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201999001516

RESOLUTION OF THE BOARD OF DIRECTORS OF MISTY WOODS HOMEOWNERS ASSOCIATION, INC., a Texas Non-Profit Corporation **REGARDING RECORDS PRODUCTION AND COPYING POLICY**

STATE OF TEXAS §
§ KNOWN ALL MEN BY THESE PRESENTS:
COUNTY OF §

GUADALUPE

Pursuant to Section 209.005(i), Texas Property Code, MISTY WOODS HOMEOWNERS ASSOCIATION, INC., a Texas Non-Profit Corporation, acting through its Board of Directors, has adopted the following records production and copying policy to prescribe the costs the Association will charge for the compilation, production and reproduction of information requested under Section 209.005, to- wit:

(a) Copy charge.

(l) Standard paper copy. The charge for standard paper copies reproduced by means of an office machine copier or a computer printer is $.09 per page or part of a page. Each side that has recorded information is considered a page.

(2) Nonstandard copy. The charges in this subsection are to cover materials onto which information is copied and do not reflect any additional charges, including labor, that may be associated with a particular request. The charges for nonstandard copies are:

(A) Diskette--$1.00;
(B) Magnetic tape--actual cost;
(C) Data cartridge--actual cost;
(D) Tape cartridge--actual cost;
(E) Rewritable CD (CD-RW)--$1.00;
(F) Non-rewritable CD (CD-R)--$1.00;
(G) Digital video disk (DVD)--$3.00;
(H) JAZ drive--actual cost;
(I) Other electronic media--actual cost;
(J) VHS video cassette--$2.50;
(K) Audio cassette--$1.00;

(L) Oversize paper copy (e.g.: 11 inches by 17 inches, greenbar, bluebar, not including maps and photographs using specialty paper)--$.50;
(M) Specialty paper (e.g.: Mylar, blueprint, blueline, map, photographic)--actual cost.

(b) Labor charge for locating, compiling, manipulating data, and reproducing information.

(I) The charge for labor costs incurred in processing a request for information is $15 an hour. The labor charge includes the actual time to locate, compile, manipulate data, and reproduce the requested information.

(2) A labor charge shall not be billed in connection with complying with requests that are for 50 or fewer pages of paper records, unless the documents to be copied are located in:

(A) Two or more separate buildings that are not physically connected with each other; or

(B) A remote storage facility.

(3) A labor charge shall not be recovered for anytime spent by an attorney, legal assistant, or any other person who reviews the requested information to determine whether the Association will raise any exceptions to disclosure of the requested information.

(4) When confidential information is mixed with non-confidential information in the same page, a labor charge may be recovered for time spent to redact, blackout, or otherwise obscure confidential information in order to release the non-confidential information. A labor charge shall not be made for redacting confidential information for requests of 50 or fewer pages, unless the request the documents to be copied are located in:

(A) Two or more separate buildings that are not physically connected with each other; or

(B) A remote storage facility.

(5) For purposes of paragraph (2)(A)of this subsection, two buildings connected by a covered or open sidewalk, an elevated or underground passageway, or a similar facility, are not considered to be separate buildings.

(c) Overhead charge.

(I) Whenever any labor charge is applicable to a request, the Association may include in the charges direct and indirect costs, in addition to the specific labor charge. This overhead charge would cover such costs as depreciation of capital assets, rent, maintenance and repair, utilities, and administrative overhead. If the Association chooses to recover such costs, a charge shall be made in accordance with the methodology described in paragraph (3) of this subsection.

(2) An overhead charge shall not be made for requests for copies of 50 or fewer pages of standard paper records unless the request also qualifies for a labor charge.

(3) The overhead charge shall be computed at 20% of the charge made to cover any labor costs associated with a particular request. For example: if one hour of labor is used for a particular request, the formula would be as follows: Labor charge for locating, compiling, and reproducing, $15.00 x .20 = $3.00

(d) Remote document retrieval charge.

To the extent that the retrieval of documents results in a charge to comply with a request it is permissible to recover costs of such services for requests that qualify for labor charges.

(e) Miscellaneous supplies.

The actual cost of miscellaneous supplies, such as labels, boxes, and other supplies used to produce the requested information, may be added to the total charge for information.

(f) Postal and shipping charges.

The Association may add any related postal or shipping expenses which are necessary to transmit the reproduced information to the requesting party.

By their signatures below the President and the Secretary of the Association certify that the foregoing was approved by the Board of Directors of the Association at a duly-called meeting of the Board of Directors at which a quorum of Directors was present, or by signed, unanimous written consent in lieu of a meeting.

Thus executed this 14th day of January, 2019

MISTY WOODS HOMEOWNERS ASSOCIATION, INC., a Texas Non Profit Corporation

By: _____

Shannon Barksdale, President

ATTEST:

By: _____

Melanie Hronek, Secretary

STATE OF TEXAS §
§
COUNTY OF GUADALUPE §

I hereby certify that the foregoing instrument was acknowledged before me, the undersigned Notary, by **Shannon Barksdale**, President, MISTY WOODS HOMEOWNERS ASSOCIATION, INC., a Texas Non-Profit Corporation on the date of execution set forth above.

KIRSTEN BOLT
Notary ID #131795459
My Commission Expires
November 13, 2022

_____
Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF GUADALUPE §

I hereby certify that the foregoing instrument was acknowledged before me, the undersigned Notary, by **Melanie Hronek**, Secretary, MISTY WOODS HOMEOWNERS ASSOCIATION, INC., a Texas Non-Profit Corporation, on the date of execution set forth above.

KIRSTEN BOLT
Notary ID #131795459
My Commission Expires
November 13, 2022

_____
Notary Public, State of Texas

AFTER RECORDING RETURN TO:
MISTY WOODS HOMEOWNERS ASSOCIATION, INC
14603 Huebner Road, Building 40
San Antonio, Texas 78230

201999001516
I certify this instrument was FILED and RECORDED
in the OFFICIAL PUBLIC RECORDS
of Guadalupe County, Texas on
01/22/2019 02:28:06 PM PAGES: 3 LEAH
TERESA KIEL, COUNTY CLERK

Teresa Kiel

Thus executed this 14th day of January, 2019

MISTY WOODS HOMEOWNERS ASSOCIATION, INC., a Texas Non Profit Corporation

By: _____

Shannon Barksdale, President

ATTEST:

By: _____

Melanie Hronek, Secretary

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