

# Old Town Spring Improvement District

P.O. Box 1952 \* 606 Spring Cypress Rd \* Spring, Texas 77373 \* (281) 288-8177 \* [otsid@sbcglobal.net](mailto:otsid@sbcglobal.net)

## Minutes of the Regular Monthly Meeting Of Old Town Spring Improvement District Board of Directors

### ESTABLISH QUORUM AND CALL MEETING TO ORDER

The Board of Directors of the Old Town Spring Improvement District (OTSID) held a regular meeting, open to the public, on the **10<sup>th</sup> day of October, 2016** at 5:00 pm at the OTSID office, 606 Spring Cypress Rd., Spring, TX 77373, inside the boundaries of the District and the roll was called of the duly appointed/elected members of the Board, to-wit:

Pam Golden	Position 1-President
VACANT	Position 2-Director
Clarence Williams	Position 3-Financial Officer
Ron Krueger	Position 4-Vice President
Mike Rogers	Position 5-Secretary

All of the above Board members were present. Quorum was established. Also in attendance were Landon Reed, Adam Tabak, Scott Seifert, Effie Stees, Noel Eckberg, Ursula Sledge, and Elisabeth Meehan.

#### 1. CALL MEETING TO ORDER.

The meeting was called to order at 5:04 pm.

#### 2. TO RECEIVE PUBLIC COMMENT.

Pam Golden asked if there were any comments from the floor. Noel Eckberg asked what advertising was being done. Ursula Sledge asked about the status of the request from the League for Home for the Holidays. Pam Golden stated the Board received an itemized request from the League and both topics will be addressed during the meeting.

#### 3. a. REVIEW AND TAKE ACTION ON THE FOLLOWING MATTERS RELATED TO CALLING A PUBLIC ELECTION TO BE HELD ON NOVEMBER 8, 2016.

Adam Tabak presented a contract to pay Harris County for the down payment for the County election. The contract was signed by Ron Krueger and Pam Golden as vice president and president. No action.

#### b. REVIEW AND TAKE ACTION TO CONTRACT WITH HARRIS COUNTY AND/OR HART INTERCIVIC FOR ELECTION SERVICES.

Adam Tabak stated the Board has an invoice for the down payment for the election with the County. No action.

c. REVIEW AND TAKE ACTION ON SUCH OTHER ORDERS, RESOLUTIONS AND RELATED MATTERS AS REQUIRED OR APPROPRIATE TO CALL FOR DISTRICT ANNEXATION ELECTION ON NOVEMBER 8, 2016.

Pam Golden stated the postings on the windows will remain up until November 9, 2016.

4. TO REVIEW, DISCUSS AND TAKE ACTION TO APPROVE MINUTES FROM THE MONTHLY BOARD MEETING ON SEPTEMBER 12, 2016.

A motion was made by Ron Krueger to accept the September 12, 2016 minutes. The motion was seconded by Mike Rogers. The motion carried.

5. TO REVIEW, DISCUSS AND TAKE ACTION TO APPROVE MINUTES FROM THE SPECIAL BOARD MEETING ON SEPTEMBER 27, 2016.

A motion was made by Ron Krueger to accept the September 27, 2016 minutes. The motion was seconded by Mike Rogers. The motion carried.

6. TO REVIEW, DISCUSS AND TAKE ACTION TO APPROVE THE DISTRICT BILLS.

Clarence Williams stated the income for September 2016 was \$25,725.86 and the expenses for September went over the income by \$16,976.28, due to the annual audit, annual insurance, high water bills and the seal coating of the parking lot. Clarence Williams noted the water bills went down to a normal rate in October. A motion was made by Clarence Williams to approve bills as paid for September and the first part of October. The motion was seconded by Mike Rogers. The motion carried. (SEE ATTACHMENT #1)

Pam Golden stated there was a new invoice from legal to present under District bills. Adam Tabak stated there are less than 52 residents in Old Town Spring and his firm saved the District \$9,000 in posting an ad by mailing letters to all the residents instead. A motion was made by Mike Rogers to accept the invoice for \$5,585 from Coveler and Katz for September billing for payment. The motion was seconded by Ron Krueger. The motion carried.

