

GLASTONBURY LANDOWNERS ASSOCIATION CALL FOR NOMINATIONS

RE: 1. Nomination forms for GLA Board of Directors and Ombudsmen

Nomination Period: June 1, 2022 through July 6, 2022

Nominations Due: July 6, 2022 at 5 PM MDT

2. 2022 Special Election for Board of Directors and Ombudsmen

VOTING: All voting will be by US Post, email, or fax from July 15, 2022 through August 19, 2022

Dear Glastonbury Landowners:

June 1, 2022

This is the call for nominations for the 2022 GLA Special Election of Board of Directors and Ombudsmen, as ordered by District Judge, the Hon. Brenda Gilbert, in her ruling filed on February 25, 2022 on Cause No. DV 21-101. In the interest of returning to regular GLA Board operations as soon as possible and to efficiently address the question of the future structure of the GLA, the Hon. Judge Gilbert appointed the Hon. Judge Nels Swandal as *custodian pendente lite* to oversee all election activities: manage the nomination process, determine the eligibility of candidates, approve the ballot, direct its mailing, monitor receipt of cast ballots, determine their eligibility based on Landowners' good standing status, and oversee the ballot counting by the GLA accounting firm, Accounting and Tax Solutions (ATS). The election will be by written ballot only (mailed, emailed, or faxed).

Nominations will be accepted beginning June 1, 2022 and ending promptly on July 6, 2022 at 5 PM MDT. All eligible landowners will be able to self-nominate, nominate another landowner, or, in responding on the election ballot, use the write-in option. Floor nominations will not be available. Similarly, there will be no provision for revocation or use of proxies, as these options only apply during in-person elections. Further details will be given in the 2022 GLA Special Election Packet.

CANDIDATES –To qualify as a candidate on the date of filing, when you sign and date the nomination form you must: Be paid in full for any past due assessments on all lots that you own, with interest and penalties, by **June 30, 2022**; and (2) Not be in violation of any Covenants. To be voted in as a Director or Ombudsman, you must be paid in full for the third quarterly assessments by **July 31, 2022** on all lots that you own and continue to have no Covenant violations.

As described in the Nomination Guidelines and in the Legal Representative materials included here for legal entities, candidates who are legal representatives must meet the more restrictive criteria given in Montana Law (MCA 35-2-542). They must hold fiduciary responsibility for the property (e.g., trustee of a trust, owner or officer of a corporation, legal guardian) or have full power of attorney for the Landowner's affairs and provide documentation to that effect.

CANDIDATE OPENINGS: (See Restated Bylaws addendum below)

North Glastonbury landowners will elect up to 6 Directors, three for 2-year terms and three for 1-year terms.

South Glastonbury landowners will elect up to 6 Directors, three for 2-year terms and three for 1-year terms.

North and South Glastonbury landowners will each elect 1 Ombudsman for a 1-year term.

Please share your skills and expertise on the Board or as Ombudsmen. Submit your nomination form by July 6, 2022, 5 PM MDT. The election packet with candidate bios will be mailed to Landowners on July 15, 2022.

Enclosures: Nomination Guidelines, Nomination Form, and, for legal entities, revised Legal Representative Form and cover letter

The Hon. Judge Nels Swandal, *custodian pendente lite* overseeing the 2022 Special Election, approved this document.
Swandal Law PLLC & Mediation Center, 305 East Lewis Street, Livingston, MT 59047 •swandal.law@gmail.com

ADDENDUM:

Restated Bylaws

Article VI D.2. Election Process and Term of Office. (On term limits):

No Director may serve more than two consecutive full terms. Directors who have served two consecutive full terms are not eligible for re-election until they are off the Board for one annual cycle. A partial term, served due to filling an off-cycle vacancy on the Board, shall not count as a full term.

Note: Directors who were ineligible due to these term limits for the interrupted 2020 election are ineligible to run in this special election.

Change of Property Ownership: If there has been any change in the ownership of your property, please immediately notify the GLA at 406-451-0033 or info@glamontana.org, **giving the** name, address and telephone number of the new owner, as well as the final date of sale. You can go to our website (www.glamontana.org) and fill out the GLA Property Transfer Form online. This form is on the left side of the uppermost search bar under the heading, **“Landowner Resources/Realty Transfer.”** Please send this form to the email address given above. This helps to ensure that each member is notified of our 2022 Special Election and that our records and mailing list are up-to-date for the election packet mailing.

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Glastonbury Landowners Association, Inc.
2022 SPECIAL ELECTION NOMINATION GUIDELINES

Eligibility to Run as a Candidate

To be eligible to run, candidates must be Glastonbury Landowners or be Legal Fiduciary Representatives of Landowners who are members in good standing per Bylaws Article VI C and Covenant 3.19 on the date of filing as a candidate.

- For Landowners to be in good standing to run:
 1. By June 30, 2022, they must be current in all assessments, penalties, and interest owed on all their membership interest(s) in both North and South Glastonbury
 2. They must not be in violation of any Covenant on any properties.
- For Legal Representatives to run, they must represent Landowners who are in good standing. They must have Legal Fiduciary Representative Forms on file with the GLA or submitted to Swandal Law with their Nomination Forms.
 1. Consistent with Montana Law (MCA 35-2-542), they must hold fiduciary responsibility for the property (e.g., trustee of a trust, owner or officer of a corporation, legal guardian) or have full power of attorney for the Landowner's affairs. This responsibility must be authorized by a notarized legal instrument that is available to the GLA upon request.
 2. Legal representatives who are also GLA Landowners must be members in good standing on the date of filing as a candidate.

