



***Quail Creek Homeowners Association***  
**QCHOA INC.**

**RULES & ORDER OF BUSINESS POLICY FOR MEMBER MEETINGS & 60-DAY  
BALLOT INITIATIVE**

Decorum. See QCHOA, Inc. Bylaws 5.08.

Order of Business. (See also QCHOA, Inc. Bylaws 5.09.)

At all Regular and Special meetings of the Members, the Chair;

1. shall govern the process of conducting the meeting in an even-handed way, without prejudice; and
2. shall neither present motions or amendments nor participate in discussion or debate unless the Chair is temporarily or permanently passed to the “chair-pro-tem;” and
3. shall only participate in a voice or standing vote in the case of a tie and only when he/she is a voting Member or designee.
  - a. This does not prohibit the Chair from; (i) voting via paper or electronic Ballot; or (ii) voting their designated proxies by standing, voice, paper or electronic Ballot.
4. The Board President shall serve as the “Temporary Chair”.
5. At or around the appointed & posted time of commencement the Chair will call the meeting to order.
6. The Chair will determine if a quorum, which is a majority of the Membership (35), is present, either in person or by written proxy.
  - a. If a quorum is not established within 30 minutes of the initial meeting time and there is no expectation that a quorum can be established within a reasonable amount of time, the Temporary Chair shall call the meeting to order, announce the absence of a quorum and entertain a motion to adjourn.
    - i. The annual meeting of the Membership will automatically be rescheduled for the third Tuesday of the month, or at least 13 days following the first attempt, whichever is more.
      1. The required quorum at such subsequent meeting shall be one-half (1/2) of the required quorum at the preceding meeting.
      2. Proper notice shall be provided to the Membership in accordance with these Bylaws.

7. Following the affirmative determination of a quorum, the Chair shall go over the Rules for the Members present. The first order of business will be to open the floor for nominations of a Permanent Chair for the meeting.
  - a. A nominee may be elected by unanimous consent of all Members present, either in person or by proxy, so long as there are no objections; or
  - b. The candidate with 50%+1 of the vote by all Members present, either in person or by proxy, shall be elected.
    - i. In the case where three or more are nominated and none achieve 50%+1 of the vote, the two candidates with the most number of votes will face each other in a runoff.
8. To record the meeting the Chair will appoint a Secretary.
  - a. The Chair may, at his/her discretion, appoint any of the following uncompensated Officers:
    - i. a Chair-pro-tem which allows the Permanent Chair to step down and participate in the business of the meeting from the floor; and/or
    - ii. a Sargent-At-Arms which helps to maintain order and count or assess standing or voice votes; and/or
    - iii. a parliamentarian to help ensure that proper process is followed.
9. The Chair shall then proceed with the meeting according to the Governing Rules of the Association.
10. When the meeting officially adjourns, the position of Chair and appointed Officers ceases to exist, whereby the elected Board of Directors assumes governing authority pursuant to the latest Declaration of Covenants and Restrictions and Bylaws recorded with the County of Rockwall.

Voting. See QCHOA, Inc. Bylaws 6.01.

Ballots. See QCHOA, Inc. Bylaws 6.2. Election of the Board and ARC. See QCHOA, Inc. Bylaws 6.04

Nominations & Voting. Any Member of the Association may be nominated for any position on the Board or ARC. See also QCHOA, Inc. Bylaws 7.07 regarding Qualifications.

1. Nomination for officers shall be taken during the meeting from the Floor.
2. Following the close of nominations each nominee shall have 3 minutes to speak or allow other to speak on their behalf or both.
3. Voting shall commence immediately following the last speech.

**Sixty-Day Ballot Initiative:** With the exception of elections, the Board or Membership may, by a majority of an established quorum at either a Board or Membership Meeting, distribute ballots via Sixty-Day (60) Ballot Initiative that provides Owners a means to vote by mail or electronically.

- A. The initiative shall be distributed in person, by mail or electronically with evidence (written, printed or electronic) of receipt verification.
  - A-1) For an election or vote of Owners not taken at a meeting, the Association shall give Notice of the election or vote to all Owners entitled to vote on any matter under consideration. The Notice shall be given not later than the 20th day before the latest date on which a ballot may be submitted to be counted.<sup>1</sup>
- B. Proxy votes are prohibited.
- C. Voting on initiatives shall remain open no fewer than ten-days (10) and end when one of the following conditions is met;
  - 1) the sixtieth (60) day from the date of the initial Ballot delivery and/or postmark; or
  - 2) the initiative meets the necessary number to pass; or
  - 3) the Board establishes that the number of outstanding votes to pass is insufficient.
- D. Voting instructions shall be included with all Ballot initiatives.
- E. In the case of paper Ballots, a special identifiable sealable return envelope, and return instructions shall accompany the Ballot(s).
  - 1) The returned Ballot must be in writing and signed by the Member.
  - 2) Upon receipt, all Ballots shall remain unopened until the Board convenes.
  - 3) The Board shall, at a Regular or Special meeting of the Board, open the sealed envelopes containing the Ballots and count the votes where Members may observe the proceedings.
- F. Within ten (10) days after voting ceases and the results on an initiative have been established, the Board will report the results to the Members via; (i) email; (ii) and on the Homeowners' Association website.
  - 1) For approved initiatives & amendments, the Board shall include a copy or copies as attachments, downloadable files, or links to the website with the reported results.
  - 2) Members shall receive access to a copy or copies of instruments within fifteen-days (15) after the County records the document.

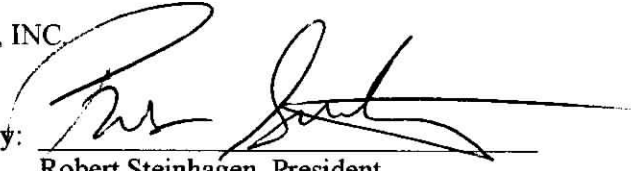
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<sup>1</sup> Property Code Title 11, § 209.0056(a-1) Amended by: Acts 2015, 84th Leg., R.S., Ch. 1183 (S.B. 1168), Sec. 9, eff. September 1, 2015.

This policy shall supersede and render null and void any previously adopted Rules and Order of Business Policy for Member Meetings to the extent that the terms of such policy are contradictory.

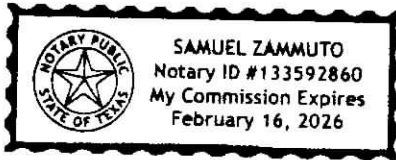
The foregoing Rules and Order of Business Policy for Member Meetings were duly adopted by the Board of the Association on the 17<sup>th</sup> day of October, 2022.

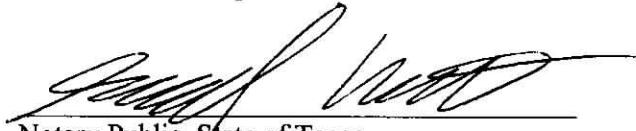
QCHOA, INC.

By:   
Robert Steinhagen, President

STATE OF TEXAS           §  
  §  
COUNTY OF ROCKWALL   §

This instrument was acknowledged before me on this 24 day of February, 2023,  
by (name) Robert Steinhagen, the (title) President of  
~~Samuel Zammuto~~  
QCHOA, Inc., a Texas non-profit corporation, on behalf of said corporation.



  
Notary Public, State of Texas

Filed and Recorded  
Official Public Records  
Jennifer Fogg, County Clerk  
Rockwall County, Texas  
02/24/2023 03:25:42 PM  
\$38.00  
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