

Township Model of City Government

While Friends of Henly has long held it was our belief that incorporation as a city was the most effective and least intrusive method of controlling our own destiny and safeguarding our community's lifestyle and atmosphere, we have asked from the start for any suggestions for a viable alternative.

Although no suggestions of a viable alternative have surfaced, we felt it our responsibility to investigate any other possible solutions for Henly's future and present our findings to allow our residents to make an informed decision.

What we must not do:

First and foremost, the suggestion of "do nothing" can't be taken seriously, even by opponents of incorporation, as everyone who has given this any consideration has come to the realization that progress and development is already well on its way to Henly. Refusal to do anything is the surest way to allow others to decide how Henly is going to grow.

What it will take:

If we are going to try to preserve our lifestyle, countryside, air, water, land quality, keep agricultural land and wildlife management land as they are, a tremendous amount of thought, consideration to the needs and wants of the residents, and hard work is going to be required.

Our Promise:

In keeping with our promise to investigate alternatives to incorporation, the board has been studying alternatives. This paper is written about the Township form of government such as is practiced in The Woodlands, Texas

Background of Texas' only Township, The Woodlands

The board contacted Miles McKinney who is the Director of Intergovernmental Relations for The Woodlands Township near Houston.

He sent us a 60 page document that outlines how The Woodlands was formed and what powers and abilities it would have as a governing body. After digesting that, we followed up with a phone conversation and got his "50,000 foot view" of the process.

It started years ago when George Mitchell undertook to develop a new town within 28,000 acres of forest land. Unfortunately, this parcel of land lay in the ETJs of both Houston and Conroe. That complicated things tremendously as Woodlands residents wanted nothing to do with being part of either of those two cities. Also both Houston and Conroe wanted a "piece of the action" from the sales tax dollars that would be collected in the growing Woodlands area.

Then, in a very messy process, Houston annexed Kingwood and that lit a fire under the residents of what is now The Woodlands Township.

The Woodlands had the advantage of having some very well-known and powerful legislators living there and they helped push through this unusual proposal. Granting The Woodlands the ability to become a Special District of this type actually took development of, and agreement to, new Texas legislation.

After much money changed hands (\$16 million) and an agreement to pay Houston ¼ cent of sales tax for every dollar collected, Houston promised to leave the Woodlands alone for 50 years, yet allow the Woodlands to remain in its ETJ. A similar but much less expensive agreement was reached with Conroe.

The only option The Woodlands had for survival and self-control was to establish what they call a Town Center Improvement District (T.C.I.D.) in the heart of the Town Center area. This T.C.I.D. fell into a Special District category similar to a Municipal Utility Districts (M.U.D.) or Municipal Management District that we see all around Texas.

At the time all this started, they already had a resident population of about 60,000.

They quickly expanded the TCID to encompass the entire 28,000 acres that would be developed, thus allowing governance over the entire area.

Summing up – Points to consider:

1. There is only 1 Township in Texas, The Woodlands. It is a Special District named The Woodlands Township.
2. The Woodlands was initiated as a Master Planned community. Much of the planning for expansion and control was already well under way or in place when they began the legislative steps to establish their T.C.I.D. (Town Center Improvement District) and then enlarge the Special District.
3. At the time the T.C.I.D was created, the community already had three large Home Owners Associations. Two residential and one commercial.
4. These HOA's had an over-seeing operations arm which was already delivering governmental type services and had established assessments on properties for tax collection purposes.
5. The Township government consists of a Board of Directors with seven members. Directors serve in the capacity of President, Vice President, Secretary, and Treasurer plus other posts deemed necessary for the function of the Township.

As it is controlled by a Board of Directors, there is no Mayor, City Commissioners, Councilmen or Aldermen. The Directors serve the same function for the Township.

6. The Township provides the services one would expect from a Special District of this type including a professional fire department, land use policy, and covenant enforcement for lands located in the Township. The Township Fire Department works closely with the county emergency services district to provide emergency medical support.
7. The only thing the Township doesn't directly provide is Law Enforcement and Court services. For these they have signed an interlocal agreement with Montgomery County.

8. For the services they provide, they have levied taxes. The Township sales tax rate is 2% and they have just lowered their property tax (Ad Valorem) to 23 cents per hundred dollars of assessed value.

From what we gathered in the document that Mr. McKinney shared, the Township has control over almost all aspects of life in The Woodlands.

When their board deliberates on new developments, amendments, taxes, or other changes, the public is invited to comment and they certainly listen to the input from their residents, but the board has the final say on any changes.

Any HOA covenants are subject to the rulings of the Township regarding appearance, land use, upkeep, etc. within their neighborhoods. All covenants on the land were placed on each parcel as it was established by the developer.

Conclusions regarding a Township alternative:

It is the opinion of the board of Friends of Henly that a Township is definitely not the right direction for Henly to look as a method of managing our own destiny and controlling future growth in the area.

It requires too much money, too much time, and too much influence in the legislature and appears to be a much more controlling form of government than the Type B or Type C incorporation now being considered for Henly.

Good control has been maintained over development and expansion, ensuring that the Woodlands is a beautiful and desirable place to live with nearly every amenity a person could want. The residents are willing to accept the vision of the developer and the controls and taxes that accompany the fulfillment of that vision and work to maintain the community environment that is now The Woodlands.

We feel the independent nature of Henly residents would probably cause rejection of this form of city management as we aren't attempting to form a Master Planned community, have no developer's vision as The Woodlands did, and are just not willing to sacrifice our independence to enable control to that degree, no matter the advantages.