

FALL CREEK HOMEOWNERS ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING MINUTES
February 10, 2015

A meeting of the Board of Directors for Fall Creek Homeowners Association, Inc. was held on Tuesday, February 10, 2015 at 6:30pm at the Fall Creek Information Center located at 7930 Fall Creek Bend, Humble, TX 77396 pursuant to notice attached hereto as Exhibit "A".

Board Members Present

Matt Carpenter, President
Jennifer Grillo, Vice President
Jonathan Jones, Secretary
Stephen Kradjian, Treasurer
Charles Huete, Assistant Secretary/Treasurer

Guests in Attendance

See attached sign-in register

PCMI

Sarah Hudson

I. CALL TO ORDER:

A quorum was established and Matt Carpetner called the meeting to order at 6:31 p.m.

II. ADOPT AGENDA

The agenda was adopted unanimously with a motion from Stephen Kradjian and second by Jonathan Jones.

III. HOMEOWNER CONCERNS/REQUESTS

1. The board heard various questions and topics of concern
 - i. Request to gate community – Matt Carpenter will post letter from Precinct 4 addressing privatizing the streets and that it is not a conducive solution for the neighborhood.
 - ii. Landscaping concerns – Landscape Committee will be gathering information to present recommendations to the board
 - iii. Communication to the HOA and Board – already an agenda item that will be discussed by the board
 - iv. Transparency and availability of financial information
 - v. Security and Neighborhood Watch Committee representation – the chairman for Neighborhood Watch Committee spoke to the questions and urged everybody to attend the NWC meeting on Wednesday, February 11th at 7pm.

IV. SECRETARY REPORT - APPROVAL OF MINUTES:

1. JANUARY 13, 2014 BOARD OF DIRECTORS MEETING MINUTES

- i. The board reviewed a draft of the meeting minutes from the November 4, 2014 Board of Directors Meeting.
 - a) Motion – Charles Huete
 - b) Second – Jonathan Jones
 - (1) Unanimous approval

RESOLVED, the board approved the January 13, 2014 Board of Directors Meeting Minutes with revisions..

2. MINUTES OF THE 2014 ANNUAL MEETING OF MEMBERS – REVIEW ONLY

- i. The board tabled review of the 2014 Annual Meeting Minutes to the next scheduled board meeting.

V. TREASURER REPORT – FINANCIAL REPORT

1. The board received the financial report for January 2015.
2. Current assets were reported as \$3,521,203.30 with \$3,196,581.00 held in operating and investment accounts, \$324,622.30 held in the reserve fund.
3. Fall Creek HOA Total YTD Income was reported at \$1,683,268.95.
4. Fall Creek HOA Total YTD expenses were reported at \$169,281.09.
5. Fairway Crossing Income Total YTD was reported at \$63,000.00.
6. Fairway Crossing Total YTD expenses was reported at \$3,053.69.
7. Serrano Creek Income Total YTD was reported at \$34,414.40.

8. Serrano Creek Total YTD expenses were reported at \$812.64.
9. Current assets for Fall Creek Foundation were reported at \$213,959.26 with YTD income at \$613.67.

VI. MANAGEMENT REPORT

1. The board received the Management Report for January.
2. The FOPAWS Microchip clinic location will be moved to the breezeway at Pool I. The event is scheduled for February 28th from 9am-12pm.
3. Sunset Glass Tinting will perform a 3M Window/Glass Tinting demonstration at the Information Center on Wednesday, February 11th from 6-7pm before the NWC Meeting.
4. The "Family" statue will be installed at the front right of the information center

VII. COMMITTEE UPDATES

1. FOPAWS Microchip Event
 - i. FOPAWS is hosting a microchip event available to all residents with pets in Fall Creek. Residents must preregister at the Information Center in order to reserve a microchip for their pet. Cost is \$35 for first pet, \$30 for each additional pet. The event will be held on Saturday, February 28th at the breezeway near Pool I from 9am-12pm. FOPAWS is a volunteer organization serving Fall Creek HOA to help reconnect lost and found pets with their owners as well as support and relocate stray animals. They can be reached at fallcreekfopaws@gmail.com.
2. SOCIAL EVENTS COMMITTEE
 - i. The Bunny Run will be held on March 28th. The 3mile will start at 8:30am and the kids 1mile will start at 9:30am. There will be a silent auction and all proceeds will go to the FOPAWS organization.
 - ii. An event request was presented for a wine-tasting function. The board requested more information and a formal proposal to be reviewed at the next board meeting for consideration.
3. LANDSCAPE COMMITTEE
 - i. Irrigation items continue to be a big ticket item for review and repairs.
 - ii. Mulch will be installed in mid-March.

