



ACCESS TO RECORDS POLICY

[Effective Date: 07/20/2022]

Introduction

LDWA has established a formal records program that ensures the safe keeping of records generated by the organization. Records are to be retained for the period of their immediate use, unless longer retention is required for historical reference, contractual, legal, or regulatory requirements or for other purposes as may be set forth below. Records that are no longer required, or have satisfied their required periods of retention, shall be destroyed. Please note that “records” includes not only documents in paper form, but e-mail messages and all other forms of electronically stored information.

This policy covers the request for records and documents made by a LDWA shareholder.

Under Article VI - Section 5. Books and Records. It states that “The books, records and papers of the Association shall, at all times during reasonable business hours, be subject to inspection by any shareholder. The Articles of Incorporation and the Bylaws of the Association shall be available for inspection by any shareholder at the principal office of the Association, where copies can be purchased at a reasonable cost.”

LDWA reserves the right to amend, alter, and terminate this policy at any time.

Responsibility for Administration

The Corporate Secretary of LDWA shall be responsible for administering the Records Retention Policy. The LDWA assures the credibility and soundness of its records maintenance procedures in the event of audit or litigation under its Records Retention Policy.

What is a Record?

A "record" is defined as any document, book, paper, photograph, map, sound recording or other material, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business. This definition includes those records created, used and maintained in electronic form.

Statement of Policy

Request for Examination and Copying.

- Only members of record in good standing or their authorized agent may request access to Association books and records.
- A written request for examination and/or copies must be submitted to the Managing Agent at a minimum of ten (10) days notice. The request must contain a specific list of all records to be examined. The request form is attached to this resolution as Attachment A.

- Examination of all records shall be at the identified place of inspection by the Managing Agent at a time mutually agreed upon by the Managing Agent and the requester, but at all times during normal business hours.

Books and Records Available for Review

- Members shall have access to books and records of the Association with the exception of those that concern:
 - Personnel matters relating to specific identified persons or a person's medical records;
 - Contracts, leases or other commercial transactions currently in or under negotiation;
 - Pending or probable litigation;
 - Matters involving formal proceedings before a government tribunal for enforcement of the association documents or rules and regulations;
 - Communications with legal counsel that are protected by the attorney-client privilege;
 - Disclosure of information in violation of law;
 - Meeting minutes or other confidential records of an executive session of the board of directors;
 - Documentation, correspondence or reports compiled for the association for consideration in executive session;
 - Individual unit or member files other than those of the requesting member;
 - Draft minutes of any board or committee meeting that are less than sixty (60) days old.

Charges.

- The Association charges fees in accordance with Attachment A for the reproduction of requested records/documents. All such fees will be charged to the requesting member. The schedule of fees is attached to this resolution as **Attachment A** and may be updated annually. All such updates to the schedule of charges shall be published on the Association website (if applicable) or provided to members on request.



LEEDS DOMESTIC WATERUSERS ASSOCIATION
REQUEST TO REVIEW
 (Attachment A)

I, [Click or tap here to enter text.](#), request to examine the following files/documents:

- | | |
|--|--|
| • Click or tap here to enter text. | • Click or tap here to enter text. |
| • Click or tap here to enter text. | • Click or tap here to enter text. |

Reason for request:

[Click or tap here to enter text.](#)

FEE SCHEDULE FOR DOCUMENT REVIEW/REPRODUCTION

All Below Fees are payable to the Association by the requesting shareholder or their agent.

Search and review costs will apply and will be calculated at a rate of \$40.00* per hour. If the LDWA estimates that the search/review costs will exceed \$40.00, the requester shall be so notified. Such notice shall offer the requester the opportunity to reformulate the request to meet the requester's needs at a lower cost. The request shall not be processed further unless the requester agrees to pay the estimated fees. If it is estimated that allowable charges are likely to exceed \$200, the LDWA may require a requester to make an advanced payment.

Document Reproduction Fees

- | | |
|-----------------------------------|---------------------|
| • Annual or Board Meeting Minutes | \$00.25/page (B&W)* |
| • Articles of Incorporation | \$00.25/page (B&W)* |
| • Bylaws | \$00.25/page (B&W)* |
| • Budget | \$00.25/page (B&W)* |
| • Annual Financial Statements | \$00.25/page (B&W)* |
| • Current Financial Statements | \$00.25/page (B&W)* |
| • Insurance Declaration Pages | \$00.25/page (B&W)* |
| • Policies, Resolutions | \$00.25/page (B&W)* |
| • All other Records | \$00.25/page (B&W)* |

* Pricing based on third party duplicating service pricing for B&W for single page. (7/2022). Subject to update annually.

I understand that this request is subject to the terms and conditions outlined in **Leeds Domestic Water Users Association Resolution 2022-06**, and that the administrative and copying costs are my responsibility.

Requestor Name: [Click or tap here to enter text.](#)

Date: [Click or tap here to enter text.](#)

Address: [Click or tap here to enter text.](#)

ACCT#: [Click or tap here to enter text.](#)

City: [Click or tap here to enter text.](#)

State: [Click or tap here to enter text.](#)

ZIP Code: [Click or tap here to enter text.](#)

Phone: [Click or tap here to enter text.](#)

E-Mail: [Click or tap here to enter text.](#)

HOW TO SUBMIT REQUEST

Please complete this form and return it via USPS, hand delivery, facsimile or e-mail to:

Leeds Domestic Water Users Association (LDWA)
 545 N Main Street, Unit# 7 | PO Box 460627 | Leeds, UT 84746
 Phone: (435) 879-0278 | E-Mail: LDWAcorp@infowest.com | Web: ldwacorp.org

Within ten (10) business days of receipt of the request, you will be contacted via the phone and/or email address above to arrange a time/date for you to review the requested files and/or documents.

REQUESTOR SIGNATURES

Requestor:

Date: