

Glastonbury Landowners Association

Newsletter  Spring 2016

Official Notice: Special Meeting of Members

When: Saturday, June 25, 2016, 10: a.m. – 1:00 p.m.

Where: Emigrant Hall in Emigrant, MT

Why: The Glastonbury Landowners Board of Directors will work with focus groups and listen to suggestions. (See details below.)

Recap of the First Board Listens Meeting

The Communications Committee hosted a “Board Listens” meeting on Saturday, April 2, 2016. The purpose of the meeting was for landowners to have an opportunity to voice their concerns and present suggestions for the board to consider. Board Vice President and Communications Committee Chairperson Dennis Riley and landowner Leo Keeler facilitated the discussion while landowner, Wendy Riley, captured the notes on a flipchart. Recognizing there were a lot of things to tackle, landowners ranked the top issues to be addressed by voting on them. The following were selected as the top priorities:

- Assessments
- Trust & transparency
- Roads
- Governing documents

At the April 11th board meeting, the board agreed to form focus groups that landowners could participate in to work through the issues raised and develop suggestions to present to board members, who may also choose to participate in the focus groups.

A focus group for each of the four topics will be established and get underway as soon as possible. A follow-up Board Listens meeting will be held on June 25 at Emigrant Hall. At this meeting the focus groups will report on their progress and continue working on their respective topics.

If you are interested in participating on a Focus Group, please email Dennis Riley at drileygla@gmail.com, or call him at 406-223-7641.

Official Notice: Opening for NG Ombudsman

North Glastonbury Ombudsman, Linda Ulrich has resigned as of May 9, 2016. We thank Linda for her service in this role since November.

This newsletter serves as Official Notice that the position of Ombudsman is open. This interim term ends with the annual elections in November 2016. Any North Glastonbury landowner may nominate him/herself or another NG landowner to fill this position. To do so, please contact the board via email, postal mail or by phone (see contact information below). Nominations will remain open until June 25.

There will be an in-person special meeting of NG landowners to vote for the interim NG Ombudsman sometime

during the summer. When the date, time and place are worked out, you will receive 30-day notice and a voting packet will be sent by postal mail. You may vote in-person on the day of the special meeting or by mail as you prefer.

Upcoming Weed Spraying

The Association is responsible for weed abatement in the platted road easements and on Common Land, and spraying will take place this year by Ed Shilling at the end of May or beginning of June. Some landowners are concerned about the application of chemicals on their property and do not want the easement portion of their parcel sprayed. Please keep in mind that it is each owner’s responsibility to remove weeds, and if you are handling weed abatement yourself, you may place “no spray” signs visibly along the easement areas of your property. **Please do so by Memorial Day weekend.** If the weeds are not removed prior to the time of spraying, the weeds will be sprayed.

As a natural approach, you may try spraying a soap or vinegar solution directly on weeds. The most effective method seems to be pulling them from the root but cutting weeds regularly during the summer and consistently across a number of years may be as effective if this is done before they go to seed.

Administrative Assistant Position Open

The GLA is seeking to hire a part-time administrative assistant for 20 hours per week at \$15 per hour with six half-day paid holidays. If you are interested in applying for this position, please send your résumé to the board. This position is posted with the Job Service in Livingston, MT 406-222-8905.

Update on Proposed Governing Documents

The GLA held public input meetings on February 20th at Emigrant Hall and on March 19th by telephone with the Board and the GLA attorney present to answer questions. Minutes of both of these meetings are available. As a result of these meetings, the Board voted on April 11th to make minor revisions to the currently proposed changes to the Covenants and Bylaws. We will be sending out the finalized version with the pros and cons stated in the next coming months for a vote by the membership. In a nutshell the changes are:

- Covenants Sec 6, drop the exclusion for structures under 200 square feet
- Covenants Sec 11.06, change the interest rate to “12% or the highest interest rate the law will allow.”
- Covenant Sec.12.01 change "reasonable hardship" to "unreasonable hardship"
- Bylaws Articles 5 & 6 changes - Change the numbering of agenda items to bullets

The GLA’s Official website is: www.glamontana.org

GLA • PO Box 312 • Emigrant, Montana 59027 (406) 451-0033 • info@glamontana.org

President's Letter

Summer is approaching and we will see quite a bit of work being done on our Glastonbury roads. Now that the road loan has been paid off, the money previously budgeted to clear that debt will be added to the road maintenance budget, increasing it from \$42,698 last year to \$72,498 this year. We also anticipate receiving extra income from our new efforts to collect delinquent assessments. With the help of our collection attorney, we will update all of our liens and bring to judgment those who owe large sums of money. Other options for collections include filing reports with credit agencies and foreclosing on properties with no mortgages. All landowners with delinquent accounts will be given the opportunity to bring them current.

