

**FALL CREEK HOMEOWNERS' ASSOCIATION, INC. & COMMUNITY SERVICES FOUNDATION, INC.**  
**BOARD OF DIRECTORS**  
**OPEN SESSION MEETING MINUTES**  
**September 12, 2023**

A meeting of the Board of Directors for Fall Creek Homeowners Association, Inc. was held on Tuesday, September 12, 2023 at 6:30 p.m. at The Clubhouse at Fall Creek located at 7930 Fall Creek Bend, Humble, TX 77396 pursuant to documents.

**Board Members Present**

Jennifer Grillo – President  
Mark Hoesel – Vice President  
Steven Fipke - Treasurer  
Bill Henderson – Asst. Secretary / Asst. Treasurer

**Management Present**

Jennifer Dubois – Sr. Community Manager

**OPEN SESSION**

**CALL TO ORDER**

A quorum was established, and Jennifer Grillo called the Open Session of the meeting to order at 6:34 p.m.

**HOMEOWNER CONCERNS/REQUESTS**

Seven (7) homeowners were present over the course of the meeting. A homeowner shared concerns regarding another resident's request to purchase land from the Association to build a new home and inquired on its status. The Board has not taken action on the request. Other homeowners attended to voice concerns regarding the ARC approval of a neighbor's property improvement.

**COMMITTEE REPORTS**

**WELCOME**

Mark Hoesel presented a report and provided statistics on the number of resales for August. There were 13 resales last month.

**SOCIAL EVENTS**

Jennifer Grillo reported that there was an incident between two dogs at the Bow Wow Luau this past weekend. The participant waiver for the event will be updated to prohibit any dogs that have bitten human or animal. The Holiday Market will be held in December and the committee is considering expanding the event size to allow for more vendors.

**CRIME WATCH**

Mark Hoesel presented the crime statistics for August 2023.

**LANDSCAPE**

Jennifer Dubois presented photos of the progress made on the Butterfly Garden. Planting is expected to begin September 26, 2023.

**PRIOR BUSINESS**

After reviewing the attorney's opinion on the HWAC contracts, the Board unanimously approved both contracts

with Earthcare Management as prepared by TBG, "Fall Creek HOA 0140 HWAC Landscape Renovation" for \$888,098.88 and "Fall Creek HOA 0155 HWAC Landscape Renovation" for \$481,345.26. The project uses funds received by the City of Houston.

The Board discussed the proposed 2023-2024 Agreement for Funding Law Enforcement Services between WCID-96 and the Association, which states the WCID-96 agrees to fund fifty percent of the patrol contract with the Harris County Sheriff's Office. The Board unanimously approved the agreement. The Board authorized management to create a separate bank account for this reimbursement.

The ARC Guidelines were tabled until the next meeting. No action taken.

### **NEW BUSINESS**

The Board reviewed an updated violation fining policy drafted by the Association's attorney in response to new legislature requiring additional language to be included in the policy. The Board unanimously approved the Violation Enforcement Resolution and the Uncurable Violation Enforcement Resolution.

The Board Code of Conduct was tabled until the next meeting. No action taken.

The Board reviewed options for a new entrance monument on the east side of Fall Creek Preserve as previously prepared by landscape architect, TBG, in 2020. The Board preferred Option A, with a cast stone wall and sandblasted logo. Management will work with TBG to obtain updated pricing and confirm the installation location.

The Board received a preliminary estimate to clean and reset the landscape stones at the entrances with new mortar for approximately \$25,800. No action was taken.

In Fairway Crossing, two homeowners have requested the Association convey the land behind their property, for which they currently have an easement to. The Board reviewed these two proposed deeds as drafted by the attorney. Bill Henderson moved to approve the deeds (portions of Reserve A in Section 21, along the rear of lots 7 and 37), subject to the homeowners first signing a waiver that acknowledges that the property is within the flood plain. Steven Fipke seconded. The motion passed with three in favor and Jennifer Grillo opposed.

The Board discussed a request from Fall Creek Elementary to sponsor the Cardinal County Fair. The Board unanimously approved a \$3,000 contribution to each Fall Creek Elementary and Autumn Creek Elementary, to match the previous year's contribution.

### **SECRETARY'S REPORT – APPROVAL OF MINUTES**

This item was tabled. No action taken.

### **TREASURER'S REPORT – FINANCIAL REPORT**

The Board was provided with the latest financial report, ending July 31, 2023. The overall collection rate is currently 98%.

The Board considered the proposed budget for 2024. The Board discussed the need for an assessment increase due to rising inflation and the expanded coverage of the patrol contract, despite the cut backs made to discretionary spending. The base assessment rate for the Association has not increased in four years. The Board unanimously approved the 2024 Fall Creek budget, with a \$100 increase in the annual assessment to a new rate of \$1,190 per lot for a total of \$3,627,758.30 in both revenue and expenses. The Board discussed, but did not

take formal action on the budget and assessment rates for Serrano Creek and Fairway Crossing at this time. This will be done at a later meeting.

**EXECUTIVE SESSION**

The Board reconvened into executive session at 8:51 p.m. to consider matters related to the collection of past due assessments and deed restriction enforcement for individual owners.

The Board closed executive session at 9:15 p.m.

Actions taken during executive session were announced and summarized in the executive session minutes. No homeowners were present at this time.

**ADJOURNMENT**

With no further business, the meeting adjourned at 9:16 p.m.

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**EXECUTIVE SESSION MEETING MINUTES**  
**September 12, 2023**

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**Board Members Present**

Jennifer Grillo – President  
Mark Hoesel – Vice President  
Steven Fipke - Treasurer  
Bill Henderson – Asst. Secretary / Asst. Treasurer

**Management Present**

Rebecca Atkinson – Client Relations Manager  
Jennifer Dubois – Sr. Community Manager

**EXECUTIVE SESSION**

**CALL TO ORDER**

A quorum was established, and Mark Hoesel called the Executive Session to order at 5:34 p.m.

**HOMEOWNER REQUESTS & HEARINGS**

A homeowner met with the Board regarding the denial of their ARC request for a fence stain. The Board unanimously approved overturning the ARC's denial, to permit the fence stain, with the stipulation that any future improvements receive approval from the ARC (account number redacted).

A homeowner and their contractor met with the Board regarding the denial of their ARC request for a pool. The Board unanimously approved overturning the ARC's denial, with stipulations, including the use of updated plans that include additional drainage (account number redacted).

**2024 BUDGET DISCUSSION**

The Board reviewed proposed budget for 2024. No actions taken.

**POLICY DISCUSSION**

This item was tabled. No actions taken.

Executive session concluded at 6:30 p.m.

Executive session reconvened at 8:51 p.m.

**LEGAL STATUS REPORT**

The Board received the legal status report. The Board unanimously approved (account number redacted) to be escalated to the Association's attorney for the collection of past due assessments. The Board unanimously approved foreclosure for (account numbers redacted) for past due assessments.

**VIOLATION SUMMARY REPORT & ATTORNEY AUTHORIZATIONS**

The Board received the latest violation summary report. The Board unanimously approved escalating (account numbers redacted) to the Association's attorney for uncured deed restriction violations related to short-term rentals.

**AGING REPORT & ATTORNEY AUTHORIZATIONS**

The Board received the latest aging report prior to the meeting. No action taken.

Executive session concluded at 9:15 p.m.