

**ASSOCIATION OF PROPERTY OWNERS OF  
RIVERHILL OPEN MEETINGS AND OPEN RECORDS POLICY**  
(Updated and Effective as of September 1, 2021)

**Article I**

**PURPOSE**

This document sets forth the Open Meetings and Open Records Policy and Procedure of Association of Property Owners of Riverhill, a Texas non-profit corporation (the "*Association*") that will be effective beginning September 1, 2021.

**Article II**

**POLICY COMPLIANCE**

The Board of Directors of the Association ("*Board*") will be responsible for complying with this Open Meeting and Open Records Policy.

**Article III**

**OPEN MEETINGS**

3.1. **Member Meetings.** An open annual meeting of Members of the Association ("*Annual Meeting*") will be scheduled each year by the Board of Directors of the Association. Notice of such meeting shall be delivered to each Member no later than 10 days or earlier than 60 days before the date of the Annual Meeting, in accordance with the Bylaws of the Association. A special meeting of Members may be called by the President or upon a petition signed by a majority of Members. Notice of any Annual Meeting of Members shall state the place, date, and time of the meeting. Notice of any special meeting of Members shall also include the purpose(s) for which the meeting is called. The agenda for the Annual Meeting will be in accordance with the requirements set forth in the Bylaws.

3.2. **Board Meetings.** All regular meetings and special meetings, if any, of the Board will be open meetings that any Member of the Association may attend, subject to the rights of the Board to adjourn any such meeting and reconvene in closed executive session to consider actions involving personnel, pending or threatened litigation, contract negotiations, enforcement actions, confidential communications with the Association's attorney, matters involving the invasion of privacy of individual owners or Members, or matters that are to remain confidential by request of the affected parties and agreement of the Board. Following any executive session, any decisions made by the Board in the executive session must be summarized orally and placed in the minutes of the meeting, in general terms, without breaching the privacy of individual owners/Members, violating any privilege, or disclosing information that is to remain confidential at the request of affected parties. The oral summary must include a general explanation of expenditures approved in any executive session. Notice of Board meetings will be delivered to Members either: (i) by mail, no less than 10 day and no more than 60 days before the date of the meeting; or (ii) by posting such notice on the Association's Internet website and sending such notice by e-mail to each Member who has registered an e-mail address with the Association, at least 144 hours before the start of a regular Board meeting or at least 72 hours before the start of a special Board meeting.

**Article IV**  
**OPEN RECORDS**

All records of the Association retained in accordance with the Record Retention Policy are open and available for review by any Member of the Association following the Record Access Procedure described in Paragraph V below.

**Article V**  
**RECORD ACCESS PROCEDURES**

5.1. **Member Requests.** Any Member of the Association desiring to review a retained record should contact the Association's managing agent or the Board, by certified mail, requesting access to the record that it is desired to be reviewed. Such request should include sufficient detail describing the Association's books and records requested, and an election either to inspect the books and records before obtaining copies or to have the Association forward copies of the requested books and records to the Member.

5.2. **Timing.** If an inspection is requested, the Association, on or before the 10<sup>th</sup> business day after the date the Association receives the request, shall send written notice of dates during normal business hours that the Member may inspect the requested books and records to the extent those books and records are in the possession, custody, or control of the Association. If copies of identified books and records are requested by the Member, then the Association shall, to the extent those books and records are in the possession, custody, or control of the Association, produce the requested books and records within 10 business days after the date the Association receives the request. If the Association is unable to produce the books or records by the 10<sup>th</sup> business day after receipt of the Member's request, then the Association must inform the requesting Member that the Association is unable to produce the information by the 10<sup>th</sup> business day after the request; and state a date by which the information will be sent or made available for inspection that is not later than the 15<sup>th</sup> business day after the date such notice is given.

5.3. **Location.** If an inspection is requested or required by the Member, the inspection shall take place at the address of the Association's managing agent or other mutually agreed upon location, at a time during normal business hours mutually agreed upon by the Association and the requesting Member. At such inspection, the Member shall identify the books and records for the Association to copy and forward to the requesting Member, if any.

5.4. **Manner of Production.** The Association may produce requested books and records by hard copy, electronic copy, or other format reasonably available to the Association.

5.5. **Originals.** Members may not remove any original record from the Association's record storage or selected review location.

5.6. **Costs of Reproduction.** If a Member requests copies of any Association records, such copies will be provided by the Association at the requesting Member's cost and expense in accordance with this paragraph. The requesting Member shall reimburse the Association for all costs of compiling, producing, and copying such books and records, and such charges may include an administrative fee. The charges for reproduction of any books and records of the Association

