

Quail Creek

Homeowners Association



Newsletter- Spring Edition



Now 45 pounds, Booger came into the Smith family when she was the size of a silver dollar! She can grow to as big as 100-200 pounds and live to 150 years old.

Meet Your Neighbor!

From the street on Quail Creek you can spot a two-foot-high stone wall inside the black iron fence of **Stan & Rhonda Smith's** back yard, which is a special enclosure housing two African spurred "sulcata" tortoises.

Both females, **Booger** (18) & **Bowser** (9) currently weigh-in at 45 pounds, which is just a fraction of their expected size, where adults are usually 24 to 36 inches long, can weigh between 100-200 pounds and live between 50 to 150 years! Their primary source of water comes from their diet of grasses (which accounts for 75% of their food intake) and plants, which are high in fiber and very low in protein.

The Smith's purchased Booger (pictured above) when she was the size of a silver dollar and added Bowser, which had to be transported by plane from Washington to DFW, shortly after moving to Quail Creek. The Smith's have fostered tortoises waiting to be adopted, caring for as many as five at one time.

Because of their reputation for having a pleasant temperament, sulcata tortoises are sought after pets. However, due to excessive captive breeding and removal from the wild, many rescue centers are full and unable to accept more. American Tortoise Rescue discourages the breeding and selling of the species, which is one reason the Smith's adopted another female.

The color of their shells is determined by the amount of sun they get, which is why Bowser's shell is much darker than Booger's, being that she

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Party In the Park!

Sunday April 26, 4:30-6:30

Mark your calendar for Quail Creek's "Spring Neighborhood Party in the Park," at Clint Packer Park located inside our neighborhood. There will be a bounce house and games for the kids, plus hamburgers and hotdogs with all the fixings, so please plan to come engage/reengage with neighbors new and old.

Popcorn ~~Pappas~~ "Mamma"

Anyone who has moved to Quail Creek in the last couple of years has found a gift basket of popcorn mysteriously placed on their doorstep as a welcome to the neighborhood. This simple act of kindness is initiated, funded, and executed on behalf of all current homeowners by **Kristen Fuller**.

Kristen began this when she was serving as Vice-President of the Board and has continued to leave these cherished goodies on doorsteps, long after her tenure of service on the Board ended. Her actions epitomize the kindheartedness toward others found often here in our Quail Creek community!

Not Receiving HOA Email?

State law only requires HOA's to provide notice of official business via email, however it is a homeowner's responsibility to provide the Association with a valid/current address. If you are not receiving Association email (you'll know if you receive the monthly Board meeting notices) please provide it to the following address:

hoa@quailcreekrockwall.org




The Results Are In!


2015 Quail Creek Ballot Initiative


What officially began on January 10, 2015, concluded on Tuesday, April 7, 2015 where, at a Regular Open Meeting of the Board, the ballots for the HOA's first-ever, "60-Day Ballot Initiative*" on proposed amendments to the CC&Rs & Bylaws, were removed from their sealed return envelopes and the votes were tallied and recorded. Following are the results:

Most CC&Rs Amendments Are APPROVED!

Of the 124 proposed CC&Rs amendments (Initiative #1) to bring the instrument into compliance with state property code, **all but the following four (4) passed:**

 **NO** Amendment to Article 4.8b, which grants the Association the power to charge interest on delinquent annual assessments (dues) and file suit against such homeowners, likely failed because the strikeout wording was omitted from the ballot. This created the appearance that the amendment would be adding this power, as opposed to simply revising the current wording.

 **NO** Members rejected Amendment 4.8f, to change the wording from "as above provided," to "as provided above".

 **NO** The completely re-worded Amendment 4.8g and what would have been a new subsection, 4.8h, which effectively added legal technical jargon, also failed.

In all instances where the amendments failed, the existing wording is sufficient and does not contradict any other article or state statute.

Amended Bylaws Are APPROVED!

Seventy-one percent (71%) of homeowners also approved the amended Bylaws (Initiative #2).

What's The Cost?

The "60-Day Ballot Initiative" was one of Quail Creek's most audacious undertakings, requiring hundreds of volunteer "man-hours" to complete.

The current total cost to the Association is only \$432.31 because more than \$1,300 in printing and binding cost was donated.

Missing Budget Line-Item

The proposed annual budget is traditionally prepared in advance of the Annual Meeting in October so that the Treasurer may prepare a report for the Members to review.