Pam Golden stated the Board has in front of them an email from Al Thomas, owner of the Old Town Spring magazine as discussed at the special September meeting, but noted the item is not on the tonight's agenda. Adam Tabak asked if the email was a proposal or an invoice. Pam Golden clarified that it was a proposal. Clarence Williams stated he believes the Board should have more time to discuss the item before voting. Adam Tabak gave recommendation that the item discussion should be an agenda item. Pam Golden stated a special meeting will need to be called to meet the publication printing deadline of October 24, 2016.

7. TO REVIEW, DISCUSS AND TAKE ACTION TO RECEIVE AND APPROVE BOOKKEEPER'S REPORT.

Clarence Williams reported for September the sales tax revenue was \$25,725, and he speculated this reflected lower summer sales numbers. Clarence Williams added TexPool as of October 1 had a balance of \$224,209 and Wells Fargo as of October 1 had a balance of \$44,812. A motion was made by Clarence Williams to accept the Bookkeeper's Report as presented. The motion was seconded by Ron Krueger. The motion carried. (SEE ATTACHMENT #2)

8. TO REVIEW, DISCUSS AND TAKE ACTION TO RECEIVE AND APPROVE INVESTMENT OFFICER'S REPORT.

Clarence Williams repeated as of October 1, the amount in TexPool and was \$224,209 and the interest in September was \$70. A motion was made by Clarence Williams to accept the Investment Officer's report as presented. The motion was seconded by Mike Rogers. The motion carried. (SEE ATTACHMENT #3)

9. TO REVIEW, DISCUSS AND TAKE ACTION TO RECEIVE AND APPROVE QUARTERLY VISITORS BUREAU REPORT.

Pam Golden presented the Visitors Bureau report for the previous quarter the Board received in their packets. Pam Golden noted that visitor counts were up from the previous quarter. A motion was made by Ron Krueger to accept the quarterly Visitors Bureau report as presented. The motion was seconded by Mike Rogers. The motion carried. (SEE ATTACHMENT #4)

10. TO REVIEW, DISCUSS AND TAKE ACTION REGARDING ENTERTAINMENT COSTS FOR THE HOME FOR THE HOLIDAYS FESTIVALS PUT ON BY THE SPRING PRESERVATION LEAGUE.

Pam Golden stated the Board received an email from the Spring Preservation League this morning asking for the District to pay for entertainment the League is unable to pay. Clarence Williams stated he looked at historic accounts where the District paid for the horse and carriage ride and the entertainment directly. Pam Golden asked what years. Clarence Williams stated it was around 2007-2010. Pam Golden stated that's when the District had \$100,000 budgeted for marketing alone. Clarence Williams stated the District isn't able to spend that much now. Pam Golden asked if any of the entertainers in the email have already been contracted and asked if any of this request would be paying back the League for entertainment already paid. Effie Stees stated there's only a verbal contract with David Wonders so far. Pam Golden asked where the money would be allocated in the District's budget. Clarence Williams stated the money would come from marketing and advertising. Clarence Williams stated regardless of line item, the Board can't worry about going over budget for a new thing it's decided to do.