In an effort to attain as much transparency as possible, GLA committees have been holding open meetings. Any landowner may attend and participate, asking questions and giving input. Minutes are taken and reviewed by the entire board. Since becoming President, I have tried to attend as many of these committee meetings as possible and look forward to seeing more landowners at these work sessions.

Although we entered the year 2016 with a goal of restoring order to our monthly board and committee meetings, I can't say it has been smooth going. A small group of landowners has sent out letters with unsubstantiated allegations. As a board, we believe that some of the communications in question and on private websites express a perspective of the community and the association that does not convey the whole picture and is not helpful to our forward progress. From the Board's standpoint, we welcome input from all landowners and consider all sides in making decisions. The board appreciates actionable advice and strives to improve whenever possible. Despite our attempts to reach out, the majority of landowners do not respond, and yet the ones who do seem to be critical of the Board no matter what.

What the Board asks is that we all try to understand the numerous sides of a situation and, if warranted, agree to cordially disagree—to keep inflammatory language out and not assume negative motives when we look at and understand things differently. If you hear something that upsets you, please contact us (info@glamontana.org).

Have a happy summer.

Sincerely,
Charlotte Mizzi

Board Meetings by Phone

One of the duties of the board is to hold meetings that are productive, safe and orderly. Although the board prefers to hold meetings in person with our fellow landowners, we have come to the conclusion that, based on the April 11th meeting, we need to meet by phone. At the April meeting, the board and landowners were faced with one person taking flash photographs throughout the night, people standing up and yelling at the board with physically intimidating behavior, groups of landowners chanting to block the board from operating, and general disregard for meeting decorum with continual interruptions. The sheriff's department was called to restore order, but since it was a meeting

in a public place, they declined to intervene.

Our ability to use St. John's Church is based upon the GLA being able to meet the code of conduct for that hall. We have explained this to the attendees and have made several attempts to make in-person meetings there a success. But we cannot control the behavior of people who allow themselves the latitude to yell, slam doors and interrupt at will. Because of such behavior, our ability to use St. John's is off the table until there can be some guarantee from the interrupting landowners that they will amend their behavior.

The board finds these unproductive activities puzzling in the face of our efforts to move forward in improving and accelerating the collections procedure and actions - we are over halfway to beating last year's collections, improving the project review procedure, creating a multi-year road maintenance plan, hiring a top-notch contractor for road maintenance and moving the GovDocs changes to a vote targeted for this summer.

We take this step thoughtfully because although we lose the immediacy of direct contact, it will result in safer, more productive meetings. Phone meetings will also allow participation by our out-of-town landowners as well as local landowners who find the contentious nature of our current meetings jarring.

To improve the phone meetings, we have purchased a high-end speaker phone with multiple mics to improve the sound on the calls and are researching a toll-free phone service so landowners don't have to pay long-distance rates to attend.

We look forward to being able to get together in Board meetings with the same level of order and neighborliness that is exhibited in the smaller, more convivial committee meetings. However, in trying to serve the majority of landowners and move all our priorities forward in a safe and orderly environment, we will be meeting by phone. We will keep you apprised of phone numbers as we find better services.

Coming Soon to GLA's Website, FAQ Section

Soon you may visit our website to learn of written attorney input to questions posed by landowners and the board. For example, did you know that according to Montana State Law regarding non-profit corporations, "all corporate powers are exercised by or under the authority of the board, and the affairs of the corporation managed under the direction of its board" (Mont. Code Ann. § 35-2-414, West)?

The Glastonbury Landowners Association is managed by a Board of Directors elected by association members/landowners. Six board members from each of North and South, twelve in total, elected for two-year terms make decisions on behalf of the association. As such, the organization operates on the premise of a representative form of governance.

The GLA board welcomes input from landowners on how to better our community. Landowners may offer suggestions at committee meetings, at the beginning and end of board meetings during the landowner comment periods, by mail, email or phone.

To view a list of duties for nonprofit boards as per Montana Law, please watch for our new FAQ section on the GLA website, where this information will be posted.