VIII. PRIOR BUSINESS

1. Greenbelt Usage – Rustling Oaks
 - i. Some board members reviewed the greenbelt in Rustling Oaks. A resident in attendance discussed the safety concerns of the bark park, parking issues at each of the three cul-de-sacs, and the condition of the wooden fences on the northern boundary of resident lots against the greenbelt.
 - ii. The board will review other locations for the bark park. The board requested peak times that the bark park is used with animals in order to observe the area. The board also requested a proposal to fence in a specific location to be used specifically for the bark park in this greenbelt.
2. Re-platting of access road to Sports Complex
 - i. The access road connecting Wilson Rd to the Sports Complex and East Fall Creek must be replatted for acceptance. The cost is an HOA expense not to exceed \$10,000. The road will be built on HOA right-of-way, thus the expense falls as an HOA expense. A motion was made and second to accept the proposal and continue with the re-plat. Motion carried unanimously.
3. Pool Maintenance / Pool Furniture
 - i. All items pertaining to pool maintenance / furniture were tabled to the next board meeting, with the exception of relocating the crepe myrtles at Pool II. Charles Huete will request an additional proposal to relocate the crepe myrtles away from the Pool II fence.
4. Fall Creek HOA Official Website
 - i. The board inquired if Johnson Development can put a link on their official website (www.fallcreekhouston.com) directing to www.fallcreeklife.com (HOA Website) and the HOA will include a link to their website. The board would also like to inquire to WCID96 and MUD49 if we could display their website information as well to help complete the circle of management groups.
5. Board Member / Association Communication Tools

- i. The board requested PCMI to establish two email addresses with @fallcreeklife.com for management and the HOA board. Once the emails are setup, a communications process will be established.
 - ii. Committee specific addresses with @fallcreeklife.com will be forthcoming.
6. Architectural Review Committee
- i. The board agreed to continue delegating the architectural review process to PCMI with the payment schedule as outlined in the management service agreement.
 - ii. A question was presented regarding allowing solar panels as it is currently against the Solar Panel Policy adopted in 2012. The board requested to review the application in executive session at the next scheduled board meeting. The board will review with legal counsel regarding adopting new solar panel guidelines.

IX. NEW BUSINESS

1. The board ratified the following expenditures that occurred after the previous board meeting:
 - Marathon Fitness – work order Fitness Center
Repairs to Precor Treadmill and Precor bicycle
Headphone jacks, seat handles, seat jacks
TOTAL = \$773.67
 - Harris County Sheriff's Department – Patrol Contract
March 1, 2015 – February 28, 2016
Annual Cost = \$201,450 (5% increase over 2014 Contract)
2. PCMI provided an initial draft of the 2012 / 2013 Audits. The final drafts will be produced shortly and PCMI will provide that information once received.
3. Proposals / Contract Renewals
 - i. Pool MSA – the board and the Pool Committee will schedule interviews with the final contenders for the pool maintenance agreement.
 - ii. Pool Maintenance Repairs – these items were tabled until a pool contractor has been selected and a full walk through will be performed to evaluate the repairs needed
 - iii. Pool Cantilever at Pool II – tabled. The board requested the Pool Committee provide recommendations on what improvements are needed at Pool II.
 - iv. Shooter & Lindsey Irrigation Repairs – tabled to next scheduled board meeting.
 - v. Roofing Repairs – the board requested comparable bids for full roof replacement to be reviewed at the next scheduled board meeting.
 - vi. Cypress Creek Pest Control (mosquito spraying) – the board unanimously approved the mosquito spray contract to spray weekly during April 1 through October 31 at a cost of \$219.08 plus tax per visit.
 - vii. 2014 Audit / Federal Tax Return – the board tabled review of accepting the 2014 Audit proposal submitted by CRI CPA until the 2012/2013 audit has been reviewed and finalized. The board unanimously accepted CRI CPA to perform the Federal Tax Return for \$600.
4. Pool Access – the board tabled review of pool access until the next scheduled board meeting.

A motion was made by Stephen Kradjian and second by Jonathan Jones to enter executive session at 10:23 pm. Upon adjourning from executive session at 11:10 p.m. the board reported the following items which were decided or resolved during executive session.

X. ONSITE STAFFING RESPONSIBILITIES

The board tabled review of the onsite staffing responsibilities until the next scheduled board meeting.

XI. LEGAL OPINION CONCERNING CREDIT/DEBIT SURCHARGES

The board received a legal opinion from Roberts Markel Weinberg Butler Hailey pertaining to the legality of charging a surcharge while collecting payments online via credit/debit card for the HOA annual assessments (referencing Texas Finance Code Title IV Sec. 339.001). They do not believe the Association is selling goods or services. The Association is providing services. The owner is using the credit card to pay assessments, not to purchase services. Furthermore, the surcharge is being charged by the bank, not the Association. As such, they do not believe this provision of the Finance Code is intended to apply to the payment of assessments. Furthermore, the owner also has the ability to pay by alternative methods (i.e. cash or check) and therefore is not obligated to pay by credit card and incur a surcharge.


XII. MAINTENANCE FEE COLLECTION STATUS UPDATE

The board approved two payment plans and authorized one account to be sent to the attorney for past due collections.

ADJOURNMENT:

The next scheduled Board Meeting is to be held on Tuesday, March 10, 2015 at 6:30pm at the Fall Creek Information Center located at 7930 Fall Creek Bend Humble, Texas 77396.

There being no further business to discuss, the meeting was adjourned at 11:10 p.m.


Jonathan Jones, Secretary