Clarence Williams stated with the horse and carriage ride the total cost is \$4,500 and \$2,500 without it. Clarence Williams asked Pam Golden if as a shop owner she saw any benefit of paying for entertainment. Pam Golden stated she couldn't comment on it. Clarence Williams asked Effie Stees, from the audience, what the benefits would be to funding everything in the email request from the League. Effie Stees responded from the floor, in 2015 the event had less entertainment and there was disappointment from the public last year. Clarence Williams asked if it helps sales. Effie Stees responded it definitely helps sales. Clarence Williams stated sales are where the District gets its money for funding. Noel Eckberg stated from the floor the carriage rides are always popular and asked if they charged for rides. Clarence Williams stated when the District paid for it, rides were free, but the League charged for rides to cover costs. Ron Krueger asked if the League is able to pay for any of the Home for the Holidays costs. Effie Stees stated the League is not able to cover any of the costs. Pam Golden asked if the payment is being requested by the League, would Clarence Williams be abstaining from voting. Clarence Williams stated he would not because the proposal is not from the League and he's asking the District to take over the entertainment. Mike Rogers stated the horse and carriage can slide this year, but the entertainment is important. A motion was made by Mike Rogers that the District budget \$2,000 for Home for the Holidays to

cover payment for David Wonders and the three choirs. The motion was seconded by Ron Krueger. The motion carried. (SEE ATTACHMENT #5)

**11. TO REVIEW, DISCUSS AND TAKE ACTION REGARDING THE INSTALLATION OF HOLIDAY LIGHTS FOR THE HOME FOR THE HOLIDAYS FESTIVAL WITHIN THE DISTRICT.**

Pam Golden stated the Board received a bid for \$2,110 from Millennium Outdoor Services to cover eleven more trees in Old Town Spring. Pam Golden added this is under budget and there's room to cover lights. Clarence Williams asked where the eleven trees are located. Pam Golden stated there are four by the church, three at the OTSID office, four at the corner shopping center, and possibly four at the high school. Pam Golden reported contacts have been initiated with the shopping center property manager and the high school but not confirmed commitment received. Mike Rogers asked to clarify this doesn't include the lights. Pam Golden confirmed the lights will have to be bought, but there's still room in the amount budgeted. No action.

**12. TO REVIEW, DISCUSS AND TAKE ACTION REGARDING THE MAINTENANCE OF THE DISTRICT'S GOLF CART.**

Pam Golden stated it will cost about \$300 for preventative maintenance service with Conroe Golf Cars, including pick up/delivery. Clarence Williams stated we have a trailer for transporting vehicles, but two maintenance employees say they can't handle the trailer and the cost of the tractor transport cost \$150 last time. A motion was made by Ron Krueger to have the golf cart serviced by Conroe Golf Cars for \$300. The motion was seconded by Mike Rogers. The motion carried.

**13. TO REVIEW, DISCUSS AND TAKE ACTION REGARDING THE DISTRICT PURCHASING OF SECOND UTILITY VEHICLE FOR THE DISTRICT.**

Clarence Williams asked why the need for a new golf cart came up and stated Pam Golden wanted to replace the golf cart because it was unsightly. Pam Golden stated she did not bring the issue up, but it was discussed last month and Clarence Williams suggested buying a vehicle because it was a safety issue. Pam Golden asked if the discussion for buying a new vehicle can be tabled until the new budget. A motion was made by Mike Rogers to table the discussion until the November meeting after the golf cart comes back from being serviced. The motion was seconded by Clarence Williams. The motion carried.

**14. TO REVIEW, DISCUSS AND TAKE ACTION REGARDING A POSSIBLE STORAGE BUILDING OR UNIT TO STORE THE GOLF CART AND TRACTOR.**

A motion was made by Clarence Williams to table the item until November after the golf cart has been returned from Conroe Golf Cars. The motion was seconded by Mike Rogers. The motion carried.

**15. TO REVIEW, DISCUSS AND TAKE ACTION REGARDING PROPOSED PLANS FOR THE ENTRANCE TO PRESERVATION PARK.**

Pam Golden stated this item was tabled previously. Mike Rogers stated we don't know if we have permission and the Board has no control. Mike Rogers added if the Board has no control, he doesn't want to spend any money. Clarence Williams added the area has three different interest, the County Flood Department, the owner of the Park and the owner of the land. A motion was

made by Mike Rogers to table the discussion until January 2017. The motion was seconded by Clarence Williams. The motion carried.

