

## KREHA RECORDS POLICY

Approved by the Assessment Committee on  
August 1, 2007

## KOPACHUCK RIDGE ESTATES HOA RECORDS POLICY

***The purpose of this Policy is to ensure that all records stemming from the conduct of business by the KREHA are collected and retained to document the basis for decisions made by the KREHA. These records shall be made available for use by Association Members or other persons with legitimate reason to review those records in accordance with the provisions of this Policy.***

### DEFINITIONS:

A **DOCUMENT** or **RECORD** is defined as:

- (1) Any written AGENDA for any meeting of the the KREHA Board of Directors, or any meeting of a standing committee or any committee appointed by the Board
- (2) Any recorded (in any form) and approved MINUTES resulting from any of the above mentioned meetings.
- (3) Any CORRESPONDENCE, FINDING, or RESOLUTION promulgated as a result of an official action of the BOARD, any official committee, or individual Board member acting in his/her official capacity,
- (4) Any INVOICE paid with the use of KREHA funds
- (5) Any CHECK written on any KREHA account
- (6) All records of FUNDS RECEIVED by the KREHA, whether through dues, assessments, interest or any other source.
- (7) Any FINANCIAL RECORD involving the expenditure of KREHA funds.
- (8) Any CONTRACTS entered into on behalf of the KREHA.
- (9) Any LEGAL OPINIONS/INFORMATION received by the Board or authorized members from the KREHA Attorney concerning KREHA business and issues.
- (10) Any CORRESPONDENCE FROM ANY GOVERNMENT AGENCY directed to the KREHA.
- (11) Any REPORTS/STUDIES BY CONSULTANTS/ENGINEERS/EXPERTS concerning work proposed or to be done on behalf of the KREHA
- (12) Any BIDS, whether accepted or not, by contractors for work to be performed on behalf of the KREHA.
- (13) Any written CORRESPONDENCE TO THE BOARD/COMMITTEE or any written correspondence between Board/Committee members that constitutes a

final action of the Board/Committee.

**A QUALIFIED PERSON** is defined as:

- (1) Any KREHA member in good standing
- (2) Any "General Manager" employed by the Association as defined in Article V, Section 3 of the By-laws of the KREHA

**(1) ACCESS**

Association documents, as defined, shall be made available:

- (A) To any Qualified Person.
- (B) To a law enforcement or other government agency pursuant to any lawful subpoena or regulatory directive.
- (C) On a case-by-case basis in response to requests from non-qualified or non-member parties as approved by the Assessment Committee, which may consult with the Association Attorney prior to authorizing release.

**(2) HOW TO ACCESS**

- (A) Qualified persons shall request KREHA documents from the Association Secretary or Treasurer in writing (by mail, e-mail or fax).
- (B) The Secretary or Treasurer will notify the KREHA Officers and Assessment Committee of all requests prior to releasing the documents.
- (C) The KREHA Secretary or Treasurer shall keep a record/log in writing of all requests and any subsequent release of Association documents.
- (D) Response to requests for documents may be made by personal delivery, fax, email, or mail at the discretion of the Secretary or Treasurer.
- (E) In most cases, a response to requests for documents shall be provided within five business days. Exceptions may be made under the following conditions:
  - (1) When, in the judgment of the Secretary or Treasurer, the volume of requested documents requires additional time to prepare. In such cases the Secretary or Treasurer will take reasonable measures to respond to the request in a timely manner.
  - (2) When it is determined by the Assessment Committee that a legal review of the requested documents is required prior to release. The legal review shall be conducted in a timely manner.
  - (3) When either the Secretary or Treasurer are unavailable to process the record request within the normal five business day response period. In such cases all

reasonable measures will be taken to expedite the response when the Secretary or Treasurer returns.

(3) COSTS incurred, if any, to respond to a document request shall be reimbursed by the requesting party.

#### (4) RETENTION

(A) As outlined in Article V. Section 1, c) of the KREHA By-laws the custodian of the Association documents with the exception of "books of account" (financial records) is the Association Secretary.

(B) As outlined in Article V, Section 1, d) of the KREHA By-laws, the custodian of financial records is the Association Treasurer.

(C) All KREHA documents, as defined, shall be retained indefinitely.

(D) In general, defined KREHA documents shall be retained on the Association's behalf by the Secretary and Treasurer.

(E) Individuals or duly appointed/elected committees working on Association projects/processes shall retain documents until such time as their project/process is completed, at which time those documents shall be delivered to the Association Secretary. At a minimum, records will be provided to the Secretary annually at least two months prior to the Association annual meeting.

While a project/process is in progress, Board members may inspect the records related to the project/process at any reasonable time upon notification to the appointed/elected committee.

#### (5) PRESERVATION

(A) The Secretary and Treasurer, or any other person possessing KREHA documents, shall make reasonable efforts to keep the documents secure.

(B) The Secretary or Treasurer, with approval of the Association Assessment Committee, at his/her discretion, may preserve the KREHA documents electronically on such devices as CDs and DVDs. However, once electronically preserved, no actual defined document shall be destroyed or purged without approval from the Assessment Committee and prior notice to the entire KREHA Board of Directors.

#### (6) ARCHIVING

(A) The KREHA Secretary or Treasurer shall archive the Association documents in a manner which allows for easy retrieval.

## (7) WEBSITE

(A) The KREHA maintains a website.

(B) Various KREHA documents may be displayed on the website. In order to provide a greater level of security some information/documents may be placed on the "Member's Only" website. All information displayed in the Member's Only portion of the website is considered confidential and is intended for the use of Association members only.

(C) Management and control of the website is the responsibility of the Webmaster. The Webmaster is appointed by a majority vote of the Assessment Committee.

(D) Content of the website is the responsibility of the Board of Directors, which has sole discretion in determining that content.

(E) Approved minutes from Board and Committee meetings will be posted on the Member's Only website. Once minutes are approved, they shall be sent to the Secretary who will maintain a copy and forward a copy to the webmaster for posting on the website.

In consideration of the need for timely communication with the membership, before minutes are approved in final form they may be temporarily posted on the Member's Only website in DRAFT form so long as they are prominently marked as a DRAFT. These DRAFT minutes shall be replaced with approved minutes when they are approved in final form.

(F) Board approval is required for all other documents prior to posting on the website. The approval process shall include these steps:

- a. To initiate the website posting, an electronic copy of the record to be posted shall be sent by e-mail to any Board member.
- b. The Board member receiving the document shall forward it to the Secretary.
- c. At each quarterly Board meeting, documents considered for posting will be reviewed and the Board will vote on whether to post the document.
- d. Approved documents will be forwarded to the webmaster by the Secretary.
- e. If requested, documents may be reviewed and approved prior to the next quarterly meeting. The Secretary is responsible to coordinate and obtain the vote. The preferred voting method will be via e-mail.