

BRYANT WOODS HOMEOWNERS ASSOCIATION INC.

BWHA RECORDS POLICY (14-A)

BE IT RESOLVED, that this Policy shall govern the compilation, preservation, and access to records of the Bryant Woods Homeowners Association, Inc. (BWHA).

1. Applicability. This Policy applies to all records (written, photographic, electronic, etc.) of the BWHA.

2. "Public Records". Under Oregon law, ORS 94.670(9) (2013), all records of the BWHA are Public Records, available for inspection by any BWHA member or mortgagee of a lot within the BWHA making a good faith request for a proper purpose, except for the following:

- a. Personnel matters relating to specific identified person or a person's medical records;
- b. Contracts, leases, and other business transactions that are currently under negotiation to purchase or provide goods or services;
- c. Communications with legal counsel that relate to matters specified in subparagraphs (a) and (b) above, and the rights and duties of the association regarding existing or potential litigation or criminal matters;
- d. Disclosure which would be in violation of the law;
- e. Documents, correspondence, management or board reports compiled for or on behalf of the association or the board of directors ("Board") by its agents or committees for consideration by the Board in executive session held in accordance with ORS 94.640 (Association board of directors)(8);
- f. Documents, correspondence or other matters considered by the Board in executive session held in accordance with ORS 94.640(Association board of directors)(8); and
- g. Files of individual owners, other than those of a requesting owner or requesting mortgagee of an individual owner, including any individual owners file kept by or on behalf of the association.

3. Organization of Records. Records (electronic or otherwise) shall be organized by Category as shown in **Attachment A**.

4. Duration of Record Retention. Records shall be retained for the Duration specified in **Attachment A**. Records with "indefinite" duration shall be kept at least 10 years and discarded only upon Board resolution. Records shall not be discarded without prior notice to the Board.

5. Location of Records. An official version of each BWHA record shall reside at one or more of the following Locations, as designated in **Attachment A**:

- a. "Web-Public" –an electronic repository available to the general public via the web.
- b. "Web-Board" –a password protected electronic repository available only to Board members and Board-authorized persons.
- c. "Board-" Records not designated for upload to the web shall reside in a safe Location under the control of the Board member specified in **Attachment A**.

6. Posting of Electronic Records. Web-Public and Web-Board Records shall be uploaded by the Secretary or the Secretary's designate to a reputable web site, such as Google Docs,

with redundant backup; provided that until such documents can be converted into electronic format they will reside with the Secretary. The Secretary shall have at least one designate capable of administering the records web site at all times.


7. Alteration of Records Prohibited. Nobody shall alter the substance of any record so as to obscure the record's original content. Changes to reflect clerical errors, omissions, or mistakes shall only be made in a manner that clearly indicates the original content, the revised content, and the date and purpose of the revision.

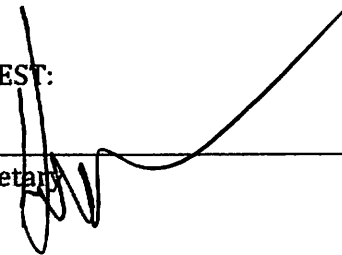
8. Records Requests. Public Records may be viewed and copied upon written request by any BWhA member or mortgagee of a BWhA member per ORS 94.670(9). Such request may be made via email or other writing to the Secretary and shall specify: (1) the identity of the requestor; and (2) the information requested (including the Category number from **Attachment A**); and (3) whether the request is for copies or for inspection. If the requestor seeks to inspect records, the request shall propose three times for inspection that would work for the requestor. The Secretary shall acknowledge the request via email and coordinate a response from the Board within 10 business days. If the Board needs more time to respond to a request, the Secretary shall contact the requestor within 10 business days and try to arrange a mutually agreeable timetable for completing the Board's response. The Board must state the reason for the delay and the Board should comply with any portion of the request not requiring additional time.

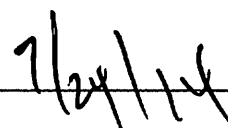
The Board may reasonably condition its response to a records request as follows:

- a. Requests to review documents may be limited in time and frequency if they become burdensome so long as the Board's intent is not to deny access to Public Records.
- b. The Board may require reimbursement of its out of pocket costs including contracted labor (but not Board member time) and the cost of production or reproduction of any duplicated records; provided that it shall provide the requestor an estimate in advance of incurring any costs processing the request.
- c. If the Board believes part of a request seeks records that are not "Public Records", it shall tell the requestor which exemption(s) may apply and may withhold that portion of the request up to 30 days to determine whether the records are privileged.
- d. The Board may deny requests for access to records if the requestor's name does not appear on the Board's current BWhA Member list and the requestor is not otherwise entitled to view BWhA records.

BRYANT WOODS HOMEOWNERS ASSOCIATION, INC.

