

FALL CREEK HOMEOWNERS ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING MINUTES
January 13, 2015

A meeting of the Board of Directors for Fall Creek Homeowners Association, Inc. was held on Tuesday, January 13, 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

Eddie Simpson, 9414 Bearden Creek Ln

PCMI

Sarah Hudson

I. CALL TO ORDER:

A quorum was established and Matt Carpetner called the meeting to order at 6:37 p.m.

II. ADOPT AGENDA

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

III. SECRETARY REPORT - APPROVAL OF MINUTES:

1. NOVEMBER 4, 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 – Stephen Kradjian
- b) Second – Charles Huete
- (1) Unanimous approval

***RESOLVED*, the board approved the November 4, 2014 Board of Directors Meeting Minutes as presented.**

2. DECEMBER 18, 2014 ORGANIZATIONAL MEETING MINUTES OF THE BOARD OF DIRECTORS

- i. The board reviewed a draft of the meeting minutes from the organizational meeting held on December 18, 2014.

- a) Motion – Stephen Kradjian
- b) Second – Charles Huete
- (1) Unanimous approval

***RESOLVED*, the board approved the minutes from the organizational meeting held on December 18, 2014 as presented.**

3. 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.

IV. TREASURER REPORT – FINANCIAL REPORT

- 1. The board received the financial report for December 2014.
- 2. Current assets were reported as \$2,761,445.67 with \$2,435,800.47 held in operating and investment accounts, \$324,585.85 held in the reserve fund.
- 3. Fall Creek HOA Total YTD Income was reported at \$2,877,327.40.
- 4. Fall Creek HOA Total YTD expenses were reported at \$2,410,356.67.
- 5. Fairway Crossing Income Total YTD was reported at \$93,800.00.
- 6. Fairway Crossing Total YTD expenses was reported at \$24,392.39.
- 7. Serrano Creek Income Total YTD was reported at \$47,860.48.
- 8. Serrano Creek Total YTD expenses were reported at \$22,622.97.
- 9. Current assets for Fall Creek Foundation were reported at \$214,543.34 with YTD income at \$143,558.37.

V. MANAGEMENT REPORT

1. The board received the Management Report for December.
2. The next scheduled event is Breakfast with Santa which will be held on Saturday, December 13th from 9am to 11am at the Fall Creek Sports Complex. There will be pictures with Santa and Mrs. Claus, a horse drawn carriage, cookie decorating, ornament crafts table, and a "letters to Santa" table. Pancakes, eggs, fruit, and drinks will be provided. Entrants may donate a toy to Toys for Tots or pay \$5 per person.

VI. HOMEOWNER CONCERNS / REQUESTS

1. Homeowners Association Information
 - i. A homeowner present requested how they could get information pertaining to the Association, and what information is available for viewing. The board and management informed the owner that the board approved documents, as well as documents required by law, are available on www.fallcreeklife.com. The board will be considering additional documents or information that can be posted to the website in order to provide more association information to the members.
2. Credit/Debit Card Surcharge for Online HOA Payments
 - i. A concern was presented pertaining to the surcharge/convenience fee that is charged to owners paying their Annual Assessment online via credit or debit card. The concerned owner indicated this may be in violation of the Texas Finance Code Title IV Section 339.001. The board requested PCMI obtain a legal opinion regarding this concern and report back at the next scheduled board meeting.
3. Newspaper Solicitations
 - i. A concern was presented regarding the newspaper solicitations that are thrown in the driveway and entry stoops of properties. If owners are not home, the newspapers pile up and it becomes obvious that someone is out of town. Since the newspapers are on the homeowner property, the homeowner needs to contact the companies and decline the service. Also, homeowners can inform their neighbors they will be out of town and ask that they pick up the excess newspapers in their absence.

VII. COMMITTEE UPDATES

1. FOPAWS Event Request
 - i. The FOPAWS group requested to host a low cost microchip clinic for Fall Creek residents and their pets. The board agreed to the event and approved for the event to be held at the new outdoor pavilion near the park and tennis courts. The board emphasized to FOPAWS that all owners must be responsible for their pets, all pets must be leashed, and all owners must clean up after their pets.

