

GLASTONBURY LANDOWNERS ASSOCIATION 2022 SPECIAL ELECTION

Ballots due at Swandal Law by August 19, 2022 at 5:00 PM MDT
Via mail, email, or fax

Dear Glastonbury Landowner,

July 15, 2022

The court-appointed custodian pendente lite, Attorney Nels Swandal, is directing and overseeing the implementation of this special election. This packet contains the following materials:

- the election ballot for your property (parcel number) identified on the mailing label,
- the biography statements from the candidates listed on your ballot,
- the pre-labeled return envelope,
- a small unlabeled privacy envelope, and
- two pages giving pro and con arguments for the additional question on the ballot about separating the North and South Glastonbury into two independent associations.

This letter gives instructions on eligibility to vote and on completing your ballot. Instructions for how to submit your ballot are given on the back of the ballot.

Voting Eligibility

Covenant 3.19 states you must be in good standing in order to vote. You must be in good standing on every lot you own in North and South Glastonbury and not in violation of any covenants. The GLA must receive your payment in full on all assessments and past due amounts, including all fees and accrued interest, plus all assessments for the first three quarters of 2022 **by July 31, 2022**. You cannot be in violation of any Covenants on any lot you own.

Ballots

All voting in this special election is by absentee ballot.

You must use **ONLY** the ballot and envelopes provided in this packet.

DO NOT MISPLACE THIS PACKET. We will not provide any replacement.

NO proxy ballots will be allowed; **NO** revocation of ballots will be permitted.


If you own multiple properties, you will receive a separate packet for each property and you must complete and return each ballot separately.

Candidates

This special election, the entire board, comprising up to 12 directors, is open for election.

- North Glastonbury will elect up to 6 Directors
- South Glastonbury will elect up to 6 Directors
- Each jurisdiction will elect 1 Ombudsman

We have 10 candidates running for the six North Glastonbury Director positions and 8 candidates running for the six South Glastonbury Director positions. There are no candidates running for Ombudsman in North Glastonbury and 1 candidate is running for Ombudsman in South Glastonbury. Write-in candidate nominations will be accepted on any ballot.

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The top 3 vote recipients for director in each jurisdiction will serve 2-year terms; the next 3 vote recipients for director in each jurisdiction will serve 1-year terms. The Ombudsmen serve for 1-year terms. The top vote recipient for ombudsman in each jurisdiction will be elected (no minimum number of votes required). All newly elected Directors and Ombudsmen will begin their terms when they are seated at the September 2022 Board of Directors meeting. **Note:** If either North or South elect fewer than 6 board members, the number of board members in the other district will be reduced to match the smaller number.

Completing Your Ballot

The ballot has three main sections: GLA Board Candidates, GLA Ombudsman, and the Separation Question. The first two sections list the qualified candidates who submitted their nominations by the deadline.

GLA Board Candidates. You may check up to six boxes. You may choose to check fewer than six. But do not check more than six boxes in this section or your ballot will be rejected as spoiled.

You may write-in one or more candidates. Be sure to check the box of your write-in candidate(s). Write-in candidates must be landowners in good standing and willing to serve on the board if elected. Their checked boxes count in your total of six check marks.

Ombudsman. Each area, North Glastonbury and South Glastonbury, will elect one Ombudsman who will serve for a 1-year term. You may write-in an Ombudsman candidate who is in good standing and willing to serve if elected. Check one box in this ballot section.

Vote on the Separation Question.

Your vote on this issue will decide the future of the GLA. To provide you with further information, this packet contains pro and con statements about the thinking on both sides of this important issue and about the implications of the decision.

Enough landowners in good standing must vote on this question for it to be decided one way or the other. Your vote on this issue is absolutely critical to finally resolve the deadlock and delays that have plagued the GLA's operations for so very many months.