By: 
President

ATTEST:

Secretary

Date 

**BWA Records Policy
Attachment A—Records Classification**

	Category	Type of Records	Description	Duration	Location
1.	Governing Documents				
	1.1	BWA Articles of Incorporation	Articles of Incorporation and amendments (ORS. 65.771(5)(a))	Current Version	Web-Public
	1.2	BWA Bylaws	Bylaws and amendments (ORS 65.771(5)(b))	Current Version	Web-Public
	1.3	CC&Rs	Covenants, Codes & Restrictions of the BWA	Current Version	Web-Public
	1.4	BWA Officer List	List of names and email addresses of directors and officers (ORS 65.771(5)(f))	Current Version	Web-Public
	1.5	Current Board Resolutions with ongoing relevance	e.g. Architectural Guidelines, fines schedule, committees delegations, Records Retention Policy	Current Version	Web-Public
	1.6	Budget and Capital Replacement Plan	Updated annually, originals archived with Treasurer	Current Version	Web-Public
2.	Current BWA Records				
	2.1	Annual Financial Statements	ORS 65.771(5)(g)	Last 3 available	Web-Public
	2.2	Woodsmen	Copy of the BWA newsletters (including financial reports and architectural approvals)	All years	Web-Public
	2.3	Board Meeting Minutes	Approved minutes of regular and special BWA board meetings	One folder per year (> 2013)	Web-Public
	2.4	Minutes of Meetings of Members	Minutes of regular and special BWA member meetings	One folder per year (>2013)	Web-Public
	2.5	Committees	Records of all actions taken by committees in place of the Board	One folder per year (>2013)	Web-Public
3.	Financial Records				
	3.1	Annual Report	Annual Report filed with Oregon Sect'y of State.	Forever	Web-Board
	3.2	Inventories	Inventory of all BWA Property	Indefinite	Web-Board
	3.3	Audited and Reviewed Financial Statements		Indefinite	Web-Board
	3.4	Tax Returns		Indefinite	Web-Board
	3.5	Annual Budget		Indefinite	Web-Board
	3.6	Capital Replacement Plan	Current and historic copies	Forever	Web-Board
	3.7	Member Contact List	Current list of BWA members and addresses; and all archived lists	Forever	Web-Board
	3.8	Insurance Policies		Forever	Web-Board
4.	Bookkeeping Records				
	4.1	Accounts Payable and Receivable ledgers	e.g. QuickBooks	10 years	Board-Treasurer
	4.2	Bank Statements		10 years	" "
	4.3	Cancelled Checks		10 years	" "

**BWHA Records Policy
Attachment A—Records Classification**

4.4	Certificates of Deposit		10 years	" "
4.5	Invoices		10 years	" "
4.6	Billing Records		10 years	" "
4.7	Notes Payable and Receivable		10 years	" "
4.8	Purchase Orders		10 years	" "
4.9	Documents supporting tax returns		10 years	" "
4.10	Financial Statements		10 years	" "
4.11	Accountant reports		10 years	" "
4.12	Documents supporting the capital replacement plan		3 years	" "
4.13	Documents supporting the approved budget		3 years	" "
4.14	Other financial records		10 years	" "
5.	Contracts			
5.1	Insurance Claims		10 years	Board-President
5.2	Mortgage Co requests for Insurance information		10 years	" "
5.3	Completed contracts		10 years	" "
5.4	Current contracts		While current	" "
5.5	Current warranties		While current	" "
6.	Legal			
6.1	Legal memos		10 years	President; Web-Board
6.2	Legal proceedings		10 years	President
6.3	Prep for legal proceedings		10 years	President
6.4	Member Enforcement	Collections, citations, complaints, architectural enforcement, etc.	Forever	President; Web-Board
7.	Other Records			
7.1	Deeds/Plats/PUD Ordinance	All deeds, plats, conveyances, easements, Ordinances, and other encumbrances on BWHA Common Property or BWHA member lots	Forever (ORS 94.670(1) and 94.616(3))	Board-VP
7.2	Site Drawings, specifications, utilities	Architectural, structural, HVAC etc.	" "	" "
7.3	Other	All other plans and information relevant to future repair or maintenance of the property	" "	" "
7.4	Contractors	A list of contractors responsible for construction and/or installation of the common property	" "	" "
8.	Board Archive			
8.1	Archived Minutes of Member Meetings, Board Meetings, and actions taken w/o meeting		Forever (ORS 65.771(1))	Board-Secretary
8.2	Archived Board Resolutions	Board Resolutions relating to member, qualifications, rights, limitations and obligations.	Forever (ORS 65.771(5)(c))	" "
8.3	Correspondences	Misc. emails and letters to or from the BWHA Board	At least 3 years (ORS	" "

**BWHA Records Policy
Attachment A—Records Classification**

	8.3	Correspondences	Misc. emails and letters to or from the BWHA Board	At least 3 years (ORS 65.771(5)(e))	" "
	8.4	Votes on declarations, bylaws, & plat amendments	Proxies & Ballots	1 yr after effective date (ORS 94.670)	" "
	8.5	Other votes	Proxies & Ballots	1 yr (ORS 94.670(1))	" "
	8.6	Other Board documents		Indefinite	
9.	Architectural Review				
	9.1	Log of Applications	Log of every application received and action taken	Forever	Arch. Chair; Web-Board
	9.2	Application Materials	e.g. application form and descriptions	Indefinite	Arch. Chair
	9.2	Other Architectural		Indefinite	Arch. Chair
10.	Maintenance Committee				
	10.1	Maintenance Diary	An on-going record of the actions of the committee	Forever	Web-Board
	10.2	Photos, oral histories, etc.		Indefinite	Maint. Chair
	10.3	Other maintenance		Indefinite	Maint. Chair
11.	Pool committee				
	11.1	Pool Diary	An on-going record of the actions of the committee	Forever	Web-Board
	11.2	Photos, oral histories, etc.		Indefinite	Pool Chair
	11.3	Other Pool info		Indefinite	Pool Chair
12.	Social Committee				
	12.1	Social Program		Forever	Web-Board
	12.2	Photos, oral histories, etc.		Indefinite	Social Chair