and Woodtrace Boulevard Extension projects. He presented Pay Estimate No. 10 related to Contract 3 for the Woodtrace Boulevard Extension project to Main Lane Industries, Ltd. for \$379,593.63. Director Squyres motioned, seconded by Director Wallace, to approve Pay Estimate No. 10 as presented. The motion passed 5-0 with Director Grayson abstaining.

The Board and Mr. Keck then discussed the South Egypt Lane improvement project. After discussion, Director Wallace moved to approve the interlocal agreement between the District and MCP2 regarding the South Egypt Lane improvement project as discussed. Director Weems seconded said motion, which passed unanimously.

Lastly, Mr. Keck and the Board discussed the Tamina Road improvement project at length. There was discussion regarding the costs and total project vision. There was discussion regarding the timing of the clearing contract, the Board deferred approval of the clearing contract until the next meeting. The Board concurred with Mr. Keck's suggestion to get bids for the Tamina Road improvement project.

### **REGIONAL DETENTION BASIN REPORT**

Ms. Hamann provided an update on the graffiti cleanup options at the regional detention basin. After brief discussion, the Board deferred taking action at this time.

### **ATTORNEY'S REPORT**

Mr. Mitchell provided an update regarding legislation related to ETJ removal procedures. Mr. Scruggs provided an update regarding the possible confirmation election and related correspondence with the Texas Attorney General's Public Finance Office. The Board took no action at this time.

### **DISCUSSION REGARDING PENDING BUSINESS AND MATTERS FOR FUTURE AGENDAS**

The Board discussed the future meeting schedule, noting that the next regular Board meeting will take place on October 13, 2023. Director Everson discussed an approach to have rotating director involvement in the agenda review meetings.

### **EXECUTIVE SESSION**

The Board entered executive session at 1:42pm for consultation with attorney.

### **RECONVENE IN OPEN SESSION AND AUTHORIZE ANY ACTION RESULTING FROM EXECUTIVE SESSION**

The Board reconvened at 2:14pm and took no action at that time.

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ADJOURNMENT


Director Everson adjourned the meeting at this time.

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Approved this 13th day of October, 2023.

WESTWOOD MAGNOLIA PARKWAY  
IMPROVEMENT DISTRICT

  
Secretary, Board of Directors

[SEAL]



LIST OF EXHIBITS

- Exhibit A - Bookkeeper's Report
- Exhibit B - Sheriff's Report
- Exhibit C - Sales Tax Report
- Exhibit D - Executive Director's Report
- Exhibit E - Engineer's Report