

FALL CREEK HOMEOWNERS ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING MINUTES
August 9, 2016

A meeting of the Board of Directors for Fall Creek Homeowners Association, Inc. was held on Tuesday, August 9, 2016 at 5:30 p.m. at the Fall Creek Information Center located at 7930 Fall Creek Bend, Humble, TX 77396 pursuant to documents.

Board Members Present

Matt Carpenter, President
Jonathan Jones, Secretary
Stephen Kradjian, Treasurer
Hunter Montgomery, Assistant Treasurer

Management Present

Spectrum - Tammy McMillan, Community Manager
Spectrum – Dave Wilkinson
Spectrum – Jennifer Roberson

EXECUTIVE SESSION

CALL TO ORDER:

A quorum was established and President Matt Carpenter called the Executive Session to order at 5:43 p.m.

Committee Guidelines: The Board was advised the Attorney review is complete. The Board directed CM to distribute the Committee Guidelines to all Committees. Spectrum will work with Committees to help develop goals, missions and solutions. In addition, the Board wants to engage community feedback and encourage volunteers.

Flying Fish Use Agreement: RMWBH reviewed the Flying Fish Facilities Use Agreement as edited by the Pool Committee Chair. The Attorney suggested using the Use Agreement prepared by RMWBH instead. The Board does not see the necessity of an Attorney re-write and plans to move forward with the agreement as edited by the Pool Committee Chair.

Aquatic Advisors: A homeowner reported the late arrival of AA to a scheduled pool party. CM issued apology and AA will refund the Homeowner for the lost time. The Board would like to have an end of season review of Aquatic Advisors and require an afterhours on call contact for AA.

Maintenance Fee Collection / Delinquent Accounts: Dave Wilkinson presented and reviewed newly formatted financials to the Board. Homeowner accounts owing 2016 assessments have been forwarded to the attorney.

Mr. Kradjian wants Spectrum to follow up on the Reserve Contribution and be sure they are in line with the Reserve Study for 2016 and in preparation for the 2017 budget year. Board wants Spectrum to confirm WCID reimbursements for patrols are being received in accordance with budget and capital expenditures are properly coded. After discussion, Spectrum encouraged the Board to revisit the Spectrum Collections Policy for 2017. This would include a series of notices prior to accounts being forwarded to the attorney for collections. After a brief review of the Aging Report, the Board questioned several balance on the report. CM will audit and respond in the next Board meeting. All balances \$50.00 and under will be waived by CM based on previous Board decision. The Board would like Spectrum to recommend a Financial Advisor.

Deed Restriction Violation Report/Homeowner Issues: Spectrum sent a violation letter to an Owner to remove the stamped color concrete from the driveway or submit an ACC application for approval. PCMI had already denied the request. The Owner submitted an ACC request to Spectrum to finish the existing driveway with stamped and colored concrete which was denied. The Owner has not removed the color concrete and Spectrum recommended escalating to the Attorney. The Board wants CM to research and report why the ACC application was denied before a decision is reached.

Mr. Gordy, a homeowner in Tangle Creek requested a meeting before the Board in Executive Session. Mr. Gordy expressed his issue with a retaining wall built next door to his home. Mr. Gordy contends there is a lack of information and he is not being provided details of the project and what measures are being taken toward removal of the retaining wall. The Board informed Mr. Gordy that Tangle Creek is still under developer control. Johnson Development reviewed and provided conditional approval for the recently resubmitted plans. Mr. Gordy was informed by the CM and the Board that the matter has been referred to the Attorney and cannot be further discussed. Owner requested it be documented in the minutes that the Board was pursuing enforcement of the retaining wall to which the Board agreed.

There being no other business, a motion was made, seconded and approved to adjourn at 6:45 p.m.

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Management Present

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Spectrum – Dave Wilkinson

Spectrum – Jennifer Roberson

OPEN SESSION

CALL TO ORDER:

A quorum was established and President Matt Carpenter called the meeting to order at 6:50 p.m.

HOMEOWNER CONCERNS / REQUESTS:

Mr. Gordy requested a meeting with the Board in Executive Session to discuss violations at a building site in the custom home section of Tangle Creek. President Carpenter explained to Mr. Gordy that Johnson Development continues to remain in architectural control of the custom home section of Tangle Creek. The Board has been apprised of the situation and has taken every action to enforce the guidelines.

Speeding: Owners continue to express concerns with speeding on Fall Creek Bend Drive. Deputy Mehring said he and the other Deputies run radar regularly and the average speed is 32 mph. A digital speed limit reminder sign is being researched and information will be provided to the Board.

COMMITTEE REPORTS:

Tennis Committee – Minor maintenance items were reported by the Tennis Committee and resolved by CM.

P133 – Committee Chair Tom Jackson reported that progress has been made but there is much more to accomplish. The permit for Phase 2 is still in process with COE. We are still waiting for the USACOE to finalize and issue the permit.

Tom has plans to contact the Pipeline Companies/Operators with issues that pose a concern near the pipelines.

Parks and Trails: Sara Varvarigos presented the Parks and Trails Committee report. A contract for Master Plan Services has now been ratified between WCID 96 and Grant Development Services. The Landscape Committee Chair was invited to participate in an analysis which addressed the strengths, weaknesses, opportunities and threats to the community.

