

THE FAIRWAYS AT FIELDCREEK HOMEOWNERS ASSOCIATION

BOARD OF DIRECTORS' RESOLUTION REGARDING RECORD RETENTION

WHEREAS, The Fairways at Fieldcreek Homeowners Association (the "Association") is a Nevada non-profit corporation duly organized and existing under laws of the State of Nevada. The CC&Rs and Bylaws gives the Board of Directors (the "Board") the power to adopt, amend, repeal and enforce reasonable rules and regulations and other resolutions pertaining to the operation and administration of the Association project; and

WHEREAS, the purpose of this resolution is to set forth guidelines for the maintenance of the Association's official records. In particular, the Association desires to set forth guidelines relating to the length of time that various Association documents must be kept and maintained in hard copy format; and

WHEREAS, the Association accumulates a large volume of paper documents and records that are placed into storage in various forms. The volume of these paper documents and records in their entirety is burdensome and must be addressed in an effective manner; and

WHEREAS, NRS 116.31175 (7) requires the Association to maintain its records for at least ten (10) years subject to certain exceptions that require the Association to maintain the same until the termination of the Association. NRS 116.31175 (7) reads as follows:

"The books, records and other papers of an association must be maintained for at least 10 years. The provisions of this subsection do not apply to:

(a) The minutes of a meeting of the units' owners which must be maintained in accordance with NRS 116.3108 (8); or

(b) The minutes of a meeting of the executive board which must be maintained in accordance with NRS 116.31083 (10)."

NRS 116.3108 (8) reads as follows:

"The association shall maintain the minutes of each meeting of the units' owners until the common-interest community is terminated."

NRS 116.31083 (10) reads as follows:

"The association shall maintain the minutes of each meeting of the executive board until the common-interest community is terminated."

The above requirements are minimum retention requirements and do not preclude using electronic formats to meet those requirements. The Association deems it necessary to keep certain Association records in electronic format; and

NOW, THEREFORE, BE IT RESOLVED, the Board adopts the following Resolution Regarding Record Retention:

I. MAINTENANCE OF ASSOCIATION RECORDS IN HARD PAPER FORMAT:

- A. Consistent with the above, the Association will keep the following Association records and documents on file in hard paper format until the termination of the Association:
1. All Association governing documents included, but not limited to, original copies of recorded Articles of Incorporation, Bylaws, CC&Rs, Signed Rules and Regulations, Signed Design Review Guidelines, any and all Signed Resolutions or the like and all amendments thereto;
 2. All signed and approved minutes of meetings of the Executive Board and all minutes of the meetings of the unit owners;
 3. Any original real property records such as Association deeds, easements or any other documents relating to Association interests in any real property.

II. DURATION OF ASSOCIATION RECORDS:

- A. Consistent with the above, the Association will keep the following Association records and documents on file electronically until the termination of the Association:
1. Insurance related documents including, but not limited to, certificates of insurance, insurance settlements and claims related information.
 2. Financial records such as tax returns, W-2 and W-4 records, property tax records, financial audits, banking and financial statements and accounting ledgers;
 3. Audio recordings of board meetings or units' owners' meetings;
 4. Architectural applications submitted to the Association for review and approval.
- B. Consistent with the above, the Association will keep the following Association records and documents on file electronically for at least 10 years:
1. Any employment related documents including, but not limited to, labor and employment contracts, pension related documents and employment related tax documents;
 2. All reserve studies;
 3. Any and all settlement agreements, legal opinions and other confidential materials from Associations' legal counsel.
 4. Documents related to Association account receivables and payables, paid invoices to third party vendors;
 5. All expired contracts and retainer agreements of the Association not otherwise provided for in paragraph A above including, but not limited to, management contracts, landscaping maintenance contracts and other contracts of the Association;
 6. Other financial records not otherwise provided for in paragraph A above including but not limited to, cancelled checks, Association budgets, deposit slips, cash receipt books/journals, check registers, deposit records and other administrative related banking records, purchase orders, payment receipts, utility payment receipts;
 7. Homeowner files, including violation notices, and documents relating to homeowners that have not had an ownership interest in a unit in the Association for at least ten years not otherwise provided for in paragraph A above;

8. Association newsletters, informational materials, letters, documents, faxes, emails not otherwise provided for in paragraph A above;
9. Bids and proposals, licenses (after termination or expiration), expired leases of personal property;
10. Returned mail envelopes(not including contents) or Certified Return Receipt Green cards, mailing and postage information or;
11. Any other Association documents that are not required under Nevada law or Paragraph A above be kept until the termination of the Association. Also, as to the documents that the Association is required to keep for only ten years as stated above, the Association may elect to keep such records for any period of time longer than ten years.

III. SHREDDING OF MATERIALS

- A. Except as provided below, the Association may shred any documents, subject to the following guidelines:
 1. Subject to Article III (B) below, the Association may shred any of the documents stated in Article II above so long as a scanned copy is saved in an electronic format of the Association's official records.
- B. The following documents may not be shred and must be kept in hard form as required in Article I above:
 1. Any original current vendor contracts;
 2. Any original Board meeting minutes and Member meeting minutes;
 3. Any original tax records and filings;
 4. Any original documents containing the County Recorder's seal or stamp;
 5. Any original signed board amendments, resolutions, policies or the like;
 6. Any original real property records such as Association deeds, easements or any other documents relating to Association interests in any real property.

IN WITNESS WHEREOF, this Resolution Regarding Record Retention has been executed by the Association as of this 30 day of March, 2015. The undersigned hereby certify that this Resolution has been adopted and approved in accordance with NRS 116 and the Association's governing documents.

THE FAIRWAYS AT FIELDCREEK HOMEOWNERS ASSOCIATION, A Nevada non-profit corporation:

By: Michael Vonada

Its: President

(Print Name): MICHAEL VONADA

By: Kathy Braband

Its: Secretary

(Print Name): Kathy Braband