

ST. VRAIN RANCH PROPERTY OWNERS ASSOCIATION, INC.
POLICY REGARDING INSPECTION AND COPYING OF ASSOCIATION RECORDS

The following policies and procedures have been adopted by St. Vrain Ranch Property Association, Inc. ("Association") pursuant to the provisions of C.R.S. 38-33.3-209.5, and 38-33.3-317, as re-enacted by House Bill 12-1237, effective January 1, 2013, at a regular meeting of the Board of Directors.

Purpose: To establish uniform procedures for the inspection and copying of Association records by Association Members; to establish the type of records to be created and maintained by the Association or its agent; and to establish the cost of copying Association records.

WHEREAS, the Colorado Common Interest Ownership Act, in C.R.S. 38-33.3-317 gives all Members the right to examine and copy the financial and other records of the Association for a proper purpose.

NOW, THEREFORE, IT IS RESOLVED that the Association does hereby adopt the following policy governing the inspection and copying of Association records:

1. The Association shall keep as permanent records the following documents:

- (a) Minutes of all meetings of Owners and the Board.
- (b) A record of all actions taken by the Owners or the Board by written ballot or written consent in lieu of a meeting.
- (c) A record of all actions taken by a committee of the Board in place of the Board on behalf of the Association.
- (d) A record of all waivers of notices of meetings of Owners and of the Board or any committee of the Board.
- (e) All written communications among, and the votes cast by Board members that are related to an action taken by the Board without a meeting.
- (f) A record of Owners in a form that permits preparation of a list of the names and addresses of all Owners, showing the number of votes each Owner is entitled to vote. A membership list, or any part thereof, may not be obtained or used by any person for any purpose unrelated to an Owner's interest as a unit owner without consent of the Board. Without the consent of the Board, a membership list, or any part thereof, may not be used for any commercial purpose, or sold to or purchased by any person, nor shall be used to solicit money or property unless such money or property will be used solely to solicit votes of the Owners in an election to be held by the Association.
- (g) Financial statements and all tax returns filed on behalf of the Association, for a period of seven (7) years.
- (h) Financial records sufficiently detailed to enable the Association to comply with §38-33.3-316(8) concerning statements of unpaid assessments.
- (i) The Association's most recent reserve study.
- (j) Current written contracts to which the Association is a party, and contracts for work performed for the Association within the immediately preceding two (2) years.
- (k) Records of the Board's or ACC's actions to approve or deny any requests for design or architectural approval from Owners.

(l) Ballots, proxies, and other related records related to voting by Owners, for one (1) year after the election, action, or vote to which they relate.

In addition to the above, the Association shall keep a copy of each of the following records at its principal office:

- (a) Articles of Incorporation, Declaration, Covenants and Bylaws.
- (b) Resolutions adopted by the Board.
- (c) The minutes of all Owners meetings and records of all actions taken by Owners without a meeting for the past three (3) years.
- (d) All written communications within the past three (3) years to Owners generally as Owners.
- (e) A list of the names and business or home addresses, and email addresses of the Association's current directors and officers.
- (f) The Association's most recent annual report to the Colorado Secretary of State.
- (g) All financial audits or reviews conducted pursuant to Section 38-33.3-303(4)(b) during the immediately preceding three years.

2. So the Association can have the desired books, records and personnel available, a written notice of intent to inspect must be submitted to the Association's Manager or to the Board of Directors at least ten (10) business days prior to the planned inspection. The notice must describe with reasonable particularity which records are to be inspected. The Notice shall be mailed to: St. Vrain Ranch Property Owners Association, c/o Community Association Manager, P.O. Box 810, Firestone, CO 80520.

3. All records shall be inspected at a location to be determined by the Association's Manager, between the hours of 10:00 a.m. and 3:00 p.m., Monday through Friday.

4. At the discretion of the Association's Board, certain records may only be inspected in the presence of a Board member or employee of the Manager. No records may be removed from the office without the express written consent of the Board of Directors. Further, if a Member requests to inspect records, the Association may photocopy and provide the requested records to the Member in lieu of the Member's inspection of the records if consented to by the Member.

5. The Association may charge a reasonable fee, which may be collected in advance and may cover the costs of labor and material, for copies of Association records. The charge may not exceed the estimated cost of production and reproduction of the records.

6. Consistent with individual Member's right to privacy, attorney-client confidentiality and other considerations, the following records will not be made available without the express written consent of the Board of Directors:

- (a) Confidential personnel records.
- (b) Confidential litigation files and matters covering consultation with legal counsel concerning disputes that are subject of pending or imminent court proceedings or are privileged or confidential between attorney and client.
- (c) Files dealing with investigative proceedings concerning possible or actual criminal misconduct.
- (d) Any matter the disclosure of which would constitute an unwarranted invasion of individual privacy.

- (e) Inter-office memoranda, preliminary data, working papers and drafts, and general information or investigations which have not been formally approved by the Board of Directors.
- (f) Members' personal contact information including, but not limited to, banking information, drivers license numbers, social security numbers, telephone numbers or e-mail addresses, except the Association will, upon request, provide Members' names and addresses.
- (g) Account records of Members other than the Member making the inspection request.
- (h) Records of covenant or rules violations of Members other than the Member making the inspection request.
- (i) Architectural drawings, plans, and designs, unless released upon the written consent of the legal owner of the drawings, plans, or designs.
- (j) Contracts, leases, bids, or records related to transactions to purchase or provide goods or services that are currently in or under negotiation.
- (k) Communications with legal counsel that are otherwise protected by the attorney-client privilege or the attorney work product doctrine.
- (l) Disclosure of information in violation of the law.
- (m) Records of an executive session of the Board.
- (n) Records of Owners other than those of the requesting Owner.

7. In determining whether records may be inspected, the Association shall consider, among other things:

- (a) Whether disclosure is for an illegal or improper purpose, or would violate a constitutional or statutory provision or public policy; and
- (b) Whether disclosure may result in an invasion of personal privacy, breach of confidence or privileged information as set forth above.

8. The Association reserves the right to pursue any individual for damages or injunctive relief or both, including reasonable attorney's fees, for abuse of these rights, including, but not limited to, use of any records for a purpose other than what is stated in the notice of intent to inspect.

St. Vrain Ranch Property Owners Association, Inc.

By: _____
Title

Attest

Secretary

This policy regarding inspection and copying of Association records was adopted by the Board of Directors at a regular meeting held on the ___ day of _____, 2016, effective the ___ day of _____, 2016, and is attested to by the Secretary of St. Vrain Ranch Property Owners Association.

Secretary