Because the motion on the initiative was presented and approved* during that meeting, the anticipated expense was not added as a line item to the Budget.

However, the Board has helped to offset the added expense by holding monthly meetings

in a home as opposed to renting a facility (budgeted at \$75 per month or \$900 annually). The final cost of the initiative is not expected to exceed that budget threshold, which will help to keep the total annual expenses within budget.

Upcoming Additional Expenses

The newly amended instruments must still be recorded with the county. Additionally, in accordance with state requirements, each homeowner must receive hard copies either hand-delivered or via Certified USPS mail, with signature confirmation.

You can help save the cost of certified USPS delivery** by either picking up and signing for your copies at the Spring "Party in the Park" or by allowing a Member of the Board to hand-deliver it to you.

*Approved by acclamation during the Annual Meeting.

**The Board delivered just one ballot via USPS Certified mail during the initiative.

Amendment to Loosen the Garbage Can Restriction Is APPROVED!

With sixty-nine percent (69%) support (Initiative #3A) your large green & blue trash/recycle cans can now be placed either in your garage or behind the front line, adjacent to the home.

Amendment to Loosen the Sign Restriction Is APPROVED!

Alarm company signs, school spirit signs, and construction company signs during renovation are now allowed with seventy-five percent (75%) of homeowners voting to loosen the restriction (Initiative 3B).

NO Amendment to Loosen the Trailer Restriction is Rejected Overwhelmingly!

Sixty-seven percent (67%) of homeowners rejected the amendment loosening the trailer restriction (Initiative #3C1), where it garnered just thirty-three percent (33%), or one-third (1/3) homeowner support. Of that sixty-seven percent, twenty-seven percent (27%) voted to tighten the restriction (Initiative #3C2) with the rest preferring to keep the restriction as is.

What is clear from the vote is that the overwhelming majority of homeowners do not support the storage of trailers in Quail Creek.

*All homeowners were afforded a minimum of 60 days to cast their vote from the time the ballot was received.

Ballot Initiative Turnout

Sixty-one (61) of the sixty-nine (69) "eligible property owners" (the owner of record on January 1, 2015) submitted ballots, including 11 out of the 12 homeowners in Phase 1!

State law dictates that for any amendment to a declaration to pass it must have a minimum 67% approval of homeowners (not of those who cast votes, but of all homeowners). **Therefore, anyone that did not submit a ballot did effectively cast a vote to reject all of the proposed amendments.**

View Tally Results & Ballots Online

The full results are available to view &/or download on the Association's website including detailed reports & graphs that can also be broken down between Phase 1 & 2.

Additionally, as part of the effort to ensure integrity & demonstrate transparency of the process to tally & record the vote, all ballots were scanned & digitized during the vote count. With the exception of the voter signature page, which shows both the homeowner's name and ballot ID number, the actual ballots are available for homeowners to view &/or download.

Meet Your Neighbor!

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A Real Treat! Stan Smith shows neighbor Campbell Steinbagen how to touch the heart of a tortoise giving Bowser a mid-day snack of cherry tomatoes. Inset: Campbell & Bowser come eye to eye.

comes from a state that records the lowest average sunshine amount of any other. Two Texas summers have already lightened her shell's new growth, however.

During the winter the two girls take refuge in their specially built and insulated tortious house, which may look like an ordinary shed, but is designed to allow a heat lamp to be hung high enough to warm the hut without burning their shells. In warmer days they prefer to roam their outside enclosure.

Their personalities are as different as the color of their shells, as Bowser is outgoing & adventurous while Booger prefers to keep to herself. Aided by the workers building their pool last year, Bowser learned the art of escape. She once made it all the way to the neighboring development before "authorities" caught up with her and ended her "life on the road."

The Smith's welcome visitors, especially kids. They are members of Nextdoor.com, which is the best way make contact.

More About Stan & Rhonda Smith



The Smith's moved to Quail Creek in August 2013 from the Kingwood area, (a suburb of Houston). They have six kids, **Jonathan** (30, who served in the Navy & now works on a tugboat in Galveston), **Jessey** (29, married & is both an employee & student at Southwestern Theological Seminary), **Elyse** (27, a graduate of UNT and is working on her Masters degree to become an animator with Pixar Studios), **Christina** (25, who works as a veterinary technician in Kingwood), **Thomas** (25, a student at Texas State University), & **Jessica** (17, who is a junior at Heath High School. They also have 5 grandchildren!