Separation Question Background

After many months of Board deadlock, a number of landowners filed a lawsuit in June 2021, asking that the GLA be dissolved under the remedy Montana Law provides for a deadlocked board. In response, the court ordered mediation. The plaintiffs and Board met in October 2021 and reached a settlement to separate North and South Glastonbury. In January 2022, the court held a hearing on the proposed settlement agreement and issued its ruling in February, deciding to appoint a custodian pendente lite to implement its order for this special election of a new board and for a landowner vote on whether the settlement agreement should be accepted, dividing North and South GLA into two independent associations. Attorney Nels Swandal was assigned the task of custodian pendente lite.

Submitting Your Ballot

1. Detailed instructions on how to submit your absentee ballot by mail, email, or fax are on the back of the ballot.
2. Do not submit anything other than the ballot (no notes, no checks, etc.)
3. If you own multiple lots, you received multiple ballots. Submit each ballot separately.
4. Swandal Law must RECEIVE all ballots by **August 19, 2022, 5:00 P.M. MDT**

Enclosures: Candidate Information, Ballot, labeled return envelope, small unlabeled privacy envelope, pro and con position papers on the separation question.

SOUTH GLASTONBURY CANDIDATE BIOS

BOARD CANDIDATES

POUWEL GELDERLOOS

Good day fellow landowners!

My name is Pouwel Gelderloos and I was born and raised in the Netherlands.

I am 73 years young and I am proud to say that my wife and I have been together for 55 years and had the blessing of raising eight miracle children.

I studied and was employed as an occupational therapist for seven years, after which I transitioned into restoration and remodeling residences in Amsterdam (NED).

We immigrated in 1981 to the land of the free and I have since operated as a construction contractor.

Three of my four sons are operating the construction business now and I consider myself semi-retired.

Although the average contractor will get sued 5 times during their professional life, thank God, that I have never had that misfortune.

Between that and my marriage and loving family life...I feel it's right to say: I can be a peacemaker.

Beauty, Order and Harmony....the first words to be read in the Master plan of our community.

I hope to live that... for the sake of loving my neighbor and for the fulfillment of these words in our community.

With that we can accomplish all we would wish for. Pouwel

NEIL KREMER

I have been a State Licensed Health Care Provider in the State of Montana since 1989 as well as a small business owner.

I have lived in South Glastonbury since 1989 and know it well.

I have served on the GLA Board in 2010 & 2011 during a time when the Board was reasonably functional, harmonious, and respectful.

I am interested in serving on a Board that can be functional, harmonious, and respectful of one another, of Landowners, and of the Governing Documents.

I was involved in the process of crafting the Glastonbury Master Plan and understand the intent and thought process that went in to that document.

I personally like the statement that has been, at times, attributed to Thomas Jefferson or H.D. Thoreau—" That Government is best that governs least because the people discipline themselves"—that requires integrity on everyone's part.

If I have an "Agenda" it would be—to be respectful, impartial, and practical in any decisions that I make including as relates to the governing documents and not abusing any potential powers described therein.

JEFFREY LADEWIG

I have been a full time resident of Glastonbury south since 2013. I have a Bachelor of Science degree in Nuclear Technology. I am a retired power plant engineer. While working I was responsible for the operation, performance monitoring, maintenance and modification of several power plant systems. During these activities I supervised both in house and contractor work, helped write contracts and select contractors. I hope to bring a rules and data based approach to my role on the Glastonbury Board.

SOUTH GLASTONBURY CANDIDATE BIOS

DENNIS RILEY

I am a retired business leader with experience managing people and budgets. My professional experience and education include the following:

- Senior Director, Networks and Information Security, Oracle Corp.
- Senior Director, Networks and Security, SybaseCorp.
- Manager, Telecommunications Engineering, Puget Sound Energy
- Telecommunications Superintendent, Pacific Gas and Electric Co.
- Bachelor of Science Business Administration
- Associate of Arts Electronic Computer/Communications Technology

In the past, I served on the GLA Board for four years, during which time I was named Board Vice President and Board President. I also served as Chair of the Road and Weed Committee. During my tenure, I believe we made good progress, with improvements in:

- collecting past-due assessments
- managing road maintenance in a more business-like way, with the help of an active and engaged committee
- operating a more consistent application review process, and
- ensuring the overall openness and transparency of the Board and its actions.

I have been concerned about the management of the GLA for the past few years and my goal as a Board Member would be to return the GLA to a functioning organization that serves its community well.

