

**KISSING CAMELS PROPERTY OWNERS ASSOCIATION  
POLICY AND PROCEDURE FOR INSPECTION AND  
PHOTOCOPYING OF ASSOCIATION RECORDS**

Adopted September 29, 2015

The following policy and procedures have been adopted by the Kissing Camels Property Owners Association (“Association”) pursuant to the provisions of C.R.S. § 38-33.3-209.5, at a regular meeting of the Executive Board.

**PURPOSE:** To establish a policy describing the type of records to be maintained by the Association and to set forth the procedures for the inspection and photocopying of Association records by the Association’s Members.

**WHEREAS,** the Colorado Common Interest Ownership Act, in C.R.S. § 38-33.3-317, gives all Members the right to examine and photocopy the financial and other records of the Association.

**WHEREAS,** the Colorado General Assembly, in its 2012 legislative session, repealed and reenacted C.R.S. § 38-33.3-317, and as a result, the Association desires to amend its policy concerning the inspection and photocopying of Association records.

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

1. The Association must keep as records the following documents:
  - a. Articles of Incorporation, Declaration, and Bylaws, Rules, Policies, and Resolutions adopted by the Board.
  - b. Minutes of all meetings of Members and the Board.
  - c. A record of all actions taken by the Members or the Board without a meeting.
  - d. A record of all actions taken by a committee of the Board.
  - e. A record of all waivers of notices of meetings of Members, of the Board or any committee of the Board.
  - f. Records of Board or ACC actions to approve or deny Members' requests for architectural or design approval.

- g. Written communications (including electronic mail communications) among, and the votes cast by, Board members, that are directly related to an action taken by the Board without a meeting, or directly related to an action taken by the Board without a meeting pursuant to the Association's Bylaws.
- h. A record of the names, electronic mail addresses and physical addresses of the current Board members and officers.
- i. A record of Members in a form that permits preparation of a list of the names and physical addresses of all Members, showing the number of votes each Member is entitled to vote.
- j. Ballots, proxies and other records related to voting by Members for one (1) year after the vote to which they relate.
- k. All written communications within the past three (3) years to Members.
- l. The Association's most recent annual report filed with the Colorado Secretary of State.
- m. Detailed records of receipts and expenditures affecting the operation and administration of the Association.
- n. Association financial statements for the immediately preceding three (3) years.
- o. Tax returns filed on behalf of the Association for the immediately preceding seven (7) years.
- p. Financial records that are in sufficient detail for the Association to provide a written statement of unpaid assessments to a Member or holder of a security interest in a Member's Unit.
- q. The Association's most recent reserve study.
- r. Current written contracts in which the Association is a party and contracts for work performed for the Association within the immediately preceding two (2) years.
- s. Records of claims for construction defects and amounts received pursuant to settlement of those claims.

2. A Member must submit a written request for inspection and photocopying of records to the Association's manager or to the Board, at the address for the Association listed on the Association's website (www.kcestatespoa.com) at least ten (10) days prior to the planned inspection. The notice must describe with reasonable particularity which records are to be inspected and photocopied.

3. All records shall be inspected and photocopied at the Association's principal office designated on the Association's website, between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday. Notwithstanding the above, at the discretion of the Board, the records may also be inspected at the next regularly scheduled Board meeting if such meeting occurs within thirty (30) days after the request for inspection has been received by the Association.

4. No records may be removed from the office without the written consent of the Board. Records may only be inspected in the presence of a Board member or the Association's manager or designee of either the Board or manager. The Association shall not be obligated to compile or synthesize information to comply with a Member's request for inspection.

5. The Association may charge a fee, not to exceed the Association's actual cost per page for photocopies of the Association records (including labor and material costs).

6. A Member may make a written request to inspect records and receive copies via electronic transmission. If a Member makes such a request, or if the Member agrees to receive the requested records by electronic transmission, the Association may photocopy and provide the requested records to the Member via electronic mail or facsimile in lieu of the Member's actual physical inspection of the records at the Association's office.

7. The following records will be made available for inspection or photocopying only upon the written consent of the Board:

- a. Communications with legal counsel concerning disputes that are otherwise protected by the attorney-client privilege or the attorney work product doctrine.
- b. Architectural drawings, plans and designs, but the written consent of the owner of the drawings, plans or designs must also be obtained.
- c. Contracts, leases, bids or records related to transactions to purchase or provide goods or services that are currently under negotiation.
- d. Disclosure of information in violation of law.
- e. Records of executive sessions held by the Board.

- f. Records concerning Members or their Units other than those of the requesting Member.

8. The following Association records will not be made available for inspection or photocopying:

- a. Confidential personnel, salary or medical records relating to a specific individual.
- b. Personal identification and account information of Members, including bank account information, telephone numbers, electronic mail addresses, driver's license numbers and social security numbers.

9. Unless the Board consents in writing, Association membership lists (or any portion thereof) may not be:

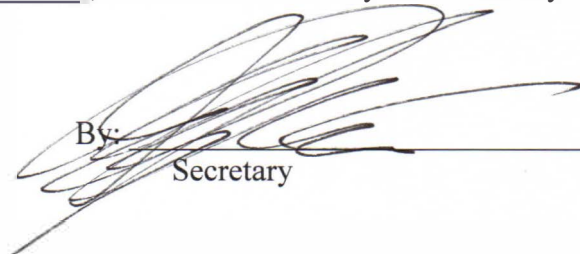
- a. Used to solicit money or property unless such money or property will be used solely to solicit the votes of the Members in an election to be held by the Association;
- b. Used for any commercial purpose; or
- c. Sold to or purchased by any person.

10. The Association reserves the right to pursue any individual for damages or injunctive relief or both, including reasonable attorney fees, for violation of this policy.

KISSING CAMELS PROPERTY OWNERS  
ASSOCIATION

By: Paul Clain  
President

This Policy and Procedure for Inspection and Photocopying of Association Records was adopted by the Executive Board at a regular meeting held on the 29 day of September 2015, effective the 29 day of October, 2015, and is attested to by the Secretary of the Kissing Camels Property Owners Association.

By:   
Secretary