Building Projects posted on the GLA Website

Building projects pending Board review are now posted on the GLA website, www.glamontana.org under the Current Landowners Tab. They go up a few weeks before the monthly Board meeting during which they are scheduled to be reviewed and remain on the website until 3-5 business days after they are approved. If you want more information about pending projects, plan to attend the next scheduled Project Review Committee meeting, usually held two weeks before the monthly Board meeting (see the calendar on the website for exact days and times). You may also contact the Project Review Committee by emailing info@glamontana.org, or calling 406-451-0033.

Rule to enforce the intent of Covenant 11.06 For Landowner 30-Day Review

Upon advice of attorney on the unenforceable nature of the stated interest rate, 5% penalty and the compounding of interest, the Board creates the following Rule until such time as the membership votes to amend Covenant 11.06:

Rule to enforce the intent of Covenant 11.06. The Association will charge 12% simple interest or the highest rate the law will allow and no 5% penalty.

For reference:

Covenants 2.07. Rule Making. The Association shall have the authority to adopt reasonable rules and regulations, which are consistent with the intent and enabling provisions of these covenants or the Master Plan. Said rules and regulations shall be enforceable by the Association to the same extent as is set forth fully herein. All existing rules and regulations adopted or amended prior to the effective date hereof in accordance with the original Declaration of Covenants, and all rulings or conditions of approval made pursuant thereto prior to the effective date hereof, shall continue to remain in full force and effect, to the extent not inconsistent with this Restated Declaration of Covenants, until repealed, superseded or amended by the Association. Any references in any such existing rules or regulations to predecessors-in-interest of the Association or to any officers, boards or committees of such predecessors shall be deemed to pertain to the Association or to officers, boards or committees of the Association, respectively.

Bylaws Articles 11. C Due Process. Prior to making any new Rules or Regulations, or taking any action to enforce any of the Covenants, Bylaws, Rules or Regulations, the Association, acting through the Board of Directors and officers, shall provide reasonable written notice in accordance with Article V, paragraph D [30 days], to all of the Members (in the case of rule-making) or to all directly-affected Members (in the case of a proposed enforcement action) and a reasonable opportunity for any such Member to be heard and to give written or oral comment to the Board of Directors or its designee(s). Enforcement actions shall also include a reasonable fact-finding process whereby relevant information related to all sides of the issue will be gathered and evaluated. Any member of the Board of Directors whose personal involvement in the matter at issue might, in the majority opinion of the other Board members,

detrimentally affect his or her ability to be impartial, shall abstain from participation or voting in such proceedings.

Enclosures for 30-Day Review

Enclosed with this mailing are two documents for your review. One is the revised Collection Procedure approved by the board at their meeting on April 11th. The other contains proposed revisions for Project Review Instructions, including new timelines and requirements. If you have any comments or questions about these proposed changes, please contact the GLA board by June 25th via phone, email or postal mail (see contact information below).

Community Property Committee Report Soccer Fields in NG

In May 2002, GLA acquired the 20.261 acres known as the soccer fields from Church Universal and Triumphant, with the lands shown on COS 1729 as 16A. These 20 acres are surrounded by approximately 176 acres referred to as "Reserved Lands," which are still owned by the Church. The soccer fields were placed under the GLA covenants on January 31st 2005, which, by Covenant 3.04, are Common Use Lands.

Approximately 30% of the 20.261 acres was developed as the soccer fields, complete with watering system and a concession building of 406 square feet, with 2 restrooms in the middle of the building. Mowing and watering costs of approximately \$750 per year are included in the annual budget with an additional \$850 for building maintenance this year.

Uses of the 20 acres are limited by the Warranty Deed and a tripartite agreement. As part of the land deal, Park County, GLA and Church Universal and Triumphant entered into a Parkland Dedication Agreement on June 11, 2002. The warranty deed for the land contains the reversion statement "Grantee is restricted to using the land for community recreation and sports activities. Any other use by Grantee will cause ownership of the land to revert to grantor." In the Agreement GLA yielded and Park County committed to accepting the 20.261 acres to count towards any future County parkland requirements when the Church developed the "Reserved Lands." The Agreement strengthens the restriction for recreational use with the requirement that "The GLA develops parcel No. 16A solely for community recreation and sports activities."