ALICIA ROSKIND

I successfully served on a similar board for a 3-year term on the Plaza Midwood Neighborhood Association Board in Charlotte, NC. I independently started a small business called Okra Yoga, Tea, Massage in Charlotte, NC with 32 independent contractors and employees and another retail business called Gumbo: The Store. I sold the majority shares of these businesses, which are still successful, and I am now a silent, minority owner. I have led, managed, and influenced more than a dozen other businesses and projects over the years. I served as an operations consultant for a large scale food infrastructure solutions company.

Through my experience as a business owner, board member, and business consultant, I am able to play a strong role in creative problem solving while building bridges between people and ideas. I feel I can bring a grounding, cohesive presence to our board so that we may solve many of our current roadblocks and progress forward in a successful way. I also bring the value of an open mind in helping everyone achieve goals that make the most sense for our neighborhoods so that we may operate efficiently, respectfully and cohesively while honoring various people from different mindsets.

MARK SEAVER

I am a retired Physicist who spent most of 40 years working in the Optical Sciences Division at the US Naval Research Laboratory in Washington DC. From 2005-2010, I was the head of the Fiber Optics Smart Structures section, leading a team of up to 12 physicists and engineers and overseeing a budget that reached 12 million dollars per year. I was a GLA board member from 2015 - 2019 whose duties included being the Treasurer (2017 and 2019) and the webmaster 2016-2019. My goal is to improve the GLA's performance especially with regard to treating all landowners equally and improving our road maintenance efforts. I will also work hard at continuing the collection of past due assessments

SOUTH GLASTONBURY CANDIDATE BIOS

ANDREA SEDLAK

I was a social psychology professor at several university graduate schools before joining a research corporation, where I worked for 36 years. I became Vice President, built a unit of 30 researchers, and directed and managed a number of nationwide studies with budgets of >\$20M. I was recognized by management for having built a talented and cohesive team and I've been honored with three awards: two from professional societies for my research achievements and one from a federal statistics agency for the policy impact of my work.

I've been a GLA Landowner since 2007, was a Board Director from 2018-2022, and served on the Election, Governing Documents, Finance, and Legal Committees. As chair of the Election Committee, I guided development of systematic procedures protecting landowners' privacy and voters' rights. As chair of the Governing Documents Committee, I led the effort to update the GLA Bylaws with legal and landowner reviews and Membership vote on the proposed changes.

I'm experienced in designing work plans, writing reports, managing operations, running meetings, and overseeing budgets. I focus on team work, collaboration, and results. If elected, I will continue my commitment to ensuring the GLA's effective operation and fair treatment of all landowners.

SCOTT STOMIEROWSKI

My name is Scott Stomierowski and I have owned South Glastonbury Lot 48, 16 Leo Drive, for over 20 years. I'm currently completing construction of my full time retirement home there. I'm running for the board to collaboratively work with my neighbors to support a community that meets our collective needs and expectations.

I've been a mechanical engineer for over 30 years and have had the opportunity over that course to work with a talented and diverse group of individuals, the last 25 years of which have been with Shell Oil Company. While I currently reside in Texas, I routinely work with people all over the world on a daily basis and expect no issues with being a remote board member until I move permanently to South Glastonbury.

My wife Kimberly and I have two teenage boys who have frequently visited our property with us since birth. I've averaged at least a visit a year and many in South will have seen me over the years. My first love after family has always been nature, which is what led me to South Glastonbury.

I grew up middle class without a lot of money and learned early to be very resourceful.

OMBUDSMAN CANDIDATE

JERRY LADEWIG

I was elected Director in November 2018 and have served on the election, gov-docs, and complaint committees, resolving concerns, and referring landowners to suitable resources, and advising landowners of mutual responsibilities – theirs and the Board's. An ombudsman can be a conduit to the board for observations made in the community for road washouts, weeds, debris, unpermitted buildings, etc. Having had years of experience in negotiating in the insurance world and handling complaints qualifies me as Ombudsman. I have conducting training in numerous professional settings and oversaw the Bylaw ballot vote and count in 2020. Though I am in year 4 of a 2 year term, I am willing to fulfill this task for a year.