**16. TO REVIEW, DISCUSS AND TAKE ACTION REGARDING THE STATUS OF THE PROJECT TO INSTALL CURB-CUTS AND ADA COMPLIANT STREET RAMPS IN OLD TOWN SPRING.**

Pam Golden asked Clarence Williams for the status of the project. Clarence Williams stated he's continued to poll property owners and not one has rejected the project. He added one landowner, Tim Wu, said to him if the District wants to repair the sidewalk in front of his property, he would consider repairing his whole property. Clarence Williams added more owners, such as Seth Sanders and the owner of Spring Village have responded positively. Clarence Williams stated Pam Golden wants 100% compliance and participation and everyone agrees. Clarence Williams added this is his only update.

Pam Golden asked if there's a specific number yet. Clarence Williams said there were 22 estimated ramps. Mike Rogers asked if anyone has applied for a permit yet. Clarence Williams stated no, he wanted to get participation numbers first. Clarence Williams stated permits might not be required. Pam Golden asked if he could explain why permits would not be required. Clarence Williams stated no, he did not want to deal with the phone calls. Pam Golden stated 22 ramps would put the project over budget. Clarence Williams stated he would work to keep it under budget. Pam Golden stated his comment about sidewalks was a new subject in the project. Clarence Williams stated that was based on a conversation he and Effie Stees had with Mr. Wu. Clarence Williams added he's not proposing to extend his project for sidewalks but that it is a big step forward in cooperation. Pam Golden clarified the curb project. Pam Golden asked if there's a projected start date. Clarence Williams stated there isn't at this time, but he will check with the contractor. No action.

**17. TO REVIEW, DISCUSS AND TAKE ACTION REGARDING AN AGREEMENT WITH THE OLD TOWN SPRING HISTORICAL SOCIETY FOR THE OPERATION AND MAINTENANCE OF THE RESTROOMS LOCATED ON THE MUSEUM PARKING LOT.**

Adam Tabak reported since the last meeting he had not heard feedback from any Board members. Pam Golden stated Friday before the meeting we received an email from the Spring Preservation League after she asked Janette Moore to clarify the League's history with the Museum Restroom. Pam Golden stated at the last meeting it was new information to most of the Board that the League owned the restroom. Pam Golden added the District maintains it, pays for its insurance, cleans it, and added she forward the email to Adam Tabak to help him work on the agreement. Clarence Williams added the history was in the email from the League, that the League operated and owned the restroom before the District existed.

Clarence Williams added historically the Museum has no rights to do anything with the restroom. Clarence Williams stated he has an exception to the first page of the restroom draft agreement, that the museum restroom is open for the convenience of the employees. He added that in 2001 there was an agreement between the League and Java Jazz to open the restroom late. Pam Golden stated the restroom agreement was withdrawn because Java Jazz customers were causing mischief. Clarence Williams stated the District can't just say it's only operating the restrooms when employees are here and that the League wants them open after five pm. Clarence

Williams stated two officers of the League volunteered to close them at night and contract a cleaner if necessary to paid for by fees from businesses who want the restroom open after hours. Pam Golden stated her concern is just having an agreement with the Museum saying the District pays for maintenance for the restroom and the museum and restroom's utilities. Pam Golden stated what the League proposed is not in this discussion.

Clarence Williams stated he asked the League to be included a few meetings ago and this is not new information. Adam Tabak repeated to the Board to send him what they want put in the agreement and needs information from all three parties. Adam Tabak suggested all three parties discuss the item together. Adam Tabak stated the Board send him the hours of operation it wanted in the agreement. Clarence Williams stated the League noticed a problem with all three restrooms being closed at five and more and more stores being open past five. Clarence Williams stated the big issue is opening the restrooms at night as it would be helpful for Old Town Spring. Adam Tabak asked if the League closed the restrooms, would they close at 9 pm. Adam Tabak asked for a time when the League and the District wanted to close the restrooms. Pam Golden stated the Museum has no obligation to cover the restroom and that the District maintains it.