Candidates forfeit their candidacy if they are discovered to have been ineligible on the date they filed as a candidate. Eligible candidates who submit their completed nomination forms by the July 6 deadline will have their names printed on the ballot mailed on July 15.

Requirements to be Elected

To be elected, candidates must be Landowners or Legal Fiduciary Representatives of Landowners in good standing at the time of the election deadline, August 19, 2022:

1. The Landowners must have paid all amounts owed on all properties they own, including their third quarterly installment, by July 31, 2022.
2. The Landowners must not have incurred any new Covenant violations since the nomination deadline.

Under the provisions of Judge Gilbert's appointment of Judge Swandal as *custodian pendente lite* to facilitate this special election, he will oversee and approve the preparation of the ballot, determining the eligibility of candidates to be placed on the ballot and to be elected. Votes cast for an ineligible candidate will not be counted.

Expectations and Responsibilities

- Candidates must intend to serve for their elected term as a GLA director or ombudsman and to contribute to the work of the Board.
- Directors are expected to attend the monthly Board meetings, special meetings, and the GLA Annual Meeting, to serve on one or more committees, to be attentive to the Board emails and participate in Board votes.
- Directors need to have a working knowledge of the GLA Governing Documents. These are the Articles of Incorporation, Covenants, Master Plan, Bylaws, Policies, Standards, Conflict of Interest and Code of Conduct.

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2022 SPECIAL ELECTION NOMINATION GUIDELINES

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Glastonbury Landowners Association, Inc.
2022 NOMINATION FORM FOR SPECIAL ELECTION OF
BOARD OF DIRECTORS & OMBUDSMEN

Please read the **Nomination and Candidate Guidelines** before completing this form. Use a separate form for each individual you are nominating.

- To nominate yourself: Complete the **Nomination Form** and **Nominee Information Sections A and B**.
- To nominate someone else: Complete the **Nomination Form** with their information and **sign it**. Have your nominee(s) complete **Nominee Information Sections A & B**, **signing** at the end of each section.
- To nominate a **Legal Representative**, that person must qualify as a **fiduciary** under Montana law. (Refer to the Legal Representative Instructions and Form that will accompany these nomination materials for legal entities. Persons with full power of attorney for a property owner must see the enclosed Legal Representative Cover Letter and Legal Representative Fiduciary Form. A Legal Representative must have a Legal Representative Form **on file** with the GLA or with Swandal Law on the date you sign this Nomination Form or it must accompany your Nomination Form.

The **Deadline** for submission is **July 6, 2022, 5 pm MDT**. Your application must be received at the Swandal Law office by the deadline. **No exceptions**. Nominees will only be considered if the application is entirely complete and signed. Nominees with missing information will not be contacted.

You must submit using one of the following methods:

E-MAIL: swandal.law@gmail.com

POSTAL MAIL: Swandal Law PLLC & Mediation Center, 305 East Lewis Street, Livingston, MT 59047

FAX: 888-966-0213 using a cover page with your name, phone number with area code, date, the number of pages in your fax, and the name of the Landowner you are nominating.

NOMINATION FORM			
WHAT IS THIS NOMINATION FOR?	(circle one):		
	DIRECTOR	OMBUDSMAN	
Name of Nominee	Phone Number	Parcel #	North or South
Signature of person submitting nomination		Print name	Date
Address of person submitting nomination		Email	Phone number

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| <b>NOMINEE INFORMATION – SECTION A</b>                                                                                                                                                              |            |                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------------------------|
| I am a nominee for (circle one):                                                                                                                                                                    |            |                             |
| Board of Directors                                                                                                                                                                                  | Ombudsman  |                             |
| _____ I am a member in good standing on the date I am signing this nomination form.                                                                                                                 |            |                             |
| _____ I have read the GLA Covenants, Bylaws, Master Plan, Standards, Conflict of Interest & Code of Conduct                                                                                         |            |                             |
| If an authorized fiduciary for a Legal Entity or person with full power of attorney for a landowner:                                                                                                |            |                             |
| _____ My fiduciary status or power of attorney was assigned by a notarized legal instrument and my designation as representative for this parcel was submitted previously or accompanies this Form. |            |                             |
| _____ The owner of the property I represent is in good standing on the date I am signing this nomination form.                                                                                      |            |                             |
| Signature                                                                                                                                                                                           | Print Name | Parcel # NG (circle one) SG |
| Address                                                                                                                                                                                             | Email      | Phone number                |

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Glastonbury Landowners Association, Inc.  
2022 NOMINATION FORM FOR SPECIAL ELECTION

**NOMINEE INFORMATION FORM – SECTION B**

The background you provide here will be included in the voting materials mailed to all members on July 15, 2022. In no more than 200 words, please provide information about yourself, including:

- Your occupation and any previous experience you have had on a Board as an Ombudsman or in a leadership position
- Specific skills, qualifications or interests that you believe you bring to serve as a GLA Board Member or Ombudsman
- What you hope to accomplish while serving the community should you be elected

Statements naming other persons or entities are not allowed and will not be distributed in the election mailing. Personal attacks will not be printed.

If you prefer, you may type this section separately, include it with your submission of the completed front, and back side of this form, signed, and dated.

**\*\*You must sign and date the bottom of this form. You must be a member in good standing on the date you file this form.\*\***

Area with horizontal lines for providing nominee information.

**Your Signature**

**Print your name**

**Date**