Why Glastonbury Should Separate Into North and South

Background

Your vote will decide whether the GLA should split into two independent organizations — North and South. This question is on the ballot because the GLA Board deadlocked for a long time and was extremely dysfunctional.

The 2020 election disintegrated into chaos and was dropped; efforts of several Board directors to resurrect it and to have a mediator intervene in the deadlock were blocked; efforts to have landowners vote to resolve the deadlock were blocked. In 2021, the dysfunction delayed road maintenance and snow plowing contracts for many months. The GLA website was not maintained, Board meetings were rarely held, minutes rarely published, and reports of Board email votes not disseminated since July 2020. Landowners were left in the dark.

Many were concerned about the threat to their property values. As a last resort, a group of landowners sued to dissolve the GLA (the only remedy under Montana Law for a deadlocked Board). The judge ordered mediation. The petitioners and board met and agreed that the better solution is to separate into two independent associations, North and South. The board approved the agreement. Now the judge wants landowners to decide.

The Current GLA Has Systemic Problems That Separation Will Solve

The current structure is unfair.

Currently, you only vote for one-half of the board. That means that one-half of the directors make decisions that affect landowners who cannot vote for them; (they decide everything: e.g., road maintenance, budget allocation, project applications, policies, assessments, fees, legal actions, etc.)

The structure is a recipe for deadlock.

The GLA Covenants call for 12 directors, 6 representing North and 6 representing South. This

equal number enables deadlock, resulting in decisions not being made or being seriously delayed. Separation will allow each area to change its governing documents as it sees fit. For instance, you can structure your board to have an odd number of directors to avoid deadlocks.

The structure guarantees conflict.

Differing priorities and goals in North and South areas lead to conflict. Directors are elected by landowners in their own area. Although all Directors are supposed to work for the good of all landowners, nothing guarantees that they do so. Some play favorites. Currently, Directors from the opposite area make decisions that affect your area but are more committed to their own constituents. When the two areas needs and priorities compete, directors representing the different areas can vote against each other.

The structure assumes “one size fits all.”

North and South differ in several ways. For example, North has paved roads, while South does not. Separation enables each area's board to accommodate each area's unique needs to address local priorities.

Managing the GLA has become unwieldy.

Much has changed since the GLA was formed in 1997. The number of parcels has grown exponentially and is currently over 400. Many people bought land in Glastonbury. Many are now only part-time residents; 45% of properties have owners with permanent addresses outside of Glastonbury (two-thirds of those are not in Montana). The number and diversity of owners make the association very difficult to manage.

Benefits of separation

Separation will give you a stronger voice.

You will vote for all directors who make decisions that affect you. They will be directly accountable to you and you can vote to replace them if you are dissatisfied with what they do.

Separation will improve responsiveness.

Your board's directors will be responsive only to your area's needs and committed only to your priorities. If your area wants to change its governance, it will be free to do so without resistance or competing demands from the other area.

Separation will provide more efficient and manageable governance.

Each separate board will be nimbler and accomplish tasks more quickly, with fewer roads to maintain, projects to review and monitor, properties to assess and track for dwellings and compliance, and legal actions to pursue.

Separation will encourage greater landowner involvement.

Many landowners are disgusted with the recent board dysfunction and deadlock. Separation opens the way for landowners to take advantage of the fresh start and volunteer for board and committee positions, knowing their efforts will be for the sole benefit of their own area.

The Anti-Separationists Stoke Fear With False Claims; the Truth Is—

Separation will NOT be more costly.

One-half plus one-half does not equal two. Road maintenance budgets are already separate for North and South, with separate tracking and payments, making for an easy transition. That will not change. Accountants and lawyers charge by the hour, so their costs will still be whatever they are to cover the needed services. You will only be charged for the accounting services and legal actions for your area.

With separation, your costs will be fairer.

Right now, your assessments pay to pursue scofflaws throughout Glastonbury, including those in the other area. Under separation, you will only pay legal fees to address non-payments and non-compliance in your own area.

Road maintenance will NOT be affected negatively.

