

**INDIAN CREEK RANCH IMPROVEMENT ASSOCIATION
A COLORADO NONPROFIT CORPORATION
INSPECTION AND COPYING OF ASSOCIATION RECORDS POLICY**

- SUBJECT:** The Indian Creek Ranch Improvement Association Regarding the Inspection and Copying of Association Records Policy.
- PURPOSE:** To establish uniform procedures for the inspection and copying of Indian Creek Ranch Improvement Association ("the Association") records by Members.
- AUTHORITY:** The Covenants, Conditions and Restrictions for Indian Creek Ranch Subdivision ("Declaration"), Articles of Incorporation and Bylaws of the Association and Colorado law.
- EFFECTIVE DATE:** May 28, 2014
- RESOLUTION:** The Indian Creek Ranch Improvement Association, a Colorado non-profit corporation ("Association") hereby adopts the following Policy regarding the inspection and copying of Association records by the Board of Directors of the Indian Creek Ranch Improvement Association ("Board") at a regular meeting of the Board of Directors:

INSPECTION AND COPYING OF ASSOCIATION RECORDS POLICY

1. Records Required. The Association shall maintain a copy of each of the following records at its principal location to the extent possible:
 - (a) The Articles of Incorporation, Bylaws of the Association, and Covenants, Conditions and Restrictions ("the Declaration").
 - (b) All resolutions, policies, and rules and regulations adopted by the Board.
 - (c) Minutes of all meetings of Members and the Board.
 - (d) A record of all actions taken by the Members or the Board by written ballot or written consent in lieu of a meeting.
 - (e) A record of all actions taken by a committee of the Board in place of the Board on behalf of the Association.

- (f) All records of Board or committee actions to approve or deny any requests for design or architectural approval from Members.
- (g) All written communications among the Board members that are directly related to an action taken by the Board without a meeting.
- (h) All written communications within the past three years to all Members generally as Members.
- (i) A record of all waivers of notices of meetings of Members or of the Board or any committee of the Board.
- (j) Ballots, proxies, and other records related to voting by Members for one year after the election, action, or vote to which they relate.
- (k) A list containing the names of all Members, the physical mailing addresses at which the Association communicates with them, and the number of votes each Member is entitled to vote.
- (l) All tax returns filed on behalf of the Association for the past 7 years, to the extent available.
- (m) A list of the names, electronic mail addresses, and physical mailing addresses of the Association's current Board members and officers.
- (n) The Association's most recent reserve study, if any
- (o) All financial records of the Association, including the following:
 - (I) Operating budgets adopted by the Board for the past 3 years
 - (II) Monthly statements for the past 3 years showing the Association's income, expenses, assets and liabilities.
 - (III) Annual statements for the past 3 years showing the Association's income, expenses, assets and liabilities.
 - (IV) Detailed records of receipts and expenditures affecting the operation and administration of the Association.
 - (V) Ledgers for each Member of the Association showing their current account balance.
- (p) All financial audits or reviews conducted pursuant to Section 38-33.3-303(4)(b) during the immediately preceding three years.
- (q) A copy of all insurance policies currently owned by the Association.
- (r) Current written contracts to which the Association is a party and contracts for work performed for the Association within the immediately preceding two years.
- (s) Records of claims for construction defects and amounts received pursuant to settlement of those claims, if any exist.

2. Notice to Inspect. Except as set forth in this Policy, all records maintained by the Association must be available for examination and copying by a Member or the Member's authorized agent. So the Association can have the desired books, records and personnel available, a written notice of intent to inspect must be submitted to the Board at least ten (10) business days prior to the planned inspection. The notice must describe, with reasonable particularity, which records are to be inspected.

3. Place of Inspection. All records shall be inspected at the principal location of the Association by appointment. Notwithstanding the above, at the discretion of the Board, all records may also be inspected at the next regularly scheduled meeting, if such meeting occurs within thirty (30) days after the request to inspect has been received.

4. Copying of Records. Except as set forth in this Policy, Members have the right to request copies of the Association's records. The Association may provide the copies via e-mail if consented to by the Member. The Association may charge a fee, which may be collected in advance, to cover the costs of labor and material for copies of the Association's records. If collected in advance, the actual fee may not exceed the estimated cost of copying the records. The Association shall keep a log of each document copied by a Member under this Policy.

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

- (a) Architectural drawings, plans, and designs, unless released upon the written consent of the legal owner of the drawings, plans, or designs.
- (b) Contracts, leases, bids, or records related to transactions to purchase or provide goods or services that are currently in or under negotiation.
- (c) Communications with legal counsel that are otherwise protected by the attorney-client privilege or the attorney work product doctrine.
- (d) Any information that disclosure of which would be in violation of law.
- (e) Records of an executive session of the Board.
- (f) Records for an individual Member other than those of the requesting Member.

In addition, the Association shall in all instances withhold and not disclose any records that concern or contain:

- (g) Personnel, salary, or medical information relating to specific individuals.
- (h) Personal identification and account information of Members, including bank account information, telephone numbers, electronic mail addresses, driver's license numbers, and social security numbers.

6. Membership Lists. Without the written consent of the Board of Directors, membership lists may not be:

- (a) Obtained or used by a Member for any purpose unrelated to a Member's interest as a Member in the Association.
- (b) Used for any commercial purpose; or
- (c) Sold to or purchased by any person.
- (d) Given by a Member to any person who is not a Member.

7. Miscellaneous.

- (a) At the discretion of the Association's Board, certain records may only be inspected in the presence of a Board member.
- (b) No records may be removed from the Association without the express written consent of the Board of Directors.
- (c) If a Member requests to inspect records, the Association may photocopy or scan the requested records and provide them to the Member in lieu of the Member's inspection of the records if consented to by the Member. The Association may charge a fee, which may be collected in advance to cover the costs of labor and materials for copies. If collected in advance, the actual fee may not exceed the estimated cost of copying the records. The Association shall keep a log of each document copies by a Member under this Policy.
- (d) The Association is not obligated to compile or synthesize information that it does not already have.
- (e) The Association's records and the information contained within those records shall not be used for commercial purposes.
- (f) The rules, regulations, and restrictions contained within this Policy do not pertain to an Officer, Director, or Board appointed committee member of the Association to the extent the use or copying of Association records is necessary to discharge their duty or obligation as an Officer, Director or committee member.
- (g) The term "Member" shall be as defined in the Declaration and shall include Officers and Directors of the Association.

8. Definitions. Unless otherwise defined in this Policy, capitalized terms defined in the Declaration shall have the same meaning herein.

9. Supplement to Law. The provisions of this Policy shall be in addition to and in supplement of the terms and provisions of the Covenants, Conditions and Restrictions and Colorado law.
10. Amendment. This Policy may be amended from time to time by the Board of Directors.
11. This Policy shall replace and supersede all previous policies of the Board related to the inspection and copying of Association records.

PRESIDENT'S CERTIFICATION:

The undersigned, being President of the Indian Creek Ranch Improvement Association, a Colorado non-profit corporation, certifies that the foregoing Inspection and Copying of Association Records Policy was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors on May 28, 2014 and in witness thereof the undersigned has subscribed his/her name.

INDIAN CREEK RANCH IMPROVEMENT ASSOCIATION
A Colorado non-profit corporation

By: Betty Purkey-Huck
Betty Purkey-Huck, President