

# WESTWOOD MAGNOLIA PARKWAY IMPROVEMENT DISTRICT

## Minutes of Meeting of Board of Directors

January 10, 2025

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”); Sergeant Swank and Lieutenant Durbin of Montgomery County Sheriff’s Office (“MCSO”); Glenn Buckley of Lake Creek Greenway Partnership (“LCGP”); Eric Terrell of Alpha & Omega, Inc. (“A&O”); Bruce Berger of Montgomery County Precinct No. 2 Commissioner’s Office (“MCP2”); and Steve Garceau of Spring Nursery & Landscape, Inc. (“SNL”).

### **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 requested that the Bookkeeping Report, attached as **Exhibit A**, be removed for individual discussion. Director Wallace motioned, seconded by Director Grayson, to approve the Consent Agenda containing the following items: (1) approval of the December 13, 2024 Board meeting minutes, as presented and (2) review of grants. The motion passed unanimously.

### **SHERIFF’S REPORT**

Sergeant Swank presented the Sheriff’s Report, attached as **Exhibit B**, and reviewed incidents within the District. He provided an update regarding an increase in calls and accidents. He also introduced Lieutenant Durbin. Lastly, Sergeant Swank provided an update on a recent car

## WESTWOOD MAGNOLIA PARKWAY IMPROVEMENT DISTRICT

### Minutes of Meeting of Board of Directors

burglary, noting that the suspect was apprehended. The Board thanked Sergeant Swank and Lieutenant Durbin who exited the meeting after the Sheriff's Report.

#### **MOUNTED PATROL REPORT**

The Board reviewed the Mounted Patrol Report as presented by Mr. Terrell. He noted that the number of incidents within the reporting period had been lower than typical. The Board took no action at this time.

#### **BOOKKEEPING REPORT**

Director Grayson presented portions of the Bookkeeping Report regarding outgoing payments to various local government entities, specifically Montgomery County and the City of Conroe. There was then discussion regarding the District's role between the two entities. After discussion, Director Grayson requested that further discussion be taken into executive session for consultation with the District's counsel. Next, Director Grayson moved to approve the Bookkeeping Report as provided, including the checks and payments therein. Director Wallace seconded the motion, which passed unanimously.

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

Mr. Berger provided a brief update regarding the ongoing projects of the Montgomery County Precinct No. 2 Commissioner's Office ("MCP2"), including the status of Woodtrace Boulevard and the related funding. He noted he would likely have additional updates at the next regular Board meeting.

#### **REGIONAL DETENTION BASIN REPORT**

Mr. Garceau provided a report on the status of the irrigation system at the Regional Detention Basin, including a discussion regarding the historical usage of the irrigation system during the ongoing construction by The Crossing Church. Director Everson inquired as to the status of the communications with The Crossing Church. Mr. Keck provided an update noting that he had still not received a final plan from The Crossing Church or its engineer. He noted that he would continue to discuss the matter with The Crossing Church. The Board took no action at this time but requested to discuss a portion of the matter in executive session to consult with the District's counsel.

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

Mr. Eissler presented the Executive Director's Report on behalf of SDM, a copy of which is attached as **Exhibit C**. Mr. Eissler then provided an update regarding the status of FM1488 median construction with input from Mr. Berger. Mr. Eissler provided an update regarding the revenue totals for the District compared to the year prior. The Board took no action at this time.

## WESTWOOD MAGNOLIA PARKWAY IMPROVEMENT DISTRICT

### Minutes of Meeting of Board of Directors

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

Mr. Keck presented the Engineer's Report, a copy of which is attached as **Exhibit D**. He noted that most of the items on the Engineer's Report were already discussed earlier in the meeting. Mr. Keck provided an update on the status of the Tamina Road Enhancement Project. Next, he presented pay estimate no. 8 in the amount of \$519,660.00 to Aranda Brothers Construction Co., Inc. Director Grayson motioned to approve pay estimate no. 8 as presented. Director Barnwell seconded said motion, which passed unanimously.

#### **SALES TAX REPORT**

Mr. Michael presented the Sales Tax Report, a copy of which is attached as **Exhibit E**. He reviewed the businesses of the District related to sales tax and made note of the revenue trends of the District. Director Barnwell inquired as to several of the report pages and how they are generated. Mr. Michael provided details regarding the calculations for such report pages and how he uses those in his role. Mr. Michael then provided an update regarding the ongoing sales tax related issues with a local hardware store. The Board took no action at this time.

#### **ATTORNEY'S REPORT**

Mr. Scruggs noted that he had one additional item to discuss in executive session regarding a potential claim against the District, along with the other matters to which the Board wished to enter executive session. The Board took no action at this time.

#### **EXECUTIVE SESSION**

The Board entered executive session at 1:04 pm for consultation with their attorney.

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

The Board reentered open session at 1:43 pm. Director Wallace motioned to (1) deny the reimbursement request and claim regarding a damaged vehicle; (2) request that MZS send additional communications to The Crossing Church in an effort to obtain action on the Regional Detention Basin issues; and (3) authorize MZS to communicate with the District's consultants regarding possible amendments to the District's Strategic Partnership Agreement ("SPA") and corresponding payments made under the SPA. Director Squyres seconded the motion, which carried unanimously.

#### **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 February 14, 2025.

WESTWOOD MAGNOLIA PARKWAY IMPROVEMENT DISTRICT  
Minutes of Meeting of Board of Directors

**ADJOURNMENT**

Director Everson adjourned the meeting at this time.

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WESTWOOD MAGNOLIA PARKWAY IMPROVEMENT DISTRICT

Minutes of Meeting of Board of Directors

Approved this 14th day of February, 2025.

WESTWOOD MAGNOLIA  
PARKWAY IMPROVEMENT  
DISTRICT

[SEAL]



*Tom Grayson*  
Secretary, Board of Directors

LIST OF EXHIBITS

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