According to the Park County Park Plan adopted September 5, 2007, "Park and recreation facilities are basic components that build the foundation of a community. They provide areas for group activities, intergenerational activities, personal reflection and exercise. They provide a means to maintain natural and historic features. Park and recreation facilities provide a way to preserve cultural heritage and the quality of life in a community. Parks and recreation areas improve the standard of living and increase property values.

"Park and recreation service use continues throughout the life cycle. Recreational participation declines with age but park use does not. In fact, people between the ages of 65 and 74 use local parks more frequently than any other age group from those 15 and older."

The Community Property Committee's goal is to have as much landowner input as possible regarding the Parkland and to have all members of the GLA involved in determining if they want to develop the park, how to fund it, and their vision for it's use. A plan will be established by the Community Property Committee to set up three neighborhood meetings in South Glastonbury and three in North. All the information gathered from the neighborhood meetings and landowner communications will be compiled and discussed at a special meeting of all the landowners. **Please send your ideas for the Parkland to info@glamontana.org, or PO Box 312 Emigrant MT 59027 or 406-451-0033.**

If you sell your property, please let us know!

When a property changes ownership, the GLA may or may not be aware of this. The GLA needs to be informed of the transfer of properties between owners so the proper legal records are kept and financial statements and bills are sent to the correct landowner.

A "GLA Property Transfer Form" is available on the GLA website, www.glamontana.org, under the "Current Landowners" tab, followed by the "Realty Transfers" link. Feel free to call us at 406-451-0033, or e-mail us at info@glamontana.org to have the form sent to you. We greatly appreciate this courtesy.

Moving? Please let us know your new contact information.

Road Work Update

The grader is coming to a road near you!

The Road and Weed Committee met April 25 and May 4 to plan the spring roadwork that includes grading gravel roads, guardrail repair, paving pothole repair, snow fence repair, snow poles installed to mark the end of each platted road, drainage ditches along roads, cleaning out culverts, and replacing missing street signs. The grading has already begun and we are looking forward to checking all of these things off the list before the first snow falls. Please contact the Road Committee at info@glamontana.org with your comments and suggestions for road maintenance.

You Can Save Our Roads

Washboards are caused by a break in the surface tension between the tires of your vehicle and the road surface. Accelerating and decelerating must be done with a smooth, steady motion between the tires and the road surface to not cause washboards to form. Any spin of the tires causes a washboard to begin and they get deeper with time as more people accelerate and decelerate with jerky motions in the same area.

If you see dust billowing up behind you as you drive on our gravel roads that is the binder in the road surface material that is

being lost. This causes our gravel roads to deteriorate quickly. Please observe the 25 mph speed limit on our gravel roads to both minimize damage and increase safety.

Community Service Announcement Septic System Maintenance

With your spring-cleaning, think about your septic system maintenance before you are forced to by an emergency. Septic systems can last decades if they are properly maintained, which means getting the septic tank pumped out about every three years.

When septic tanks are not pumped out regularly four things can happen:

1. You may have a replacement cost of thousands of dollars versus a \$300 cost of maintenance;
2. The material in the tank sets up almost like dried clay costing you more to get pumped out;
3. The "late warning system" of the lowest toilet or drain in the house overflowing is a gnarly cleanup; and
4. Material overflow into the drain field clogs lines and becomes a source of nitrate and phosphate pollution.

The first thing you need to do before the septic pumping truck arrives is to locate the septic tank and, more specifically, the riser. Many homes in Glastonbury had tanks installed with a riser that comes to within six inches of the surface. Septic companies will add on an additional riser to bring it to the surface. This has two positive attributes: you know where it is and the riser lid is a constant reminder that your system needs to be maintained.

Local companies can put your tank on a regular 3-year maintenance schedule. If you have more people in a house or the tank is sized too small for actual house usage, they will notify you of your optimum schedule.

The other side of maintaining the system is what not to put down the drain: cooking oils and grease, harsh chemicals, teddy bears, paper products other than TP, or lots of food scraps.

For more information, you can download the Septic System Homeowner Guide PDF (link: http://www.nesc.wvu.edu/pdf/ww/septic/pl_fall04.pdf) from West Virginia University's National Environmental Service Center.

Sign up to Receive Email Notifications

Want to be in the know and receive unofficial email notifications, including GLA Board and Committee meeting minutes and agendas? Would you like to help us save postage and paper by choosing to receive Official Notices via email? Please email us at to receive the opt-in form and instructions for signing up.