Mike Rogers stated it was his understanding the League doesn't trust the District, historically. Pam Golden stated the District had operating agreements with the League and with the Museum in the past. Pam Golden stated the League ownership of the restrooms was never mentioned prior to the last month's meeting, and this is relatively new information. Pam Golden stated the District no longer has a working partnership with the League, but that the District now picks up whatever the League asks the District to pay for. Adam Tabak clarified the County leased the ground to the Museum and the District maintains the restroom. Clarence Williams stated the only thing the League wants to do is make sure the Museum restroom is kept open. Pam Golden added this is after the paid employees who maintain the restroom leave. Clarence Williams stated the League maintained the restroom after it opened in 1997 and the District was created to pay all expenses. Adam Tabak asked if there was anything in writing from 1996-1997. Clarence Williams stated the League and the District have always worked hand in hand until recently and the problem is at the other end of the table. Clarence Williams stated it needs to be a three party agreement between the League, the Museum and the District. No action.

**18. TO REVIEW, DISCUSS AND TAKE ACTION REGARDING AN AGREEMENT WITH LARUE WOOD FOR THE PLACEMENT OF THE PRESTON STREET RESTROOMS ON HER PROPERTY.**

Adam Tabak stated the Board has a copy of the basic ground lease with LaRue Wood and asked for the Board to send him any feedback. Clarence Williams added the restroom is partly on County property and the discussion needs to include what will happen if the owner sells the property. No action.

**19. TO REVIEW, DISCUSS AND TAKE ACTION REGARDING CHANGES OR UPDATES TO THE DISTRICT'S 2016-2017 OPERATING BUDGET.**

Pam Golden asked the Board to review the budget and the lines highlighted in the Budget Vs Actual report. Clarence Williams stated in past meetings we've had auditor and bookkeeper telling us to leave the budget as is to see where we end up at the end of the year and not just to move it around. Clarence Williams stated the idea for the 20% to go to the field that expenses would come

in and it would be deducted and built back up. Pam Golden stated only the lease costs currently come out of the 20% fund. Pam Golden asked if the seal coating should be kept in Preservation Park repairs line item or moved to infrastructure. Mike Rogers stated he agrees with Clarence Williams that the budget should remain as is. A motion was made by Clarence Williams to not adjust the budget at this time. The motion was seconded by Mike Rogers. The motion carried.

20. EXECUTIVE SESSION, PURSUANT TO CHAPTER 551 OF THE TEXAS GOVERNMENT CODE, TO DISCUSS LEGAL MATTERS DETERMINED BY DISTRICT COUNSEL WHICH PURSUANT TO THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS REQUIRES PRIVATE CONSULTATION WITH THE DISTRICT.

No executive session held.

21. TO DISCUSS ANY ITEMS TO BE PLACED ON THE AGENDA FOR THE NEXT MEETING TO TAKE PLACE ON NOVEMBER 14, 2016.

Pam Golden asked if there's a date to review the proposal for Al Thomas's magazine. Clarence Williams asked when the deadline was. Pam Golden stated October 24. Ron Krueger proposed meeting on Monday, October 17 before the deadline. Pam Golden stated the special meeting will cover Al Thomas' magazine book and the renewal billboard lease expiring October 31.

- Three party agreement between the League, the District and the Spring Historical Society.
- The golf cart/tractor storage unit
- A new golf or utility cart
- Agreement with LaRue Wood for the placement of the Preston street restrooms on her/County property.

22. ADJOURNMENT.

A motion was made by Clarence Williams to adjourn. The motion was seconded by Ron Krueger. The meeting adjourned at 6:41 pm.

(SEAL)

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Mike Rogers, Secretary

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Prepared by Elisabeth Meehan  
OTSID Office Administrator

ATTACHMENTS:

1. September/October Check Detail
2. October Bookkeeper's Report
3. October Investment Officer's Report
4. October Visitors Bureau Report
5. Email from Spring Preservation League regarding deficit for entertainment costs for Home for the Holidays 2016.