Matt Carpenter suggested amending the Parks and Trails Committee pointing specifically to the recent SWOT (Strengths, Weaknesses, Opportunities, Threats) Analysis. The Committee reported the City of Houston will be constructing a large aqueduct pipeline running parallel to BW-8; This project, which is set to break ground in 2017, will impact Fall Creek entrances (cutting down trees, damaging monuments) over the next year. Mr. Carpenter has knowledge that Harris County has to follow the City of Houston tree removal guidelines. This involves replacing any trees they remove at their cost. Johnson Development and Shooter and Lindsey are engaged in the process. The majority of the trees cannot be replanted but the Board would like CM to request a proposal from Shooter and Lindsey to replant the Crepe Myrtles.

The Committee will continue to contact stakeholders and work to obtain grants. Sara has contacted Fall Creek Elementary, Houston Parks Board and plans to contact MUD 400 and neighboring communities. Brett Sileo reported that a set of design standards will be shared with the Parks and Trails Committee saving considerable expense. Sara will work with CM for 2017 budget projections.

Website Committee – Access Conversion updates ongoing.

Gate Committee – No report. Bids for bollards to protect the keypad are pending. Serrano Creek keypad is also unprotected and need bollards. CM request for proposals for bollards will include Serrano Creek.

Social Events Committee – No report.

Crime Watch Committee –July statistics were reviewed and discussed. Incidents decreased in Heatherglen with the patrols focusing additional attention in this village. Several Owners have expressed concern over speeding along Fall Creek Bend Drive.

National Night Out – The Crime Watch Committee suggested providing Officers with an appreciation gift.

A motion was made to provide the NNO Officers with a thank you gift not to exceed \$1000.00.

Motion – Stephen Kradjian

Second – Hunter Montgomery

All in favor, motion passed.

RESOLVED, to provide a thank you gift for the NNO Officers not to exceed \$1000.00.

Landscape Committee – Photos of the Yard of the Season winners are now being posted on the website. Completion of the 2016 projects are underway and the Committee is planning their projects for the 2017 budget year.

Pool Committee- Several projects approved for the 2016 budget year are left to complete; diving platforms and a shade structure at Pool 2. CM is working to obtain proposals. Pool Committee Chair continues to work on the 2017 budget and capital projects with CM. Mr. Kradjian wants CM to perform a thorough review of the expenses to be sure they have been properly coded.

Mr. Kradjian would also like CM to obtain proposals for shade canopies for the play structures at each of the parks in conjunction with the shade structure proposal for Pool 2.

SECRETARY REPORT: The July 19, 2016 Meeting Minutes were provided in advance for review.

Stephen Kradjian motioned to approve June 14, 2016 Meeting Minutes as written.

Motion- Stephen Kradjian

Second- Hunter Montgomery

Unanimous approval.

TREASURER'S REPORT: Dave Wilkinson provided a review of the financials. Endowment fees have been collected and transferred from the HOA to the Foundation. The initial POA transfers to the HOA for the Joint Use Agreement were made and the final installment planned for September. The Board would like an additional courtesy notice sent to Owners owing the full 2016 assessment. If accounts are with the Association's Attorney (RMWBH) it is not recommended but CM will follow up.

Dave Wilkinson recommended the Board approve the Spectrum Collection Policy to work in conjunction with the Fall Creek Collection Policy. The Board would like to review the policy again for consideration.

Mr. Kradjian has an expectation that Spectrum will provide to the Board year end totals for 2015, the year end projections for 2016 and 2017 budget recommendations from Spectrum.

Mr. Montgomery wanted to know if the Annual Meeting plans are on schedule and wants better communication of the process to Homeowners this year. Mr. Montgomery suggests adding FAQ's to the website. CM directed Anita Nunez to contact Fall Creek Elementary to confirm a date in December.

PRIOR BUSINESS:

Section 21-Easement: The cover letter draft that will accompany the Section 21 Special Warranty Deed is awaiting Ms. Grillo's review and will then be mailed to Homeowners in that section.

Welcoming Committee – Tabled.

Swim Team Use Agreement – RMWBH reviewed the Swim Team Use Agreement and suggested a complete rewrite.

After discussion, a motion was made to issue the agreement as currently written and decline further revisions.

Motion – Matt Carpenter

Seconded – Stephen Kradjian

Unanimous approval.

Centerpoint Energy Proposal – Amberwood HOA requested additional lighting at Aldine Bender. CM obtained and provided the proposal from Centerpoint for Board consideration for possible allocation from the Fall Creek Foundation funds. Mr. Carpenter would like CM to obtain additional bids for Fall Creek View to the powerline easement, Fall Creek Preserve, Redstone View to the Mesa roundabout and the asphalt part of the park road.

Mr. Carpenter reported MUD 49 was approached to fund a portion of the paved road to the Sports Complex. MUD 49 would agree to fund 50% and would like Fall Creek Homeowners Association to consider funding the remaining 50%. There are parking concerns that need to be addressed before the Association commits to funding.

NEW BUSINESS:

Ratify decisions between meetings: No decisions.

Governing Documents Enforcement and Fine Policy – RMWBH drafted the Policy for Board review.

A motion was made to adopt the Governing Documents Enforcement and Fine Policy prepared by RMWBH.

Motion – Matt Carpenter

Seconded – Stephen Kradjian

Unanimous approval.

RESOLVED, the Board adopted the Governing Documents Enforcement and Fine Policy.

Request for Amendatory Easement by Centerpoint Energy - The Board would like to negotiate with Centerpoint. CM directed to have RMWBH Real Estate attorney present at meeting with representatives requesting the Amendatory Easement at a future meeting.

Affordable Housing Update - No Utility Agreement is in place. The project was approved and will move forward. The Board is taking under consideration a suggestion to hold a Town Hall Meeting to inform the community.

NEXT PROPOSED MEETING DATE – September 13, 2016

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 8:24 P.M.

Jonathan Jones, Secretary