



Glastonbury Landowners Association, Inc.

GLASTONBURY LANDOWNERS ASSOCIATION, INC.
P.O. Box 312, Emigrant, Montana 59027 www.gla-mt.org

JULY 9, 2007 UPDATE: TIMELY MESSAGE TO ALL GLASTONBURY LANDOWNERS

A PUBLIC MEETING

**Conducted by the Park County Planning Board will take place:
Wednesday, July 11th, 4:30 PM at the City/County Courthouse Building
in Livingston, Montana.**

Dear Glastonbury Landowners:

Your Board has been working diligently this past month to address recent revisions to the new Park County Regulations. These regulations may have an adverse impact upon all existing landowners. From our research, it appears that Park County is one of the most stringent counties in interpreting how to apply State Laws at the County level.

At last month's Glastonbury Landowners Association (GLA) Board Meeting, several landowners brought up their concern that the new County regulations will require all landowners to "dedicate" our private roads for public use. The regulations are asking the GLA (you!) to give up your private roads within our association...without compensation. In fact, the regulations will require the Association to continue paying the bill for the maintenance of these roads even if the public will be allowed to use them!

As you know, the GLA has invested hundreds of thousands of dollars of your assessment money to build, pave and maintain our private roads in Glastonbury at a cost of well over \$60,000 per year. And yet the County is expecting GLA landowners to "dedicate" our roads for "Public Use" and continue to pay for their maintenance. Maintenance will certainly increase if our roads are open to the public. This would, in turn, require increases in your assessments...all to give others the privilege of using our private roads!

The GLA became greatly concerned after reviewing the new regulations, and we immediately hired an attorney to look into the new regulations/laws in order to understand their legal ramifications and determine the type of the impact they could have on GLA landowners. Our attorney, Hertha Lund, (from the Wittich Law Firm in Bozeman, Montana) verified that the wording in certain portions of these new regulations implies that regulations could create an adverse impact upon all current owners in a legal sense and also impose an infringement upon our constitutional rights!

The GLA Board moved quickly to address this issue by first conducting a "Town Hall" Community Meeting at the Emigrant Hall (open to the public) for the purpose of raising awareness of this issue. Our attorney was present to give an overview of the regulations and answer questions. Over 80 people attended the meeting, including many neighbors from the surrounding area and throughout the Paradise Valley. During the meeting, we discovered that we were not alone in our concern over the government taking of our private property. As a result, nearly \$500 was donated by concerned landowners for the purpose of defending our private property rights. (Note: If you have inquiries or would like to donate to this legal fund to help defend our property rights and our private roads, please send these to the GLA address above. Please specify the purpose of your donation so that it will be applied to the proper fund.)

Several days after our Community Meeting, the County held a Planning Board Meeting for

the purpose of hearing public comment on this issue. Approximately 50 people attended and many more submitted their written comments. At this meeting, the GLA asked the County Planners to consider changes to the wording in certain portions of the new regulations in order to insure that there would not be a taking of our private property rights. We also expressed that we did not want to create any undo financial burden upon our landowners by language that could be applied retroactively. Our attorney, who has expertise in defending citizens' rights in government takings of private property, has determined that leaving the document "as is" would constitute a "Broad Expansion of Government Control," and a "Taking of Private Property." The GLA also requested that the Planning Board should allow more time for public comment based on the fact that the regulations will impact all landowners in the County. The Planning Board then agreed to hold another public meeting, which we have learned is scheduled for July 11. (The Planning Board is not required to consider the wording changes which the GLA has requested.)

Val O'Connel, a Glastonbury landowner who was one of the first people who brought this concern to our attention, has done extensive research on the county regulations and has created an independent website called the "Glastonbury Bulletin" at <http://web.mac.com>. On her website you can learn more about the issues we have discussed in this letter, comparison information about what other counties have done when faced with this type of challenge, an audio archive of the Emigrant "Town Hall" Meeting with our attorney and also find links to the Park County website to access the new County regulations. Her website also contains information about a group of landowners in Glastonbury who have conducted independent research about townships and are in the process of circulating a petition for the establishment of creating a Township. Those who are working with this petition feel that it is possible to create a win-win solution for resolving the issues associated with the new county regulations. For further information about what constitutes a township, etc., you are welcome to call Valerie at 406 -223-8730 or e-mail her at valoc@mac.com. (Disclaimer: The GLA is not responsible for the content posted on Val's website or her personal comments or views.)

If you are concerned about any aspect of the new Park County Regulations (including subdivision and fire regulations) we encourage you to review these regulations and submit specific comments to the County Planners. If you live in the area, we also encourage you to attend the meeting on Wednesday, July 11th, 4:30 P.M., at the County Complex Building (the Courthouse) in Livingston. This is your opportunity to tell your elected officials how you feel about this issue.

If you do decide to send a letter or e-mail to the County Planning Board, we recommend that you include only informed comments with suggested solutions based upon your own reading and interpretation. Also, remember to reference the specific regulations that you are addressing.

Feel free to contact the GLA with any questions that you may have concerning these issues. Our website (www.gla-mt.org) contains Board Member contact information for your convenience.

Sincerely,



Laura Boise
President