

BOARD OF DIRECTORS MEETING MINUTES

DATE: September 24, 2009
PLACE: FCCA Office
ATTENDING: Sherrie Knoepfel, Executive Director
Ellen Burton, Director
Jim Dunford, Director
Myatt Hancock, Director
John Molloy, President
Don Olson, Director
Vidya Verma, Vice President
Bill Roy, Staff
Vanessa Brown, Staff
Linda Davis, Staff
Alice Fish, Staff
Bill Grantham, Staff
Margaret Hall Spencer, Staff
Bob Jaros, Staff
Carol Litton, Staff
Phil Martin, Staff
Jeanne Miller, Staff
Doug Pepping, Staff
Heather Sorrells, Staff
Rick Butler, FCCA Attorney
Lt. Mike Berezin, Missouri City Police Department

Absent: Joyce Walter, Director

J. Molloy called the meeting to order at 12:03 p.m.

CONSENT AGENDA

- Approve Board Minutes
- Approve Board Executive Session Minutes

A MOTION WAS MADE to approve the consent agenda item. (MOTION: – D. Olson; 2nd – V. Verma; MOTION PASSED unanimously)

GOVERNANCE

- Review and discussion of Amended and Restated Bylaws
Rick Butler, FCCA Attorney, summarized the amendments to the Bylaws with voting for acceptance by the Board as follows:
 - ◆ (Article 3, Section 7) Clarified the quorum requirement for a meeting called for the purpose of removing a Director to 10 percent of the Members in Good Standing entitled to vote on the issue. The provision of Article II, Section 6, which reduce the quorum requirement for an adjourned meeting, shall not be applicable to a meeting called for the purpose of considering the removal of a Director.

A MOTION WAS MADE TO accept the amended and restated Bylaws. (MOTION: D. Olson; 2nd – E. Burton. **Voting For:** D. Olson, J. Molloy, E. Burton, V. Verma, J. Dunford; **Voting Against:** M. Hancock. MOTION PASSED)
- Review and discussion of Amended and Restated Declaration

A MOTION WAS MADE TO accept the amended and restated Declaration revisions with the requirement that Attorney Rick Butler submit an unqualified written opinion stating that the new revisions do not violate the substantive rights of any Member of the Association. (MOTION: M. Hancock; 2nd – D. Olson. MOTION PASSED, unanimously)
- Consideration of and action on revisions to Executive Limitations:
Budgeting Policy

Discussion regarding the need to clarify and revise item #5 of the policy as it relates to the Reserve Study and item # 8 as it relates to Population Projections. Additionally and after further discussion the Board directed the Executive Director to review the entire Budgeting Policy since the current policy had not been reviewed and rewritten since 2001 and present any revisions to the Board at a future meeting.

A MOTION WAS MADE TO table the issue of Executive Limitation – Budgeting Policy until the policy had been reviewed by the Executive Director. (MOTION: D. Olson; 2nd – M. Hancock. MOTION PASSED unanimously)

BUDGET

- Review and discussion of the Fiscal Year 2010 Budget and Service Impact Requests

There was a discussion regarding the general condition of the economy and the need to be conservative in the budgeting process for the year 2010. In a show of hands, five out of six directors agreed that there should be no increase in the budget this year. The Executive Director suggested that the Service Impact Requests (SIR's) be reviewed to see what items would be able to be funded.

A MOTION WAS MADE TO table the issue of the Budget until staff has reviewed the Service Impact Requests and reports as to which SIR's will be able to be funded. (MOTION: J. Molloy; 2nd – M. Hancock. MOTION PASSED unanimously)
- Discussion regarding the Amenities Assessment Project

The Executive Director requested direction from the Board regarding whether staff should proceed with implementation of the Amenities Assessment Plan. It was stated that the phase 1 projects are estimated to cost approximately \$5,000,000 in their entirety. Staff recommended moving forward with the following first phase projects in the 4th quarter of FY 2009 and FY 2010 is

Lakes of Edgewater Park, Heritage Colony Clubhouse and Aquatic Center Design; funding requirements are approximately \$1.3 million.

A RESOLUTION WAS MADE TO support the Amenities Assessment Plan (a \$5,000,000 concept) and to direct the staff to move forward with the first phase of the plan. (MOTION: J. Molloy; 2nd – M. Hancock. MOTION PASSED unanimously)

MEMBER INPUT TIME

No Members attended.

WORKSHOP/ENDS

- Discussion of Street Trees/Sidewalks

The discussion centered on the City of Missouri City not taking responsibility for sidewalk repairs. The Executive Director informed the Board of a meeting that she and Director Olson had with the representatives from the City of Missouri City and their discussion with them regarding the impact of street trees on the sidewalks. In an effort to try to come to a solution regarding the repair of sidewalk, several ideas were presented by the Executive Director with the support of the Landscaping Manager.

The Board of Directors then requested that the staff craft a guideline that provides for the individual staff assessment of a Member's street tree situation. The Board indicated that all solutions following that assessment should be as flexible as possible to allow the Member to solve the problem while adhering to the current policy as much as possible.

A MOTION WAS MADE TO table the issue Street Trees/Sidewalks until staff has crafted a guideline for review. (MOTION: J. Dunford; 2nd – E. Burton. MOTION PASSED unanimously)

- Discussion on Hall Lake Landscape Reserve Ownership

There was discussion regarding 19 property owners that are adjacent to a parcel of property owned by the Association that begins at their back fence and continues southwardly across Char Canal. These property owners are interested in acquiring ownership of this parcel and have requested that the Association fund half of the cost of deeding the property over to them.

The Board directed the Executive Director to respond to the property owners stating that the Board was not interested in funding any costs related to the transfer of this property. In addition, Director Olson suggested that each property owner be required to pay \$1000.00 for their individual lot and the expense of deeding the property to them.

EXECUTIVE SESSION

A MOTION WAS MADE to convene into Executive Session at 3:25 pm. Doug Pepping and Jeanne Miller were invited to attend. (MOTION: J. Dunford; 2nd – D. Olson; MOTION PASSED, unanimously)

-- RECONVENED INTO REGULAR SESSION AT 3:40 P.M. --

MONITORING REPORTS

- Asset Protection
- Financial Conditions (August)
- Information and Advice to the Board
- 2009 Annual Summary of Executive Limitations Monitoring

A MOTION WAS MADE to accept the Monitoring Reports. (MOTION: – D. Olson; 2nd – V. Verna; MOTION PASSED unanimously)

OWNERSHIP LINKAGE

- Reports from Directors
No reports.

BOARD MEETING EVALUATION

Director Hancock prepared the Board meeting evaluation.

With no further business, the meeting was adjourned at 3:45 p.m.

A MOTION WAS MADE to adjourn. (MOTION: – E. Burton; 2nd – J. Dunford; MOTION PASSED, unanimous)

Prepared by:

Jeanne Miller, Residential Compliance Inspector

Approved by:

James B. Dunford, Secretary/Treasurer