

COLORADO'S TIMBER RIDGE METRO DISTRICT(CTRMD)

Record Retention Policy

Effective Date: August 4, 2026

In compliance with C.R.S. 1004, 1004.5 and HB24-1267 the Board of Directors of the CTRMD adopts the following Records Retention Policy

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE TIMBER RIDGE METROPOLITAN DISTRICT THAT:

Section 1. Adoption of Policy

The Board hereby approves and adopts the *Record Retention Policy for Colorado's Timber Ridge Metropolitan District*, attached hereto as **Exhibit A** and incorporated herein by this reference. This policy supersedes all prior record retention schedules or informal practices previously utilized by the District.

Section 2. Effective Date

The Record Retention Policy shall become officially effective on **August 4, 2026**. All records currently in the possession of the District, and all records created or received after this date, shall be managed according to this schedule.

Section 3. Designation of Official Records Custodian

The Board hereby designates the District's Secretary (or their designated administrative agent) as the **Official Records Custodian**. The Custodian is authorized and directed to:

1. Implement necessary administrative procedures to enforce the retention schedules.
2. Securely store and back up digital metadata monthly to an off-site, password-protected server environment.
3. Serve as the primary point of contact for all CORA public records inspection inquiries.

Section 4. Submission to State Archivist

The Board directs the Official Records Custodian to immediately submit a copy of this Resolution alongside the formal State Archives *Application for Authority to Destroy Public Records* form to the Colorado State Archivist. This action ensures the District possesses the formal legal authority to execute scheduled record destruction.

Section 5. Enforcement and Litigation Holds

The Custodian shall immediately freeze and suspend any routine document destruction upon receiving notice of any current, pending, or reasonably anticipated lawsuit, structural defect claim, internal financial audit, or outstanding CORA public records request.

Section 6. Severability

If any section, subsection, sentence, or clause of this Resolution or the attached policy is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions.

ADOPTED AND APPROVED this _____ day of _____, 2026.
COLORADO'S TIMBER RIDGE METROPOLITAN DISTRICT

By: _____
President, Board of Directors

ATTEST:

By: _____
Secretary, Board of Directors

EXHIBIT A

RECORD RETENTION POLICY FOR COLORADO'S TIMBER RIDGE METROPOLITAN DISTRICT

Effective Date: August 4, 2026

Location: Archuleta County, Colorado

Governing Authority: Colorado's mTimber Ridge Metropolitan District Board

1. Purpose & Statutory Scope

This policy establishes the comprehensive digital and physical document retention rules for the District and the Association. It guarantees absolute transparency under the **Colorado Open Records Act (CORA)** and **C.R.S. § 38-33.3-317**. Crucially, it incorporates the mandatory operational constraints enacted under **HB24-1267**, which explicitly restricts and penalizes arbitrary covenant enforcement and design review procedures within Colorado Metropolitan Districts.

2. Schedule of Retention Periods

A. Covenant Enforcement Records (HB24-1267 & CCIOA Aligned)

All tracking, warning, and dispute documents regarding the Declaration of Protective Covenants, Conditions, and Restrictions must follow strict compliance parameters:

- **Written Notices of Violation & Cure Periods:** Retain for **7 years** following the complete resolution of the violation.
- **Notice and Hearing Records:** Certified logs of formal notices, written opportunities for hearings, board decision transcripts, and minutes regarding homeowner disputes must be kept for **7 years**.
- **Fines & Fee Ledgers:** Chronological itemization of any fine assessment or legal fee billing must be retained for **7 years**. *Note: Per HB24-1267, foreclosure actions based solely on delinquent fines or design review penalties are strictly prohibited.*

- **Statutory Exemption Claims:** Documentation regarding a resident's protected right to bypass certain covenants—including fire mitigation/defensible space clearance, xeriscaping/drought-tolerant landscaping, flag/sign displays, or disability accommodations—must be kept **permanently** as a running attachment to the specific parcel folder.

