



## **Board of Directors Meeting**

# **AGENDA**

Date: **March 03, 2015**

Time: 7:00 p.m. – *Regular Board Meeting*

Place: 304 Pheasant Hill Drive

### **ITEM I. CALL TO ORDER & OPENING BUSINESS**

- A. Roll call & establish quorum.<sup>1</sup>
- B. Approval of meeting *Agenda*.
- C. Welcome to homeowners in attendance.
- D. Rules & decorum.

**\*\*NOTE: Any homeowner wishing to be added to the agenda for the next regular meeting of the board, (NOT the annual membership meeting) please contact the Board Secretary, Glenna Brown or email [hoa@quailcreekrockwall.org](mailto:hoa@quailcreekrockwall.org).**

### **ITEM II. HOMEOWNER/GUEST COMMENTS & CONCERNS**

Comments must relate to items that are on the agenda. The Board will not address comments &/or concerns *until* the “question” is on the table. *The “OPEN FORUM” [ITEM VII] at the end of the meeting is open to all general comments, questions, and concerns.*

### **ITEM III. IMMEDIATE ACTION ITEMS**

- A. Approval of *Minutes*<sup>2</sup>
  1. February 3, 2015, Regular Meeting of the Board
- B. Official thanks and recognition to David and Misty Hoyer for painting the fence that runs along Pheasant Hill Drive
- C. Official thanks and recognition to Kristen Fuller for providing new homeowners with a welcome basket of popcorn
- D. Treasurer’s Report & Finance
  1. Review February Financial Statements
  2. Approve reimbursable expenses for Mr. Steinhagen
    - i. Black paint for fence along Pheasant Hill
    - ii. Printer ink
    - iii. Postage for certified mail
- E. Ballot Initiative
  1. Status Report: Ballots delivered & returned/submitted
  2. Two-week notice postcards review
  3. Review tabulation procedures
    - i. Order of Business
    - ii. Opening of Ballots
    - iii. Validating Votes Cast
    - iv. Tallying & Recording
  4. *Recount of Votes Policy Consideration and Adoption (See attached)*
  5. OPEN FORUM: *Member questions & answers related to Ballot Initiative*

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<sup>1</sup> A majority of the Board shall constitute a quorum [Bylaw 3.06]. The Board shall consist of seven (7) Directors [Bylaw 3.03]. The Officers shall include a President, Vice President, Secretary, Treasurer and three (3) Members at large [Bylaw 4.03]. These Members at Large shall constitute the Architectural Review Committee...[Bylaw 4.04(e)]. Each Director shall have one vote, exercisable in person or by proxy [Bylaw 3.05].

<sup>2</sup> Directors who were not present at the meeting for which minutes are being approved (or even on the board when the meeting occurred) can vote to approve minutes. The association as an organization has a continuing legal existence, even if specific members come and go over time.

**ITEM IV. COMMITTEE BUSINESS**

- A. Architectural Review Committee
  - 1. Street Repairs- Review cost proposals
  - 2. New *Applications* & work in progress
  - 3. Lawn Maintenance- Price Quote
- B. Social Committee
  - a. Neighborhood Spring Party

**ITEM V. OTHER BUSINESS**

- A. New Homeowners- identify, status of welcome packet
- B. Next HOA Newsletter- "Focus on *Community*."

**ITEM VI. OPEN FORUM: *Member Comments & Questions***

**ITEM VII. RECESS TO EXECUTIVE SESSION**

- A. Outstanding Annual Assessment/Dues
  - 1. Status regarding letter to one homeowner whose dues remain outstanding. *The homeowner is not eligible for a payment plan because they have defaulted on a payment plan within the last 18 months*
- B. CC&R Violations and Non-Compliance
  - 1. Homes in violation.
    - i. Miss-matched color of garage doors on home
    - ii. Non-compliant outbuilding
    - iii. Storage unit in driveway of home up for sale
    - iv. Other violations
  - 2. Preparation for non-compliant homeowners
    - i. Review response(s) from violators
- C. Other unanticipated business pertaining to open agenda items, by authority of the Chair

**ITEM VIII. RECONVENE IN OPEN SESSION<sup>3</sup>**

- A. Oral summary of executive session.<sup>4</sup>
- B. Action on Executive Session Agenda Items.

**ITEM IX. ADJOURN**

*The next regular meeting of the Board is scheduled for April 7, 2015*

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<sup>3</sup> Members present for the meeting that do not wish to stay and wait for the Board to reconvene from Executive Session may join a free conference call to hear the oral summary via telephone. Five minutes before the reconvening into open session, the Board will notify members via text message so that members may call in to listen to the summary (long-distance charges apply). Members must leave their name and cell phone number that allows text messaging on the sign-in sheet.

<sup>4</sup> Following an executive session, any decision made in the executive session must be summarized orally and placed in the minutes, in general terms, without breaching the privacy of individual owners, violating any privilege, or disclosing information that was to remain confidential at the request of the affected parties. The oral summary must include a general explanation of expenditures approved in executive session. Tex. Prop. Code § 209.0051(c).

**QCHOA, INC.**

**Recount of Votes Policy- Proposed Draft**

The following Recount of Votes Policy (the “*Policy*”) is established by the Board of Directors (the “*Board*”) of QCHOA, Inc. (the “*Association*”) in accordance with Texas Property Code, Subsection 209.0057(b):

Any owner may, not later than the 15th day after the date of the meeting at which the election and/or the vote tally was held, require a recount of the votes. A demand for a recount must be submitted in writing either:

(1) by certified mail, return receipt requested, or by delivery by the United States Postal Service with signature confirmation service to the Association's mailing address as reflected on the latest management certificate filed under Section 209.004 of the Texas Property Code; or

(2) or to the address to which ballots, proxy ballots, and absentee ballots are mailed.

(c) The Association shall, at the expense of the owner requesting the recount, retain for the purpose of performing the recount, the services of a person qualified to tabulate votes under this subsection. The association shall enter into a contract for the services of a person who:

(1) is not a member of the association or related to a member of the association board within the third degree by consanguinity or affinity, as determined under Chapter 573, Government Code; and

(2) is:

(A) a current or former:

(i) county judge;

(ii) county elections administrator;

(iii) justice of the peace; or

(iv) county voter registrar; or

(B) a person agreed on by the association and the persons requesting the recount.

(d) Any recount under this Policy must be performed on or before the 30th day after the date of receipt of a request and payment for a recount in accordance with Subsections (b) and (c). If the recount changes the results of the election, the Association shall reimburse the requesting owner for the cost of the recount. The Association shall provide the results of the recount to each owner who requested the recount. Any action taken by the board in the period between the initial election vote tally and the completion of the recount is not affected by any recount.

The foregoing Recount of Votes policy was duly adopted by the Board of the Association on the 3rd day of March, 2015.

QCHOA, INC.

By:

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Robert Steinhagen, President