Some say road maintenance will become an issue, but that's wrong. In fact, separating North

and South will enable more effective road maintenance. The road committee and Board for each area will focus only on their own area's roads, so inspections can be done more quickly and maintenance contracts decided sooner.

Separation Will Ensure Continuity and Give You More Local Control

Separation only requires two changes.

Both areas will still be governed by the existing Bylaws, Covenants, and Master Plan, but each area will need to amend their Covenants and Bylaws to specify their new numbers of Board Directors. The GLA's finances and assets will need to be divided fairly between North and South.

Separation of finances and resources will be straightforward.

The finances for road maintenance are already separate in the books. Other finances and assets would be divided equitably. Current common properties can continue to be accessible to all through easements each area grants to the other.

You will independently determine your area's future.

The other area will not dictate what you can or can't do. You can amend your governing documents to have an odd number of directors and make any other changes you want. You can decide your own road maintenance policies. For instance, you could choose to maintain (some or all) subdivision roads, or make other changes.

Bottom line

Much has changed since the GLA began. Systemic problems added to the recent dysfunction and plagued many past election cycles. It's time for a more stable solution to those problems. Separation offers a better future, through independence, local control, better board director accountability, and more efficient management.

Voting FOR separation is a vote for better community harmony, fairer and more responsive local governance, and efficient protection of your property values.

Dear GLA Landowners:

VOTE NO on separation and keep One Board for the following reasons:

Two separate communities would increase expenses and likely increase assessments.

1. Most General Operating Expenses would increase or double, while assessments would be split almost in half between the two communities. Each community would be required to carry separate insurance, pay separate management/employee salaries, separate taxes and license fees, plus separate billing and accounting services. To cover the extra costs, either road maintenance budgets would be reduced or assessments would be raised.
2. Loss of Contractor Discounts would result from creating two separate road contracts (one for North and one for South), which would reduce our shared buying power. The contractors the GLA hires (like those who maintain our roads) would no longer be able to offer the huge discounts the GLA has long benefitted from. Road maintenance alone costs approximately \$80,000 per year. The division of North and South would thus reduce contractor discounts (buying power), which would increase road maintenance and snow removal expenses.
3. Legal Liability Costs for shared road easements and shared common lands located in both North and South Glastonbury would increase. There is no way to legally divide jurisdiction for these shared roads and lands. Separate boards with separate jurisdictions would require shared insurance, thus both North and South would have to carry this insurance for *both* communities thereby doubling this insurance cost, which is around \$8000 annually.
4. Various other expenses would increase: each board would have to hire a lawyer instead of sharing one to handle various legal issues, including review of new governing documents for each community; the rental of meeting spaces and storage units to store minutes, records, and project reviews; payment for contract employee(s) to separate and/or copy the files currently in one storage unit into North and South; etc.

It's a BAD Idea with BAD results.

1. Currently twelve board members are needed to properly run the GLA, six from North and six from South. Keeping the same number for each separate community would result in only six people trying to accomplish all that is required, likely causing some tasks to not get done. Four of the six would be officers (President, Vice President, Secretary and Treasurer) whose positions carry substantial duties. Add to that committee membership and assignments for project reviews, member complaints, legal issues, elections, finances, and road services. With so few people handling all these issues, landowners might see a reduction, denial or delay in services.
2. Assuring that people with the requisite skills fill roles is halved by the separation. And increasing the number of board members beyond six in each community might be a challenge.
3. Having two smaller boards allows for smaller quorums, opening the door for just two or three rogue Board members to create and pass bad rules and regulations.
4. Having separate communities could require the expense of creating new governing documents that might result in potentially harmful changes to, or disregard of, covenants and landowner rights, negatively impacting property values.

Our Strength is in our Union

Our nation was established as one union of many states, and our forefathers had to compromise in order to create the foundational documents and structure we enjoy today. So too Glastonbury was born as one community of two parts, and ideally our board members should be willing to compromise and work together for the common good of all. Balance is achieved in finding common ground and building on it. It is far better and less expensive for landowners to elect board members with a willingness to work together than it is to divide our association.