VIII. PRIOR BUSINESS

1. Official Notification of Election Results
 - i. The board reviewed the final draft of the official notification of the election results and made a few minor changes to the wording. The board accepted the draft with the approved revisions and requested the final letter be posted to www.fallcreeklife.com and included in the Winter newsletter publication.
2. Greenbelt Usage – Rustling Oaks
 - i. The board agreed to table this discussion to the next scheduled board meeting. The board will review the greenbelt in person and document their observations.
3. Community Garage Sale – Dates / Times / Location
 - i. The board agreed that moving to a central location is not in the best interest of the community to hold the community garage sale. Jennifer Grillo will schedule a meeting with the Garage Sale Committee to discuss dates, evaluating reduction of the community garages sales from two down to one, communicating with Republic Waste to handle trash collection after the sale has ended, and for the committee to provide assistance with directing traffic.

IX. NEW BUSINESS

1. The board ratified the following expenditures that occurred after the previous board meeting:
 - McKenna Contracting – change order to Pool House Revamp
 - Item #1 New Partitions for Men's & Women's Restrooms

- Item #2 – Paint 3 doors
- Item #3 – Change out 13 recess can lights
- Item #4 – Chemical room / closet

All items were approved except Item #1

TOTAL = \$4,685.00

- McKenna Contracting – change order ceiling fan

- Pool House #1 three ceiling fan

TOTAL = \$1,095

2. The board had a question on an approved expense for Brown & Gay to revise the plat for changing Redstone View Dr (road connecting East Fall Creek) from a public road to a private road. The board wanted to know why the road had to be changed and why it was an HOA expense. PCMI will review the information with the developer and provide a response at the next scheduled board meeting.
3. The board tabled review of the pool furniture until an analysis and observation was prepared of what items need to be replaced and what type of furniture they want to replace (new furniture or replace with existing style).
4. The board approved the night inspection report and estimated repairs submitted by Empire Electric at a cost not to exceed \$5,288.00.
5. The board approved the rental of a 5'x7.5' climate controlled storage unit at Cube Smart which will be used to store the Association Records at a cost of \$72/month. PCMI will obtain information from their document storage company if they can relocate directly to Cube Smart and the cost.
6. The board agreed to table review of the Fall Creek HOA Official website www.fallcreeklife.com to the next scheduled board meeting.
7. The board agreed to table review of board and association communication tools to the next scheduled board meeting.
8. The board agreed to table review of the Architectural Control Committee, establishing the Committee and reviewing the requirements, to the next scheduled board meeting.
9. The board agreed to table review of the Pool Maintenance items presented by Jonathan Jones and the Pool Committee until the next scheduled board meeting. The board requested PCMI research the most appropriate time to relocate crepe myrtles if they are to consider relocating them from the current location at Pool #2.

A motion was made by Stephen Kradjian and second by Charles Huete to enter executive session at 10:02 pm. Upon adjourning from executive session at 10:10 p.m. the board reported the following items which were decided or resolved during executive session.

LEGAL OPINION CONCERNING PROPOSED BY-LAW AMENDMENT / RESOLUTION

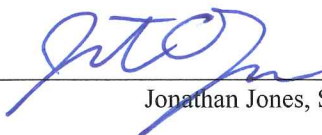
The board received a legal opinion from Roberts Markel Weinberg Butler Hailey pertaining to the question of amending or adopting a resolution to allow a successor to fill a vacancy on the Board until the next annual meeting/election. Pursuant to Texas Property Code Section 209.00593(a), "[a] board member appointed to fill a vacant position shall serve for the remainder of the unexpired term of the position." [Emphasis added]. The use of the word "shall" is interpreted to mean that the Board cannot via a Bylaw amendment or resolution vote to approve a different appointment term for a successor. The successor must ("shall") serve until the end of the unexpired term.

The board agreed to table all items other items in Executive Session to the next scheduled board meeting.

ADJOURNMENT:

The next scheduled Board Meeting is to be held on Tuesday, February 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 10:10 p.m.



 Jonathan Jones, Secretary