

River Mountain Ranch
Property Owner's Association
P.O. Box 182
Wimberley, TX 78676

www.rivermountainranch.org

Filed for Record in:
Hays County
On: May 18, 2012 at 10:38A
Document Number: 12012935
Amount: 28.00
Receipt Number - 303744
By:
Lynn Curry, Deputy
Liz G. Gonzalez, County Clerk
Hays County

River Mountain Ranch Subdivision

The State of Texas

County of Hays

Policy # 6 - River Mountain Ranch Records Production Policy

Purpose: Define the Records Production Policy for the River Mountain Ranch POA. This policy supplements the Records Production Process defined under Article 8 of the Association's Bylaws. The **Bylaws** are posted and may be downloaded from the Association's website on the Documents & Maps page, http://www.rivermountainranch.org/docs_maps.html.

Policy Details: The following is a summary of the **Records Production Policy**.

NOTE: *Minutes from Board meetings and member meetings*, beginning in October 2010, are posted and may be downloaded in PDF format from the Association's website on the Board page, <http://www.rivermountainranch.org/board.html>. Also, many other Association documents, to include the **Bylaws and Covenants & Restrictions**, are posted and may be downloaded from the Association's website on the Documents & Maps page, http://www.rivermountainranch.org/docs_maps.html.

- I. **Copies of Association records will be available to all Owners upon proper request and at their own expense. A proper request may be made as follows:**
 - a. An informal request from an Owner may be made by telephone call or email to the Board President, Secretary, or Treasurer.
 - b. A written formal request from an Owner, from the Owner's agent, attorney, or certified public accountant must be sent via certified mail to the Association's address as reflected in its most recent management certificate; the legal owner must also be properly identified and sign the formal request;
 - c. Any request must contain sufficient detail to identify the records being requested.
- II. **Owners may request to inspect the books and records or may request copies of specific records.**
 - a. If the owner makes a request to inspect the books and records then the Association will respond as quickly as possible but not later than **10 business days** of the request,

Policy # 6 - River Mountain Ranch Records Production Policy

providing the dates and times the records will be made available and the location of the records. The Association and the owner shall arrange for a mutually agreeable time to conduct the inspection. The Association shall provide the owner with copies of specific documents upon the owner paying the Association the cost thereof.

b. If an owner makes a request for copies of specific records, and the Association can provide the records easily or with no cost, then the Association will provide the records to the owner as quickly as possible but not later than **10 business days**.

c. If the owner's agent, attorney, or certified public accountant makes a formal request for copies of specific records, the Association shall send a response letter advising the requestor of the date the records will be made available (within 15 business days) and the cost the owner must pay before the records will be provided. Upon paying the cost to provide the records, the Association shall provide the records to the requestor.

III. The Association hereby adopts the following schedule of costs:

<u>COPIES</u>	10 cents per page, for a regular 8.5 " x 11" page 50 cents per page, for pages 11" x 17: or greater Actual cost, for specialty paper (color, photograph, map, etc.) \$1.00 for each CD or audio cassette \$3.00 for each DVD
<u>LABOR</u>	\$25.00 per hour for actual time to locate, compile and reproduce the records (can only charge if request is greater than 50 pages in length). NOTE: The cost of inspecting Books & Records will be at the hourly rate of the RMRPOA Bookkeeper. The current rate is \$25 per hour.
<u>OVERHEAD</u>	20% of the total labor charge (can only charge if request is greater than 50 pages in length)
<u>MATERIALS</u>	Actual costs of labels, boxes, folders, and other supplies used in producing the records, along with postage for mailing the records.

IV. The Association hereby adopts the following form of response to any formal request made by an Owner's agent, attorney, or certified public accountant that request to inspect the Association's Books and Records:

Policy # 6 - River Mountain Ranch Records Production Policy

RIVER MOUNTAIN RANCH--WIMBERLEY PROPERTY OWNERS ASSOCIATION RESPONSE TO REQUEST TO INSPECT ASSOCIATION RECORDS

_____ (DATE)

On _____, the Association received your request to inspect the books and records of the Association. The books and records of the Association are available for you to inspect on regular business days, between the hours of 9 am and 5 pm, at the office of _____, located at _____, _____, Texas

Please contact the Association's Secretary at _____ (phone number) to arrange for a mutually agreeable time for you to come and inspect the books and records. Please be advised that if you desire copies of specific records during or after the inspection, you must first pay the associated costs before the copies will be provided to you. A schedule of costs is included with this response.

Very truly yours,

River Mountain Ranch-- Wimberley
Property Owners Association

- V. The Association hereby adopts the following form of response to to any formal request made by an Owner's agent, attorney, or certified public accountant that request copies of specific records:

RIVER MOUNTAIN RANCH--WIMBERLEY PROPERTY OWNERS ASSOCIATION RESPONSE TO REQUEST FOR ASSOCIATION RECORDS

_____ (DATE)

Dear _____:

On _____, the Association received your request for copies of specific Association records. We are unable to provide you with the requested records within 10 business days of your request. However, the requested records will be available to you no later that 15 business days after the date of this response.

In order to obtain the records, you must first pay the Association the cost of providing the records to you. The estimated cost to obtain the records you requested is \$_____. Upon receiving payment, the Association will mail the requested documents to you. You may also make payment and pick up the documents in person at the office of _____, located at _____, _____, Texas.

Very truly yours,

River Mountain Ranch-- Wimberley
Property Owners Association

Policy # 6 - River Mountain Ranch Records Production Policy

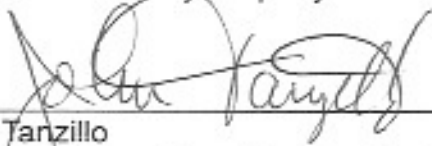
VI. If the estimated cost provided to the Owner is more or less than the actual cost of producing the documents, the Association shall, within 30 days after providing the records, submit to the owner either an invoice for additional amounts owed or a refund of the overages paid by the Owner.

VII. Unless authorized in writing or by court order, the Association will not provide copies of any records that contain the personal information of an owner, including restriction violations, delinquent assessments, financial information and contact information (other than an owner's address); additionally, no privilege attorney-client communications or attorney work product documents will be provided; and no employee information (including personnel file) will be released.

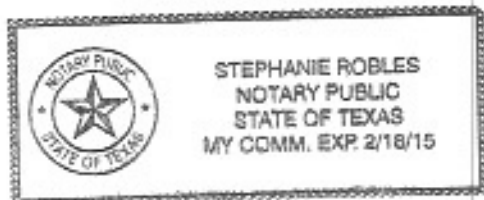
VIII. With regards to the inspection of ballots, only persons who tabulate ballots under 209.00594 (TPC) may be given access to the ballots cast in an election or vote.

CERTIFICATION

"I, the undersigned, being the President of River Mountain Ranch -- Wimberley Property Owners Association hereby certify that the foregoing Policy was adopted by a majority of the River Mountain Ranch-- Wimberley Property Owners Association Board of Directors on the 10th day of May, 2012."

By: 
John Tanzillo
President, River Mountain Ranch -- Wimberley
Property Owners Association

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, by John Tanzillo, the President of River Mountain Ranch -- Wimberley Property Owners Association on the 17 day of May, 2012 to certify which witness my hand and seal of office.




NOTARY PUBLIC, State of Texas