SUMMARY

Separating Glastonbury needlessly exposes all landowners to unnecessary risks.

Splitting North and South Glastonbury and having separate boards is NOT the best solution and risks major increases in landowner assessments to cover added expenses. It would put an extra burden on each smaller board to accomplish what is needed to function at an acceptable level of service. There is no guarantee it would eliminate the discord we would all like to move beyond. Separation is definitely not a benefit to the landowners but rather a decided burden.

Choose to keep us one community and to elect board members who are willing to work together toward finding common ground and balanced solutions.

We urge all members to vote "NO" on separating Glastonbury.

GLASTONBURY LANDOWNERS ASSOCIATION, INC.
2022 SOUTH GLASTONBURY BALLOT

Each parcel, lot or tract is allotted **one** ballot. Landowners who own multiple parcels receive one ballot for each lot they own. **Return each ballot separately.**

GLA Board Candidates - Vote by checking the boxes for up to six different candidates -
The three candidates receiving the most votes will serve 2-year terms; the 3 candidates receiving the next highest number of votes will serve 1-year terms.

Pouwel Gelderloos

Niel Kremer

Jeffrey Ladewig

Dennis Riley

Alicia Roskind

Mark Seaver

Andrea Sedlak

Scott Stomierowski

(Write-in Candidate)

(Write-in Candidate)

(Write-in Candidate)

(Write-in Candidate)

Ombudsman - Vote for one Ombudsman by checking the box - (1-year term)


Jerry Ladewig

(Write-in Candidate)

Vote on the Separation Question - Check one box

North and South Glastonbury should **REMAIN** as they are now,
in a single GLA with a single board.

North and South Glastonbury should **SEPARATE** into two organizations.
with independent boards.

See Next Page for Detailed Instructions on Submitting Your Ballot 

1. To **MAIL** your completed absentee ballot:

- a. Place your ballot in the **small** blank envelope and seal the envelope. This ensures that your vote is private.
- b. Place the sealed, small envelope into the labeled return envelope. That envelope validates your property as eligible for a vote. **You must use the labeled return envelope provided in this packet or your vote will not be counted.**
- c. **Do not put anything else into the return envelope.**
- d. The envelope is labeled for you to mail your completed ballot to Swandal Law PLLC & Mediation Center, 305 East Lewis Street, Livingston, MT 59047.
- e. Swandal Law office **must receive your ballot by August 19, 2022, 5:00 P.M. MDT.** Please allow enough time for postal delivery.

2. To **EMAIL** your completed absentee ballot:

- a. You must have an email registered with the GLA to receive official mailings. That email will be used to validate you as an eligible voter.
- b. Scan or photograph your completed ballot, attach it to an email message addressed to Swandal.Law@gmail.com, with the subject line saying "email ballot."
- c. Please provide in the body of the email your name and the parcel number for which you are voting. Your parcel number is the entire letter and number code following the slash (/) after your name on the labeled envelopes (e.g., "[your name]/ SG 26-A1"). Be sure to use the entire code so your ballot can be properly validated. If you own multiple parcels, please submit a separate email for each parcel.
- d. Swandal Law office must **receive your emailed ballot no later than 5:00 P.M MDT. on August 19, 2022.**
- e. Should you choose to email your absentee ballot, please be advised that your email message sheet linked to your ballot may be seen, but only by Swandal Law and the accounting service that will be verifying the submitted ballots and counting the votes.

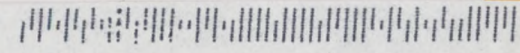
3. To **FAX** your completed absentee ballot:

- a. Provide a cover sheet in addition to the ballot. Write your **name and parcel number** on the cover sheet **or your ballot will not be verified and cannot be counted.**
- b. Fax both the cover sheet and ballot to Swandal Law office at 1-888-966-0213.
- c. Swandal Law office must **receive your faxed ballot no later than 5:00 P.M MDT. on August 19, 2022.**
- d. Should you choose to fax your ballot, please be advised that your cover sheet linked to your ballot may be seen, but only by Swandal Law and the accounting service that will be verifying the submitted ballots and counting the votes.

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