B. Architectural & Improvement Review Committee (IRC) Records

Because all structural upgrades and building plans require formal Improvement Review Committee (IRC) approvals alongside Archuleta County building permits:

- **Approved Blueprints & Property Improvement Plans:** Retain **permanently** (tied to the historical property file).
- **Denied IRC Plans & Appeal Records:** Retain for **7 years** following the final date of administrative or judicial appeal.
- **IRC Architectural Guidelines & Rule Modifications:** All historic iterations and updates to the Architectural Guidelines for Building in Timber Ridge must be kept **permanently**.

C. General District & Association Governance Records

- **Official Minutes & Resolutions:** Minutes of all Board of Directors, and committee meetings must be kept **permanently**.
- **Written Board Communications & Electronic Ballots:** Email correspondences, Slack/text records, and electronic voting records where board members form a consensus or cast official votes outside of a scheduled meeting. Retain for **6 years**.
- **Financial Audits & Annual Disclosures:** Annual financial statements, independent CPA audits, and mandatory disclosures required under C.R.S. § 38-33.3-209.4 must be kept **permanently**.
- **Current Membership Roster:** A secure list containing the legal names, physical parcel addresses, and designated email/mailing vectors of all unit owners must be updated continuously and past versions archived for **3 years**.

3. Comprehensive Document Mapping Matrix

Record Category	Specific Record Type	Mandatory Minimum Retention	Statutory Reference / Basis
Covenant Enforcement	Notice of Violation / Cure Log	7 Years post-resolution	HB24-1267 / C.R.S. § 38-33.3-317
Covenant Enforcement	Protected Property Use Waivers (Fire mitigation, Xeriscape)	Permanent (Property File)	HB24-1267 Property Rights
Architectural Review	Approved IRC Applications & Plots	Permanent	C.R.S. § 24-80-101 (State Archives)
Architectural Review	Denied IRC Applications & Appeals	7 Years post-final decision	C.R.S. § 38-33.3-317

Governance	Board Meeting Minutes & Resolutions	Permanent	C.R.S. § 38-33.3-317(1)(c)
Governance	Board Inter-communication & Outside Votes	6 Years	C.R.S. § 38-33.3-317(1)(d)
Financials	Certified Annual Audits & Statements	Permanent	State Archive Special District Schedule

4. Critical Operational Compliance Guidelines

A. Mandatory Litigation Holds

Regardless of the baseline retention parameters outlined in the chart above, **the destruction of any record is strictly prohibited** if the District or Association is currently involved in, or has reason to anticipate, any lawsuit, structural defect claim, ongoing internal audit, or unresolved CORA public information request. The Document Custodian must immediately pause standard deletion routines upon receiving notice of a claim.

B. Electronic Record Authenticity & Backup Mandates

Electronic files, scans, and cloud data serve as the formal legal record for the District and Association provided they adhere to the Colorado Uniform Electronic Transactions Act (UETA).

- All digital folders regarding individual parcel modifications or enforcement metrics must be securely backed up to an off-site, password-protected server monthly.
- Metadata proving the timeline of a covenant notification or design application receipt cannot be wiped or altered during system migrations.

C. Owner Right to Inspection

Per C.R.S. § 38-33.3-317, all items listed as non-confidential association records must be made available to owners or their designated agents for inspection. The District may not require a homeowner to demonstrate a "proper purpose" prior to reviewing structural design history or basic covenant logs. Under current statutory allowances, records must be delivered or prepared for review within **five (5) business days** of a formal written submittal.

5. Document Destruction Formalities

When records surpass their mandatory minimum retention thresholds and are completely cleared of any litigation hold, they must be disposed of securely to protect resident privacy:

1. **Physical paperwork** containing banking details, social security identifiers, or enforcement histories must be thoroughly cross-cut shredded.
2. **Digital materials** must be permanently deleted from primary servers and emptied from local system recycle bins.
3. A **Destruction Log** detailing the broad categories of records destroyed, the range of dates they spanned, and the actual execution date must be permanently retained by the District Custodian.