Stan works in the Computer Technical industry and Rhonda works in the Treasurer's office of Rockwall County.

A pilot, scuba diver and avid photographer, many weekends you'll find Stan trolling the lakes of Texas in his custom bass boat. While Rhonda also scuba dives and may tag along with Stan on his fishing excursions, she's most content playing dominos or cards with friends. Together last year they took a motorcycle safety class after purchasing touring bikes where they both enjoy traveling the countryside in the open air.

Quail Creek Homeowner Running for City Council*

After a six year hiatus, **Bev Stibbens**, is seeking to take back a seat that she previously held for 22 years on the McLendon-Chisholm City Council.

Bev & her husband Neil have lived in Quail Creek since February of 2003 and is a past member of the Association's Board.

The election will be on **May 9**.

*This is not an endorsement as the Association does not endorse candidates running for any office.

Welcome New Neighbors!

Aaron & Meegan Taylor (March)

332 Partridge Drive

Gary & Christina McDaniel (January)

220 Pheasant Hill Drive

Rim Hallak (January)

257 Pheasant Hill Drive

Chuck & Janet Love (December)

287 Pheasant Hill Drive

Chad & Christianne Milner (November)

214 Pheasant Hill Drive

Betty Keeling (August)

268 Pheasant Hill Drive

New to Quail Creek?

Check Out the Association's Website:

Created especially for new homeowners, a new page on the Quail Creek website (www.quailcreekrockwall.org under top menu "Welcome") helps new homeowners connect with all the necessary utility, school, & government agencies that service our neighborhood.

Join Nextdoor.com:

Exclusive to residents, Quail Creek has its own social media website, Nextdoor Quail Creek, a place where neighbors share community events, recommendations, items for sale/free, crime/safety concerns, available babysitters, ideas about how to make our neighborhood better, and so much more.

To join go to www.nextdoor.com/join and enter code: **TMZXGS**

A Permanent Association Address?

While we are a very small community of just 69 lots, each time a new Secretary or President is elected there is also a transition where the official address of the Association must be recorded with the county to ensure that the City, County, title companies and other legal entities can contact us when necessary. Additionally, many Board members prefer that their address not be used for official matters; after all, this is our home first and foremost.

To rectify this the Board has proposed the establishment of a permanent address for the Association where a mailbox can be installed. This would also provide homeowners with a permanent location to drop off dues or other correspondence related to the Association.

Since it's owned by the Association, the park was initially thought to be to be the ideal location for the mailbox. However the Board recently learned that the Association is allowed to establish an address and install a mailbox at the entrance or exit of the development. As the exclusive ingress and egress point of the neighborhood, this location is considered to be preferred for the convenience to all homeowners.

In addition to official correspondence, this mailbox will receive cash and checks which is why the Board believes that it should be secured by lock & key.



The Challenge is Cost

The CC&Rs require that all residential mailboxes be built of stone. Though homeowner **Brett Packer** has graciously volunteered to donate brick to this effort, the cost of the actual mailbox (*secure locking mailboxes average \$150.00*) combined with the brick-work to construct is estimated to be a thousand dollars (\$1,000).

In light of the anticipated costs associated with street repair and maintenance, the Board is not comfortable allocating more than three hundred dollars (\$300).

To save money, the Association is considering submitting a request to the ARC to grant an exception to the CC&Rs restriction to allow the installation of a post-mount locking victorian mailbox (*pictured-average \$250*), which can be installed by volunteers.

What Do You Think? (*The Board really does want to know*)

Do you support the installation of an official Association mailbox to be installed at the entrance/exit of the neighborhood? Would you support the ARC (i) making an exception to the CC&Rs to save money, (ii) should a mailbox be constructed of stone like all the others, or (iii) would you rather the Board do nothing and keep using board members' personal addresses for official matters?

Take the Online Poll Now!

This story is the first you will see when visiting the Association's website. It's also where you can participate in the one-question poll & add comments too. **Please weigh in on this topic before the May 5th Board meeting.**

The 2014/2015 Quail Creek Homeowners' Association Board of Directors

Bob Steinhagen, President

Brad Peters, Vice President

Shana Nalls, Treasurer

Glenna Brown, Secretary

Ken Daulong, ARC*

David Fuller, ARC

David Hove, ARC

**Architctural Review Committee* are equal voting members of the Board.